



NEW YORK STATE SENATOR

Catharine Young

## Senate Advances Legislative Package To Combat The Heroin Opioid Epidemic

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ALBANY – Across New York State, communities are battling an alarming rise in the use of heroin and opioids, which have claimed lives and devastated too many families.

In response to the constantly growing wave of heroin and opioid overdoses, Senator Catharine Young (R,C,I- 57th District) and her colleagues have issued a report on the epidemic's impact and passed a new package of legislation strengthening laws against the sale and possession of opiates and providing greater treatment opportunities for addicts.

"Heroin's devastating impact on our area can be seen on the faces of so many local families. Each day we see the tragic consequences of heroin played out in our hospital emergency rooms, funeral homes, courtrooms and newspapers. Unfortunately, the story is far from over and action must be taken to stem the tide," said Senator Young.

"If we are truly going to put an end to the destruction heroin is wreaking in our communities, we all need to work together," Senator Young said.

The Joint Senate Task Force on Heroin and Opioid Addiction, on which Senator Young serves, has held hearings across the state that included input from dozens of experts,

parents, recovering addicts, and concerned New Yorkers affected by addiction. The Task Force today issued its findings in a [report](#) that focuses on four key areas to combat the epidemic. These areas include:

1. **Prevention:** Increasing awareness through greater education for the public about the risks associated with heroin and prescription opioid use and abuse, and incorporating technological advances into efforts to deter the abuse of prescription drugs and prevent addiction.
2. **Treatment:** Those battling addiction face a critical need for effective insurance coverage, and enhanced availability to all forms of effective treatment - including inpatient, outpatient, and Medication Assisted Treatment - will help individuals return to clean and productive lives.
3. **Recovery:** Having a safe environment, employment, and opportunities to participate in alternative programs that avoid incarceration will facilitate successful recoveries.
4. **Enforcement:** Implementing reforms to the criminal justice system will give members of the law enforcement community greater tools to disrupt the supply of heroin and end the diversion of opiate prescription medications.

The report also includes a 48 bill package that would address heroin's grip on New York communities.

Twenty-two of these measures passed the Senate today. The bills work to prevent drug abuse and overdoses, increase availability for treatment services, and enhance tools for law enforcement. The package of bills focuses on the four areas highlighted in the Senate's report and include:

**Prevention:**

- **Senate Bill 6091B** – Limits an initial prescription of a Schedule II and III controlled substance to treat acute pain to a five day supply, reducing the excess volume of pills on the street and providing better continuity of care.
- **Senate Bill 4348A** – Creates a continuing medical education program, with standards set by the Department of Health (DOH) and the State Education Department (SED), which would be completed by prescribers prior to renewal of registration. The three hour course would include information on I-STOP requirements, pain management, appropriate prescribing, acute pain management, palliative medicine, addiction screening and treatment, and end-of-life care;
- **Senate Bill 6962** – Enhances patient access to abuse-deterrent technology for opioids by prohibiting insurers from disadvantaging drugs approved by the FDA as abuse-deterrent.
- **Senate Bill 7315** – Directs OASIS to create an instruction guide that will be included in every opioid prescription dispensed, highlighting: the risks of using such controlled substances; the physical, behavioral and advanced warning signs of addiction to such substances; the HOPELINE telephone contact number and text number (HOPENY) operated by OASAS; the procedures for safe disposal of drugs; and any other information the commissioner deems necessary. The bill also requires the information also be provided to patients administered opioids in a hospital setting, and requires acknowledgment of receipt of the information in the patient's discharge plan.
- **Senate Bill 6516A** – Expands reporting of opioid overdose data to include the number of opioid overdoses generally, in addition to the number of opioid overdose deaths. The bill also requires DOH to examine data to determine if an area receiving State resources is experiencing a greater reduction in heroin or opioid overdoses, thus providing a better understanding for what regions are struggling the most with this crisis.

