



NEW YORK STATE SENATOR

Andrew J. Lanza

## Senator Lanza Advances Largest Ever State Commitment to Prevent Heroin and Opioid Abuse

ANDREW J. LANZA March 16, 2018

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*“I remain committed to ending the horrific scourge of heroin and opiate abuse in our community. I understand the importance of prevention, education, intervention, treatment and recovery. We must do whatever we can to help our family members, friends and neighbors make healthy choices and have access to the support they need. My colleagues and I in the Senate Majority understand the urgency for improved measures and record funding. I urge our colleagues in the Assembly and the Executive Branch to support these efforts. We must work together and act aggressively to prevent more lives from being lost.” Senator Lanza*

## **\$265 Million for Drug Prevention and Treatment, Addresses Fentanyl and Other Deadly Synthetics, Protects Children and Adults from Opioid Exposure and Strengthens Enforcement**

Senator Andrew J. Lanza and the New York State Senate Majority unveiled details of an extensive response to the challenges facing communities in the fight against opioids and heroin. As part of the Senate's 2018-19 Budget proposal, Senator Lanza committed to providing a record level of state funding to combat opioid abuse and will propose far-reaching health and safety initiatives to reduce the harmful effects of drug abuse on everyone from infants to adults.

Senator Lanza said, "I remain committed to ending the horrific scourge of heroin and opiate abuse in our community. I understand the importance of prevention, education, intervention, treatment and recovery. We must do whatever we can to help our family members, friends and neighbors make healthy choices and have access to the support they need. My colleagues and I in the Senate Majority understand the urgency for improved measures and record funding. I urge our colleagues in the Assembly and the Executive Branch to support these efforts. We must work together and act aggressively to prevent more lives from being lost."

Senator Kemp Hannon said, "The opioid epidemic continues to have a devastating effect for all communities in New York, which is why we have been working for several years to reform prescribing practices, educate prescribers, and ensure people have access to treatment. The Senate's opioid package invests more money, continues to build on our accomplishments and makes additional investments in prevention, treatment and recovery. I commend my Senate colleagues who lead the Task Force and their continued efforts to combat this crisis."

Senator Chris Jacobs said, "This record \$265 million in funding reinforces the Senate Majority's commitment to eradicating the heroin and opioid abuse epidemic in New York

State. Based on what we learned in hearings all across the state, these resources are very strategically targeted where they will have the greatest impact in this fight - prevention, treatment and recovery, and giving law enforcement the necessary tools to stem the flow of illegal substances.”

Senator George Amedore said, “With a record level of funding and measures to increase prevention and improve access to treatment and recovery services, the Senate continues to lead the way in addressing the addiction issues that plague every community throughout the state. The Task Force held a series of productive meetings throughout the state that helped us to identify where gaps remain in the system and what steps we should be taking next. This package builds on the investment and policies that have been enacted in order to continue to help and support those who are struggling with addiction.”

Senator Fred Akshar said, “From my 15 years in law enforcement and traveling the state with my fellow Heroin and Opioid Addiction Task Force Co-chairs, it’s clear that the only way we can be successful in this fight against addiction is by taking a multi-faceted approach that incorporates prevention, education, treatment, recovery and enforcement. The measures included in the Senate’s budget proposal reflect our bottom-up approach, where we met with stakeholders at the ground level to identify needs and produce tangible results. I urge our colleagues in the Assembly and the Executive Branch to join us in these measures, because the heroin and opioid addiction scourge is bigger than any partisan or political differences. It takes all of us working together to provide relief and hope for families struggling with addiction in communities across our great state.”

The Senate proposal increases the state’s support for opioid use disorder-related services to a new record of \$265 million - going beyond the 2018-19 Executive Budget proposal of \$228

million.

In addition, the Senate will propose measures to reduce exposure to opioids for children and adults; limit and provide alternatives to opioid use; better define controlled substances to include deadly drugs like fentanyl; screen expectant mothers to prevent and treat addiction in infants; encourage the successful recovery for those struggling with addiction; and provide law enforcement with new tools to help get drugs and dealers off the streets.

They include:

### **Supporting Prevention**

- Enact the Drug Take Back Act to get unused and unnecessary medications out of medicine cabinets.
- Ensure labels on opioid prescriptions warn of the highly addictive potential of controlled substance medications.
- Reform prescribing practices to:
  - Limit initial prescriptions from a seven-day to a three-day supply;
  - Require patients prescribed opioids for thirty-days or longer to have a pain management plan with their prescriber;
  - Require written consent from parents or guardians for the prescription of opioids to minors;
  - Require the Department of Health to develop guidance on the administration of opioid antagonists; and

- Establish a demonstration program to reduce opioid prescribing by utilizing emergency department physician collaboration to control pain through alternative means, including non-opioid medications.

### **Expanding Treatment**

- Authorize the Office of Alcoholism and Substance Abuse (OASAS) to provide funding to substance use disorder programs operated by for-profit agencies.
- Establish a jail-based substance use disorder treatment program.
- Require testing of newborns for Neonatal Abstinence Syndrome.
- Establish a program on screening expectant mothers for opioid addiction and linking them with care.
- Establish a workgroup and provide education for healthcare providers on screening and caring for mothers with an opioid addiction.
- Prohibit prior authorization for outpatient substance abuse treatment.
- Establish an OASAS ombudsman to assist consumers and providers with insurance issues, including network adequacy.
- Require hospitals and Emergency Room physicians to notify a patient's prescriber that the patient has been treated for a controlled substance overdose.

### **Encouraging Recovery**

- Establish a voluntary certification process for sober homes.
- Codify the Peer Engagement Program, connecting individuals with substance use disorders to treatment and recovery services.
- Establish an infant recovery pilot program with at least four infant recovery centers in areas of need for infants suffering from drug withdrawal resulting from in utero exposure.

- Establish the Family Support and Recovery Services Program to provide recovery services and support to individuals exiting treatment and their families for up to 12 months after leaving a treatment program.

### **Enhancing Enforcement**

- Criminalize the sale of a controlled substance on the grounds of a drug or alcohol treatment center or within 1,000 feet of such facilities.
- Make it a crime to offer or accept any kickback from an individual or entity that provides substance abuse services in exchange for patient referral and admission.
- Establishes appropriate level penalties as it relates to heroin sales.
- Makes the sale of 2 milligrams or more of Carfentanil a Class A-II felony and the sale of 10 milligrams or more of Carfentanil a Class A-I felony.
- Update controlled substances penalties to reflect emerging issues.

### **Addressing Fentanyl and other Synthetic Drugs**

- Update the controlled substances schedule to promote consistency with the federal controlled substances schedules.
- Add new derivatives of fentanyl to the controlled substances schedule.
- Increase the criminal penalties for the sale of an opiate containing a fentanyl derivative.

The Senate will take action on these measures and continue to make addressing heroin and opioid abuse a priority during ongoing budget negotiations.