

STATE OF NEW YORK

4639

2025-2026 Regular Sessions

IN SENATE

February 10, 2025

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Use Disorders

AN ACT to amend the mental hygiene law, in relation to funds received pursuant to a New York opioid settlement sharing agreement

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

1 Section 1. Paragraph 10 of subdivision (c) of section 25.18 of the
2 mental hygiene law, as amended by chapter 171 of the laws of 2022, is
3 amended to read as follows:
4 10. On or before November first of each year, beginning one year after
5 the initial deposit of monies in the opioid settlement fund, the rele-
6 vant commissioners[~~7~~] shall provide a written report to the governor,
7 temporary president of the senate, speaker of the assembly, chair of the
8 senate finance committee, chair of the assembly ways and means commit-
9 tee, chair of the senate alcoholism and substance [~~abuse~~] use disorders
10 committee, chair of the assembly alcoholism and drug abuse committee,
11 and the opioid settlement advisory board. Such report shall be presented
12 as a consolidated dashboard and be made publicly available on the
13 respective offices' websites. The report shall, to the extent practica-
14 ble after making all diligent efforts to obtain such information,
15 include the following: (i) the baseline funding for any entity that
16 receives funding from the opioid settlement fund or other funds received
17 pursuant to a New York opioid settlement sharing agreement, prior to the
18 receipt of such [~~opioid settlement~~] funds; (ii) how funds deposited in
19 the opioid settlement fund and other funds received pursuant to a New
20 York opioid settlement sharing agreement had been utilized in the
21 preceding calendar year, including but not limited to: (A) the amount of
22 money disbursed [~~from the fund~~] and the award process used for such
23 disbursement, if applicable; (B) the names of the recipients, the
24 amounts awarded to such recipient and details about the purpose such

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

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1 funds were awarded for, including what specific services and programs
2 the funds were used on and what populations such services or programs
3 served; (C) the main criteria utilized to determine the award, including
4 how the program or service assists to reduce the effects of substance
5 use disorders; (D) an analysis of the effectiveness of the services
6 and/or programs that received opioid settlement funding or other funds
7 received pursuant to a New York opioid settlement sharing agreement in
8 their efforts to reduce the effects of the overdose and substance use
9 disorder epidemic. Such analysis shall utilize evidence-based uniform
10 metrics when reviewing the effects the service and/or program had on
11 prevention, harm reduction, treatment, and recovery advancements; (E)
12 any relevant information provided by the New York subdivisions pursuant
13 to this section; and (F) any other information the commissioner deems
14 necessary to help inform future appropriations and funding decisions,
15 and ensure such funding is not being used to supplant local, state, or
16 federal funding.

17 § 2. Subdivision (d) of section 25.18 of the mental hygiene law, as
18 amended by chapter 171 of the laws of 2022, is amended to read as
19 follows:

20 (d) Limitation on authority of government entities to bring lawsuits.
21 No government entity shall have the authority to assert released claims
22 against entities released by the department of law in a statewide opioid
23 settlement agreement executed by the department of law and the released
24 party on or after June first, two thousand twenty-one. Any action filed
25 by a government entity after June thirtieth, two thousand nineteen
26 asserting released claims against a manufacturer, distributor, ~~[or]~~
27 dispenser, consultant, or related party thereof, of opioid products
28 shall be extinguished by operation of law upon being released pursuant
29 to such statewide opioid settlement agreement.

30 § 3. This act shall take effect immediately.