



NEW YORK STATE SENATOR

Pete Harckham

## Harckham Introduces New Bill Requiring Public Information on Opioid Sales

PETE HARCKHAM September 15, 2021

| ISSUE: **NEW YORK STATE DEPARTMENT OF HEALTH, BATTLING THE OPIOID EPIDEMIC, SENATOR PETE HARCKHAM, ALCOHOLISM AND SUBSTANCE ABUSE COMMITTEE**



*Peekskill, NY* – New York State Senator Pete Harckham introduced a new bill this week that will require the state’s Department of Health (DOH) to publish an annual report detailing all registered opioid sales per annum in the state of New York. This report, which will help quantify the compulsory deposits that need to be made into the state’s Opioid Stewardship Fund, will be made available then to the public in machine-readable formats and on the DOH website.

“Right now, there is no public information regarding the annual opioid sales in New York that are supposed to finance, by law, the Opioid Stewardship Fund, and this new legislation will change that,” said

Harckham, who is chair of the Senate Committee on Alcoholism and Substance Abuse. “We need greater transparency in areas like this to be able to gauge whether the law is being complied with, and whether the state’s treatment providers are getting the resources they deserve.”

Harckham’s new law (S.7378) calls on DOH to publish on its website the initial report with transaction information from July 1, 2019 through December 31, 2019, and each annual report thereafter.

The 2019 New York State enacted budget established an Opioid Stewardship Fund to combat the opioid overdose crisis. Financed by an assessment on opioid products sold or distributed in New York, the annual \$100 million dollar stewardship payments were formulated to place the financial burden of the opioid crisis upon the companies that are making billions in profits.

The financing from the stewardship fund was to be directed toward support programs operated by the Office of Addiction Services and Supports (OASAS). Such programs were to include opioid treatment, recovery, prevention, education and the I-STOP program, all pursuant to the approval by the state’s budget director.

The creation of the Opioid Stewardship Fund also included a requirement for the Department of Health (DOH) to annually gather reports detailing all registered opioids sales authorized in the state. To date, this information has not been accessible.

The initial law inside the 2019 State Budget was successfully challenged in court by opioid manufacturers on the grounds the law specifically prevented them from passing on costs of the Stewardship Fund on to consumers. The 2020 State Budget remedied the language in the law but manufacturers are still challenging in court the assessments dictated by the law.

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#### RELATED LEGISLATION

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### **2021-S7378**

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- 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
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Requires the department of health to publish certain reports on department's website detailing sales of opioids sold in the state

September 15, 2021

Passed Assembly

Sponsored by **Pete Harckham**

Do you support this bill?