- [Senate Bill 5546A](#) – Requires the state to promulgate instructional information regarding mental health, to be added to curriculum for junior and senior high school students, thus reducing the stigmas associated with mental illness.
- [Senate Bill 7365](#) – Requires health care practitioners to consult with a patient regarding the quantity of an opioid prescription and inform patients of the risks associated with taking an opiate medication.

### **Treatment:**

- [Senate Bill 7301](#) – Establishes continuing education requirements for credentialed alcoholism and substance abuse counselors that incorporate training in medication assisted treatment (MAT).
- [Senate Bill 7317A](#) – Removes barriers to obtain medication assisted treatment (MAT), by prohibiting providers from requiring prior authorization when dispensing of certain drugs for the treatment of opioid addiction.
- [Senate Bill 6248B](#) – Extends the amount of time a person can be involuntarily held for substance abuse disorder for emergency care from 48 hours to 72 hours and establishes criteria in which a person may be involuntary sent to treatment for a substance abuse disorder.
- [Senate Bill 631](#) – Allows a court to order assisted outpatient treatment (AOT) for an individual with a substance abuse disorder who poses a threat to him or herself, or others.

### **Recovery:**

- [Senate Bill 7446](#) – Expands the State's RFP process to include for-profit providers as groups able to apply for state contracts through OASAS. This will allow a greater number

of groups to apply to provide treatment services, allowing a greater number of individuals to enter treatment.

- [Senate Bill 3989A](#) – Creates a Sober Living Task Force charged with establishing best practice guidelines for sober living residences for people recovering from a chemical dependency
- [Senate Bill 6874](#) – Enhances treatment options for participants in judicial diversion programs.

### **Enforcement:**

- [Senate Bill 100](#) – Allows for someone to be charged with the crime of intent to sell if they possessed 50 or more packages of a Schedule I opium derivative, or possessed \$300 or more worth of such drugs.
- [Senate Bill 4177](#) – Strengthen the laws related to drug traffickers, so that they more accurately reflect the nature of the criminal enterprises resulting in an increase in successful prosecutions. The bill reduces the number of persons involved and charged as part of a drug organization from four to three and lowers the minimum proceeds from the sale of controlled substances to reflect the low street price of heroin.
- [Senate Bill 7200](#) – Creates “Drug-Free Zones” around drug or alcohol treatment centers and methadone clinics with increased penalties for dealers who prey on recovering addicts, to increase individuals’ likelihood for recovery.
- [Senate Bill 7012](#) – Modifies penalties for heroin sale to more directly reflect the traditionally lower weight needed in a heroin dose to trigger various criminal offenses.

- [Senate Bill 6317](#) – Revises eligibility requirements to increase judicial access to juvenile records to ensure that judges are able to unseal records when evaluating whether defendants should be placed in a judicial diversion program.
- [Senate Bill 6632A](#) – Adds fentanyl to the controlled substance as a Schedule I controlled substances bringing New York in line with the current Federal regulations, and increases criminal penalties for the sale of an opiate controlled substance containing a fentanyl derivative.
- [Senate Bill 7397](#) – Incorporates Xylazine, a veterinary sedative which has been found mixed into heroin, as a Schedule III controlled substance.
- [Senate Bill 4163](#) – Holds drug dealers accountable for the lives lost as a result of their activities by creating an A-I felony for the unlawful transportation or sale of an opioid controlled substance that causes the death of another person.

In March, the Senate also passed a [Senate Bill 994](#) that was included in the Task Force's Report. That legislation enhances penalties for the sale of controlled substances on park grounds and playgrounds.

“There is no singular law that will solve the heroin and opioid crisis. But, by taking a comprehensive approach we can make progress toward real solutions and this is another major step forward,” Senator Young said.

The recently enacted state budget also allocated \$141.1 million to OASAS for various heroin and opioid programs and allocated an additional \$25 million in new funding for prevention, treatment and recovery services, bringing the total state investment to combat the epidemic to \$166 million.