

GOVERNOR'S PROGRAM BILL

2016

MEMORANDUM

AN ACT to amend the education law, in relation to providing limited exemptions from professional misconduct (Part A); to amend the public health law, in relation to reporting opioid overdose data to the counties (Part B); and to amend the public health law, in relation to hospital substance use disorder policies and procedures (Part C)

Purpose of the Bill:

This bill would 1) empower professionals to administer emergency assistance to individuals, 2) require enhanced data collection and reporting on heroin and opioid overdoses and 3) require hospitals to educate individuals about available treatment services.

Summary of Provisions:

Part A

Section 1 would amend the education law by adding a new § 6509-d to allow certain trained licensed professionals, such as social workers, to administer opioid overdose reversal medication without risk to their professional license.

Section 2 would make the bill effective immediately.

Part B

Section 1 would amend Pub. Health L. § 3309(6) to require the state Commissioner of Health to collect and publish data related to opioid overdose and the administration of medication to reverse opioid overdose on a quarterly basis.

Section 2 would establish the effective date of the bill.

Part C

Section 1 would require hospitals to develop discharge protocol for continuum of care services for individuals suffering from substance use disorder by amending the Public Health Law to require: (i) the establishment of hospital substance use disorder policies and procedures; (ii) the office of alcoholism and substance abuse services to create informational materials to be disseminated to patients upon their discharge from a hospital; and (iii) general hospitals to develop, maintain, and disseminate written policies and procedures for the identification, assessment, and referral of individuals with a substance use disorder.

Section 2 would make this act effective on the 180th day after enactment.

Statement in Support:

This bill would enact a number of initiatives to address the State's current heroin and opioid crisis:

Part A

Opioid overdose reversal medication or opioid antagonists are proven to help stop the effects of an opioid overdose. It is critical to the state's fight of this epidemic to ensure that more trained professionals, like social workers, be able to administer opioid antagonists in emergency situations without the fear of being charged with professional misconduct. This bill would extend this authorization to additional professionals covered under Title 8 of the Education Law.

Part B

Opioid overdose reversal medications are increasingly being administered to revive individuals, yet the reporting data is severely under reported. In order for a community to be able to effectively combat the heroin problem within its borders, they need to know how pervasive the problem has become. This bill would require the Department of Health to collect and disseminate such data on a quarterly basis in order to strengthen the state's response to the epidemic.

Part C

In many instances, individuals who have been admitted to a hospital emergency room for the treatment of an opioid overdose are simply stabilized and released, without the provision of treatment information or additional follow-up. However, continuous access to appropriate treatment and services is critical for an individual to have any chance to overcome an addiction.

This bill would require all hospitals to have policies and procedures in place to ensure that individuals they treat for substance use disorder are given the best chance to avoid relapse. These policies and procedures would inform patients that have, or are at risk of having, substance use disorder of available treatment services, including the on-call peer program to ensure a continuum of care.

Budget Implications:

None

Effective Date:

This act shall take effect immediately provided, however, that the applicable effective date of Parts A through C of this act shall be as specifically set forth in the last section of such Parts.