

# STATE OF NEW YORK

8412

## 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

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  
24 assembly, chair of the senate finance committee, chair of the assembly  
25 ways and means committee, chair of the senate alcoholism and substance

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

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1 use committee, and chair of the assembly alcoholism and drug abuse  
2 committee.

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

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

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

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

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

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

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

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

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

31 § 2. Section 5 of part NN of chapter 57 of the laws of 2018, amending  
32 the public health law and the state finance law relating to enacting the  
33 opioid stewardship act, as amended by section 5 of part XX of chapter 59  
34 of the laws of 2019, is amended to read as follows:

35 § 5. This act shall take effect July 1, 2018 [~~and shall expire and be~~  
36 ~~deemed to be repealed on June 30, 2024~~], provided that, effective imme-  
37 diately, the addition, amendment and/or repeal of any rule or regulation  
38 necessary for the implementation of this act on its effective date are  
39 authorized to be made and completed on or before such effective date,  
40 and, provided that this act shall only apply to the sale or distribution  
41 of opioids in the state of New York on or before December 31, 2018.

42 § 3. This act shall take effect immediately.