Annual Report 2023

New York State Senate Standing Committee on Alcoholism and Substance Use Disorders Senator Nathalia Fernandez Chair





Senator Andrea Stewart-Cousins President Pro Tempore NYS Senate Majority Leader

CHAIR ALCOHOLISM AND SUBSTANCE USE DISORDERS

COMMITTEES LABOR RULES MENTAL HEALTH TRANSPORTATION INVESTIGATIONS AND GOVERNMENT OPERATIONS COMMERCE, ECONOMIC DEVELOPMENT AND SMALL BUSINESS

> SECRETARY NYS BLACK, PUERTO RICAN, HISPANIC AND ASIAN LEGISLATIVE CAUCUS

THE SENATE STATE OF NEW YORK



NATHALIA FERNANDEZ SENATOR, 34TH DISTRICT

ALBANY OFFICE 814 LEGISLATIVE OFFICE BUILDING ALBANY, NEW YORK 12247 (518) 455-3595

DISTRICT OFFICE 3853 EAST TREMONT AVENUE BRONX, NEW YORK 10465 (718) 822-2049

EMAIL FERNANDEZ@NYSENATE.GOV

@SENFERNANDEZ34

December 15, 2023

The Honorable Andrea Stewart-Cousins Temporary President and Majority Leader New York State Senate Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Alcoholism and Substance Use Disorders for the 2023 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction.

During the 2023 Session, this Committee met three times in Session and reported 21 bills. As Chair, I also attended multiple conferences and symposiums, and traveled across the State to visit and meet with providers, recovery programs, and stakeholders to discuss reform needed to the addiction services and support sector.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the Committee this year, and I thank you for the continued support from the Majority Conference in the Committee's operations.

Sincerely, Nathalia Fernandez

Shert

New York State Senator of Senate District 34

2023 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON ALCOHOLISM AND SUBSTANCE USE DISORDERS

Senator Nathalia Fernandez, Chairperson

COMMITTEE MEMBERS

MAJORITY MEMBERS

Senator Pete Harckham Senator Monica R. Martinez Senator Gustavo Rivera Senator Sean M. Ryan

MINORITY MEMBERS

Senator Peter Oberacker, *Ranking Member* Senator Robert G. Rolison

COMMITTEE STAFF

Carolyn Sheridan – Senior Policy Advisor Kim Bernstein – Legislative Director

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Alcoholism and Substance Use Disorders has legislative oversight responsibilities for issues concerning the systems of harm reduction, prevention, treatment, and recovery for substance use disorders. This includes legislation pertaining directly to the NYS Office of Addiction Services and Supports, NYS Office of Mental Health, and NYS Department of Health.

During the 2023 Legislative Session, 43 bills were referred to the Committee for its review. Of these bills, 21 were reported from the Committee. Eleven were passed by the Senate, and three passed in both houses. This work was conducted through a series of three committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to holding regular meetings, as the Chair of the Committee I conducted a listening tour of addiction and substance use disorder programs and facilities around the State and attended three conferences and symposiums. The tour consisted of 31 stops across 16 counties and 18 Senate districts, and included residential treatment centers, safe injection sites, overdose prevention centers, recovery programs, opioid treatment programs, stabilization centers, and more. I also attended the annual Alcoholism and Substance Abuse Providers of New York (ASAP) conference, the NYS BPHA Legislative Caucus Roundtable Discussion on the Opioid Crisis, and the Preventing Addiction & Supporting Recovery in Employment (PARSE) 2023 Recovery Friendly Workplace Symposium.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2023:

