



NEW YORK STATE SENATOR

Fred Akshar

6.19.18 - Senate Gives Final Passage to Measure that Prohibits Predatory Substance Abuse Treatment Practices

FRED AKSHAR June 19, 2018

| ISSUE: **COMBAT HEROIN AND OPIOID ADDICTION, HEROIN & OPIOID ADDICTION TASK FORCE**



The New York State Senate on Monday gave final passage to legislation to stop people from preying on individuals and families seeking treatment for drug abuse. The bill ([S6544B](#)), sponsored by Senator Fred Akshar (R-C-I-Ref, Binghamton), makes it a crime to offer to or accept any kickback from an individual or entity that provides substance abuse services in exchange for patient referral and admission.

Senator Akshar said, “From day one I pledged to the people I represent I would fight for

those suffering from addiction. Our work is far from over, but the passage of today's legislation will help protect those suffering from substance use disorders and their families when they're most vulnerable and searching for treatment. These predators care about making money instead of getting patients the treatment they need and this bill will hold them accountable."

There has been a rise in individuals who aggressively pursue people in need of substance use disorder treatment services and, for a sometimes-extravagant fee, promise admission to treatment programs. For individuals engaging in this predatory behavior, the most desirable patients are those with robust insurance coverage and out-of-network benefit packages. Patient brokers refer these clients to programs offering the highest rate of "return" to the patient broker, with little or no regard for the patient's specific needs. This predatory practice capitalizes on, and exploits families' fears while putting patients at risk of inappropriate treatment.

In addition, the Senate has recently passed the following bills to address the state's heroin crisis:

Requiring Patient Counseling Prior to Issuing a Prescription for a Schedule II Opioid: Bill [S5670](#), sponsored by Senator Akshar, requires health care practitioners to consult with a patient regarding the quantity of an opioid prescription and the patient's option to have the prescription written for a lower quantity. The physician must also inform the patient of the risks associated with taking an opiate medication, and the reason for issuing the medication must be documented in the patient's medical record. This will help prevent addictions that start with legal drug prescriptions.

Increasing the number of opioid treatment services throughout the state: Bill [S8600A](#), Sponsored

by Senator George Amedore (R-C-I, Rotterdam), authorizes the Office of Alcoholism and Substance Abuse Services (OASAS) to implement a demonstration program designed to increase consumer accessibility to opioid treatment services in geographic areas determined by the commissioner to be in need of such services, and increase the type of companies and organizations – including for-profits - eligible to provide treatment.

Senator George Amedore said, “As we continue our efforts to combat the opioid epidemic we are facing here in New York State, it is critically important that we provide as many treatment options as possible in our communities, and this legislation will help us do that, particularly in underserved and more rural areas.”

These latest measures build upon the Senate’s commitment to fighting the state’s heroin epidemic. In April the Senate passed a package of bills that put a necessary focus on strengthening laws to stop drug dealers and others who are profiting from the deadly heroin epidemic that continues to grip the state.

Furthermore, this year’s enacted budget provided record support for heroin and opioid abuse, prevention, and treatment. The Senate secured a major increase in funding to combat the opioid epidemic for a new record investment of \$247 million – \$20 million above the 2018-19 Executive Budget proposal, and \$37 million above what was provided in 2017-18.

The bills have been sent to the Assembly, except for S6544B which will be sent to the Governor for review.

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RELATED LEGISLATION

2017-S6544B

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Prohibits certain practices by providers of substance use disorder services

June 01, 2017

Senate Floor Calendar

Sponsored by **Fred Akshar**

Do you support this bill?

2017-S5670

-
- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
 - ◦ Passed Assembly
 - Passed Senate
 - Delivered to Governor
 - Signed By Governor
 -

Relates to patient counseling before issuing a prescription for a schedule II opioid

April 24, 2017

In Assembly Committee

Sponsored by **Fred Akshar**

Do you support this bill?

2017-S8600A

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

-

Relates to the provision of opioid treatment services by certain entities

May 10, 2018

In Assembly Committee

Sponsored by **George Amedore**

Do you support this bill?