

SB 32-FN - VERSION ADOPTED BY BOTH BODIES

02/09/2023 0291s
02/09/2023 0432s

2023 SESSION

23-0796
05/10

SENATE BILL **32-FN**

AN ACT relative to the opioid abatement trust fund.

SPONSORS: Sen. Rosenwald, Dist 13; Sen. Gannon, Dist 23; Sen. Soucy, Dist 18; Rep. Nordgren, Graf. 12; Rep. Rochefort, Graf. 1; Rep. Tellez, Hills. 40; Rep. Telerski, Hills. 11; Rep. J. Murphy, Graf. 12

COMMITTEE: Health and Human Services

ANALYSIS

This bill sets the amount of money needed in the opioid abatement trust fund balance to solicit applications. The bill also revises the duties of the opioid abatement advisory commission.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the opioid abatement trust fund.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Opioid Abatement Trust Fund. Amend RSA 126-A:84, II(b) to read as follows:

2 (b) All remaining funds shall be deposited into the opioid abatement trust fund as
3 established by RSA 126-A:83, I to be distributed by the commissioner of the department of health
4 and human services, with approval of the opioid abatement advisory commission. Funds may be
5 awarded to a qualifying governmental entity or program for an approved use under RSA 126-A:86,
6 I(b). ***The department shall solicit applications for qualifying projects at least once in any
7 calendar year that the balance in the trust fund exceeds \$5,000,000. The commission shall
8 collaborate with the department as to how many times the department shall solicit
9 applications in any calendar year in which the fund balance is at least \$5,000,000, along
10 with what amount above \$5,000,000 for which to solicit applications.***

11 2 New Hampshire Opioid Abatement Advisory Commission; Duties. Amend RSA 126-A:86, I to
12 read as follows:

13 I. The opioid abatement advisory commission ***in coordination with the governor's
14 commission on alcohol and other drugs, and in alignment with relevant state plans***, shall:

15 (a) Consult with and advise the commissioner of the department of health and human
16 services on the administration and management of the opioid abatement trust fund, and approve the
17 selection of eligible fund recipients under RSA 126-A:83, II(b).

18 (b) Award grants, revolving loan funds, and matching funds to projects from the opioid
19 abatement trust fund under RSA 126-A:83, I, in a manner consistent with the following criteria. All
20 disbursements or grants shall require approval of the governor and executive council. Funds may be
21 awarded if the project meets one of the following criteria:

22 (1) Reimburse the state and any political subdivision within the state for any portion
23 of ~~[the cost]~~ ***its costs*** related to outpatient and residential opioid use disorder (OUD) and any co-
24 occurring substance use disorder or mental health (SUD/MH) treatment services, including, but not
25 limited to ~~[services provided to incarcerated individuals, Medication-assisted treatment (MAT);
26 abstinence-based treatment; treatment, recovery or other services provided by states, subdivisions,
27 community health centers, or not-for-profit providers]~~ ***costs for:***

28 (A) ***Medications for substance use disorders (MSUD), abstinence-based
29 treatment, treatment and recovery or other services provided by the state, any of its
30 political subdivisions, community health centers, and not-for-profit providers, as long as***

1 *no other reimbursement would otherwise have been received by any such recipient for such*
2 *services; or*

3 *(B) Treatment provided to persons charged with crimes who are*
4 *participating in a pre-trial services program, are being held on bail, are serving sentences*
5 *in a state or county correctional facility, or are receiving treatment as a condition of*
6 *probation, parole, or of a suspended or deferred sentence, as long as no other*
7 *reimbursement would otherwise have been received by any such recipient for such services;*

8 (2) Reimburse the state and any political subdivision for emergency response
9 services related to OUD and any co-occurring SUD/MH issues provided by law enforcement and first
10 responders;

11 (3) Support mobile intervention, treatment, and recovery services, offered by
12 qualified professionals, for persons with OUD and any co-occurring SUD/MH issues or persons who
13 have experienced an opioid overdose, *including the prevention and/or treatment of secondary*
14 *physical health conditions associated with, or exacerbated by, OUD;*

15 (4) Support [~~detoxification~~] *withdrawal management* services for persons with
16 OUD and any co-occurring SUD/MH issues, including [~~medical detoxification~~] *medically*
17 *monitored withdrawal management*, referral to treatment or connections to other services;

18 (5) Reimburse the state and any political subdivision within the state for any portion
19 of the cost of administering [~~naloxone~~] *FDA-approved opioid reversal agents;*

20 (6) Provide access to housing for people with OUD and any co-occurring SUD/MH
21 issues, including supportive housing, recovery housing, or housing assistance programs;

22 (7) Provide or support transportation to treatment or recovery programs or services
23 for persons with OUD and any co-occurring SUD/MH issues;

24 (8) Provide employment training or educational services for persons in treatment for
25 or in recovery from OUD and any co-occurring SUD/MH;

26 (9) Create or support [~~centralizes~~] *centralized* call centers that provide information
27 and connections to appropriate services and supports for persons with OUD and [~~an~~] *any* co-
28 occurring SUD/MH issues;

29 (10) Improve oversight of opioid treatment programs (OTPs) to assure evidence-
30 based[₅] *and/or* evidence-informed practices;

31 (11) Provide scholarships and supports for certified addiction counselors and other
32 mental and behavioral health providers involved in addressing OUD and any co-occurring SUD/MH
33 issues, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or
34 other incentives for providers to work in rural or [~~undeserved~~] *underserved* areas of the state;

35 (12) Support efforts to prevent over-prescribing and ensure appropriate prescribing
36 and dispensing of opioids through evidence-based[₅] *and/or* evidence-informed programs or
37 strategies;

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1 (13) Support enhancements or improvements consistent with state law to the
2 prescription drug monitoring program; ~~and~~

3 (14) Support the education of law enforcement or other first responders regarding
4 appropriate practices and precautions when dealing with fentanyl or other drugs.

5 (15) Support evidence-based ***and/or evidence-informed primary, secondary, and***
6 ***tertiary*** prevention programs and services, including efforts to promote healthy~~[-drug-free]~~
7 lifestyles, reduce isolation, build skills and ~~[confidence]~~ ***resilience***, and facilitate community-based
8 prevention efforts[-];

9 (16) Support for public and non-public school programs and services for students
10 with OUD and any co-occurring SUD/MH issues or who have been affected by OUD and any co-
11 occurring SUD/MH issues within their family; ***and***

12 (17) ***Support secondary and tertiary prevention through harm reduction***
13 ***programs.***

14 3 Effective Date. This act shall take effect upon its passage.

SB 32-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENTS #2023-0291s and #2023-0432s)

AN ACT relative to the opioid abatement trust fund.

FISCAL IMPACT: State County Local None

METHODOLOGY:

The Office of the Legislative Budget Assistant states that this bill, as amended, will have no impact on state, county, or local revenues or expenditures.

AGENCIES CONTACTED:

Department of Health and Human Services