- S993A (Hoylman-Sigal) *Chapter 141 of 2023* This bill requires substance use disorder services to provide treatment services based on the individual's gender identity or expression and preference.
- S1976B (Ramos) *Reported from Committee* This bill creates a judicial diversion program based in evidence-based practices to provide an appropriate therapeutic and trauma-informed response for individuals with functional impairments such as a substance use disorder.
- S2099C (Harckham) *Chapter 654 of 2023* This bill enacts Matthew's Law, which makes fentanyl testing supplies more widely available.
- S3112A (Mannion) *Reported from Committee* This bill requires public institutions and buildings to be equipped with opioid antagonists.
- S3525 (Fernandez) *Passed Senate* This bill authorizes certain facilities to provide treatment for the mental health and health care needs of individuals admitted for a substance use disorder.
- S4393 (Martinez) *Passed Senate* This bill requires fentanyl test strips, as well as an informational card about fentanyl test strips and their uses, to be included in opioid antagonist distribution within opioid overdose prevention programs through the Commissioner of the New York State Department of Health.
- S5332 (Harckham) *Veto 53 of 2023* This bill requires written notice to a defendant of his or her right to complete court ordered alcohol or substance use treatment in a nonreligious treatment program.
- S6499 (Kennedy) *Reported from Committee* This bill establishes an intensive addiction recovery and mental health integrated services demonstration program for individuals with significant addiction and mental health issues who have had multiple and frequent treatment episodes.
- S6701 (Fernandez) *Passed Senate* This bill establishes the Problem Gambling Advisory Council to identify issues affecting those suffering from a problem gambling disorder and make recommendations for prevention and treatment and the accessibility of such options.

TWO HOUSE BILLS

In 2023, three of the 43 bills referred to the Standing Committee on Alcoholism and Substance Use Disorders passed both houses of the Legislature. Of these bills, the Governor has signed two and vetoed one.

Bill	Sponsor	Summary	Action
S993A	Hoylman- Sigal	Relates to accessing substance use disorder services based on the individual's gender identity or expression and preference	Chapter 141 of 2023
S2099C	Harckham	Enacts "Matthew's law"	Chapter 654 of 2023
S5332	Harckham	Requires written notice to a defendant of his or her right to complete court ordered alcohol or substance use treatment in a nonreligious treatment program	Veto 53 of 2023

SUMMARY OF COMMITTEE ACTIVITY

Bill No.	Sponsor	Summary	Significant Action
S993A	Hoylman- Sigal	Relates to accessing substance use disorder services based on the individual's gender identity or expression and preference	Chapter 141 of 2023
S1976B	Ramos	Relates to judicial diversion programs; repealer	Reported from Committee
S2099C	Harckham	Enacts "Matthew's law"	Chapter 654 of 2023
S3112A	Mannion	Requires public institutions and buildings to be equipped with opioid antagonists	Reported from Committee
\$3347	Fernandez	Relates to the availability of buprenorphine in opioid treatment programs	Reported from Committee
\$3348	Fernandez	Refers individuals to appropriate service providers for substance use disorders	Passed Senate Only
S3349A	Fernandez	Creates a certified recovery residences task force	Passed Senate Only
S3390A	Harckham	Relates to the payment for services at addiction treatment centers operated by the office of addiction services and supports	Reported from Committee
\$3525	Fernandez	Authorizes certain facilities to provide treatment for the mental health and health care needs of individuals admitted for a substance use disorder	Passed Senate Only
S4103	Comrie	Relates to guidelines for onside opioid overdose response capacity in community centers	Reported from Committee
S4321	Lanza	Relates to the distribution of educational materials regarding the misuse of and addiction to prescription drugs in counties with the most prevalent abuse of prescription opioids	Reported from Committee
S4393	Martinez	Requires information about fentanyl test strips and their uses on information cards or sheets	Passed Senate
S4536A 4	Harckham	Relates to reimbursement for non-medical transportation for individuals with a substance use disorder to receive peer support services	Reported from Committee

\$5163	Harckham	Designates services to be provided by a jail-based substance use disorder treatment, peer led recovery support services, and transition services program as essential medical care services	Passed Senate Only
\$5332	Harckham	Requires written notice to a defendant of his or her right to complete court ordered alcohol or substance use treatment in a nonreligious treatment program	Veto 53 of 2023
\$5396	Harckham	Directs the commissioner of the office of addiction services and supports to promulgate rules and regulations for providers operating in rural locations	Passed Senate Only
\$5671	Fernandez	Establishes the fentanyl test strip program	Reported from Committee
S5797A	Fernandez	Provides that the results of urine tests conducted pursuant to a judicial diversion program shall be private and confidential	Reported from Committee
\$5970	Harckham	Relates to the construction of facilities for chemical dependence services that promote the privacy of individuals	Passed Senate Only
S6499	Kennedy	Establishes an intensive addiction recovery and mental health integrated services pilot program	Reported from Committee
S6701	Fernandez	Establishes the problem gambling advisory council	Passed Senate Only



Annual Report 2023

New York State Senate Standing Committee on Alcoholism and Substance Use Disorders