STATE OF NEW YORK

69

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. GONZALEZ-ROJAS, STECK, KELLES, HEVESI, EPSTEIN -- read once and referred to the Committee on Health

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. Short title. This act shall be known and may be cited as the "overdose prevention and recovery act".

§ 2. Subdivisions 4 and 5 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, are 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 the department of health or agencies certified, authorized, approved or otherwise funded by the New York state office of [~~alcoholism~~] addiction services and [~~substance abuse services~~] supports or the department of health 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 twenty percent of funds shall be invested in recovery services and supports and at least twenty percent of funds shall be allocated to the department of health to be used for harm reduction services including but not limited to syringe service programs and drug user health hubs. 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

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

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programs, and general operation funds or baseline funding shall not be reduced due to monies expended from the fund.

5. At the request of the budget director, the state comptroller shall transfer moneys to support the costs of opioid treatment, recovery, prevention, education services, harm reduction services, and other related programs, from the opioid stewardship fund to any other fund of the state to support this purpose.

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 in conjunction with the commissioner of health 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 use disorders 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' and the department of health's websites. 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.

§ 3. 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 7 of part B of chapter 57 of the laws of 2024, 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, 2029~~], 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.

§ 4. This act shall take effect immediately.