

STATE OF NEW YORK

8412--A

IN SENATE

January 29, 2024

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to the opioid stewardship fund; and to amend part NN of chapter 57 of the laws of 2018, amending the public health law and the state finance law relating to enacting the opioid stewardship act, in relation to the effectiveness thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 4 of section 97-aaaaa of the state finance law,
2 as added by section 3 of part NN of chapter 57 of the laws of 2018, is
3 amended and a new subdivision 8 is added to read as follows:

4 4. Moneys of the opioid stewardship fund, when allocated, shall be
5 available, subject to the approval of the director of the budget, to
6 support programs operated by the New York state office of [~~alcoholism~~]
7 addiction services and [~~substance abuse services~~] supports or agencies
8 certified, authorized, approved or otherwise funded by the New York
9 state office of [~~alcoholism~~] addiction services and [~~substance abuse~~
10 ~~services~~] supports to provide opioid treatment, recovery and prevention
11 and education services; and to provide support for the prescription
12 monitoring program registry as established pursuant to section thirty-
13 three hundred forty-three-a of the public health law, provided, however,
14 that at least ten percent of funds shall be invested in recovery
15 services and supports. Provided, further, that moneys of the fund shall
16 be used to supplement and not supplant or replace any other funds,
17 including federal or state funding, which would otherwise have been
18 expended for substance use disorder prevention, treatment, recovery or
19 harm reduction services or programs.

20 8. (a) On or before November first of each year, beginning one year
21 after the effective date of this subdivision, the commissioner of the
22 office of addiction services and supports shall provide a written report
23 to the governor, temporary president of the senate, speaker of the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 assembly, chair of the senate finance committee, chair of the assembly
2 ways and means committee, chair of the senate alcoholism and substance
3 use committee, and chair of the assembly alcoholism and drug abuse
4 committee.

5 (b) Such report shall be presented as a consolidated dashboard and be
6 made publicly available on the office of addiction services and
7 supports' website. Such report shall, to the extent practicable after
8 making all diligent efforts to obtain such information, include the
9 following:

10 (i) the baseline funding for any entity that receives funding from the
11 opioid stewardship fund, prior to the receipt of such funds; and

12 (ii) how funds deposited in the opioid stewardship fund have been
13 utilized in the preceding calendar year, including but not limited to:

14 (A) the amount of money disbursed from the fund and the award process
15 used for such disbursement, if applicable;

16 (B) the names of the recipients, the amounts awarded to such recipient
17 and details about the purpose such funds were awarded for, including
18 what specific services and programs the funds were used on and what
19 populations such services or programs served;

20 (C) the main criteria utilized to determine the award, including how
21 the program or service assists to reduce the effects of substance use
22 disorders;

23 (D) an analysis of the effectiveness of the services and/or programs
24 that received opioid stewardship funding in their efforts to reduce the
25 effects of the overdose and substance use disorder epidemic. Such analy-
26 sis shall utilize evidence-based uniform metrics when reviewing the
27 effects the service and/or program had on prevention, harm reduction,
28 treatment, and recovery advancements;

29 (E) any relevant information provided by any state agency; and

30 (F) any other information the commissioner deems necessary to help
31 inform future appropriations and funding decisions, and ensure such
32 funding is not being used to supplant local, state, or federal funding.

33 § 2. Section 5 of part NN of chapter 57 of the laws of 2018, amending
34 the public health law and the state finance law relating to enacting the
35 opioid stewardship act, as amended by section 7 of part B of chapter 57
36 of the laws of 2024, is amended to read as follows:

37 § 5. This act shall take effect July 1, 2018 [~~and shall expire and be~~
38 ~~deemed to be repealed on June 30, 2029~~], provided that, effective imme-
39 diately, the addition, amendment and/or repeal of any rule or regulation
40 necessary for the implementation of this act on its effective date are
41 authorized to be made and completed on or before such effective date,
42 and, provided that this act shall only apply to the sale or distribution
43 of opioids in the state of New York on or before December 31, 2018.

44 § 3. This act shall take effect immediately.