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:

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

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

8. (a) On or before November first of each year, beginning one year after the effective date of this subdivision, the commissioner of the office of addiction services and supports shall provide a written report to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly 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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use committee, and chair of the assembly alcoholism and drug abuse committee.

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

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

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

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

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

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

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

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

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

§ 2. Section 5 of 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, as amended by section 5 of part XX of chapter 59 of the laws of 2019, is amended to read as follows:

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

§ 3. This act shall take effect immediately.