



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

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Contact: Jonathan Heppner | heppner@nysenate.gov | 518-455-2415

Senate Majority to Pass Legislation to Combat the Opioid Crisis and Improve Treatment Programs

(Albany, NY) The Senate Democratic Majority today will advance legislation to combat the opioid crisis by expanding access to life-saving medication and improving treatment programs to support the recovery of New Yorkers struggling with substance use disorder. The legislation advanced today expands access to buprenorphine treatment and ensures abuse-deterrent medication is accessible; requires practitioners to take into consideration non-opioid treatment alternatives when treating neuromusculoskeletal conditions, prohibits insurance companies from imposing co-payments for treatment, provides due process protections to drug treatment providers from audits by the Medicaid Inspector General and establishes an addiction and mental health integrated services pilot program. Additionally, today's legislation increases the availability of naloxone opioid antagonists like NARCAN® in public facilities and nightlife establishments.

Senate Majority Leader Andrea Stewart-Cousins said, "The opioid crisis continues to ravage communities as we have seen an alarming increase in overdose deaths across the state during the pandemic. Today's legislation helps support treatment programs to ensure we provide the best possible care and ensure that life-saving treatments are more readily available to New Yorkers struggling with addiction. I thank the Chairman of the Senate Committee on Alcoholism and Substance Abuse, Senator Pete Harckham, for his leadership and tireless work and the bill sponsors for their efforts in advancing legislation that will help save lives."

Chair of the Senate Committee on Alcoholism and Substance Abuse, Senator Pete Harckham, said, "Decisive progress in turning back the opioid crisis, reducing overdoses and saving lives from substance use disorder can only be gained with an all-out effort to reduce barriers and increase access to treatment and recovery programs. The comprehensive package of legislation passed today in the Senate means to advance these critical goals, and I am grateful to Majority Leader Stewart-Cousins for her staunch support of these necessary initiatives to safeguard our residents."

The legislation being passed by the Senate Majority includes:

- **Prohibits Co-Payments for Treatment at an Opioid Treatment Program:** This bill, S.5690, sponsored by Senator Pete Harckham, prohibits insurance companies from imposing co-payments for treatment at an opioid treatment program.
- **Ensure Availability of Buprenorphine in Opioid Treatment Programs:** This bill, S.6746A, sponsored by Senator Pete Harckham, requires facilities that provide treatment for substance use disorders to have at least one practitioner qualified to administer or prescribe buprenorphine to individuals in their care with substance use disorders related to opioids.
- **Provide Due Process Protections to Health Care Providers and Recipients:** This bill, S.4486B, sponsored by Senator Pete Harckham, amends provisions relating to audit and review of medical assistance program funds by the Medicaid Inspector General; prohibits additional review without error or new information; requires application of rules in place at the time funds were paid to providers; requires notice to recipients of medical assistance funds of certain investigations.
- **Abuse-Deterrent Technology Availability:** This bill, S.4532, sponsored by Senator Samra Brouk, ensures that abuse-deterrent drugs approved by the FDA are accessible to patients and that insurance coverage does not disincentivize access for patients to drugs approved by the FDA as abuse-deterrent.
- **Nightlife Opioid Antagonist Program:** This bill, S.8633A, sponsored by Senator Leroy Comrie, establishes the nightlife opioid antagonist program to allow certain establishments to apply and receive at least ten doses of opioid antagonist, free of charge, to have on site to be administered to patrons, staff or individuals in the case of an emergency.
- **Tophers Law - Intensive Addiction Recovery and Mental Health Pilot Program:** This bill, S.8244, sponsored by Senator Tim Kennedy, establishes an intensive addiction recovery and mental health integrated services pilot program to support two three-year demonstration programs that provide intensive addiction and mental health integrated services to individuals with significant addiction and mental health issues who have had multiple and frequent treatment episodes.
- **Erin's Law - Public Facilities to Carry Opioid Antagonists:** This bill, S.8708A, sponsored by Senator John Mannion, requires certain public facilities to maintain a stock of opioid antagonists in first aid kits and requires the education and training of staff persons employed in such places in the administration of opioid antagonists.
- **Consideration and Prescription of Non-Opioid Treatment Alternatives:** This bill, S.4640, sponsored by Senator Gustavo Rivera, requires providers to consider, discuss and refer or prescribe (where appropriate and based upon clinical judgment) non-opioid treatment alternatives for treatment of neuromusculoskeletal conditions.

Bill sponsor Senator Samra Brouk said, “We know that countless New Yorkers struggle with opioid addiction, and that communities and families have been torn apart by predatory pharmaceutical companies and a lack of recovery resources. This epidemic calls for strong action, which is why I’m proud that my bill, S.4532, was passed today. Once signed into law, this bill will make it easier for individuals to access abuse-deterrent pain killers as an alternative to traditional opioids that can more easily be crushed, snorted, or injected. All people deserve compassionate care, and the resources to lead safe and healthy lives.”

Bill sponsor Senator Leroy Comrie said, “This model of partnering to deliver life-saving treatment to establishments, targeting overdose prevention, and training nightlife hospitality workers, has proven successful. The Nightlife Opioid Antagonist Program will operate in concert with this package of measures to reduce harm, increase safety, and address the crisis we face. When we equip New Yorkers with the tools to keep one another safe, they rise to the occasion.”

Bill sponsor Senator Tim Kennedy said, “Too many families know the pain of losing a loved one to opioid abuse, and tragically, the pandemic has only triggered an increase in the number of overdoses - both nationally as well as here in New York. These reforms prioritized by the Democratic Conference take a targeted approach to preventing abuse, improving treatment opportunities and establishing safe, effective resources to pursue a path toward recovery.”

Bill sponsor Senator John Mannion said, “We are facing an epidemic of overdose and addiction that is unmatched in our history. It demands a response that matches the magnitude of the crisis and brings to scale proven life-saving strategies – including making opioid antagonists as widely available as possible. Thanks to the leadership of Majority Leader Andrea Stewart-Cousins, ‘Erin’s Law’ will mean public buildings across the state will be equipped with Narcan, and more people will be trained in how to use it.”

Bill sponsor Senator Gustavo Rivera said, “As we work to combat the opioid epidemic, we need to ensure that opioid prescriptions are not the only choice available for treating pain. My bill, S.4640, requires both patients and doctors to consider alternatives available before choosing an opioid prescription. Today's bill package takes into consideration ways we can limit opioid prescriptions and support treatment options that support New Yorkers recovering from substance abuse.”

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New York State Senate | senatedemocraticmajority@nysenate.gov | 518-455-2415