



HOUSE BILL 1043: 2020 COVID-19 Recovery Act, Sec. 4.11: Funds for Overdose Medications

2019-2020 General Assembly

Committee:		Date:	August 4, 2020
Introduced by:		Prepared by:	Jessica Boney Staff Attorney
Analysis of:	Sec. 4.11 of S.L. 2020-4		

OVERVIEW: *Sec. 4.11 of S.L. 2020-4 directs the Department of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) to use \$400,000 allocated in sub-subdivision (36)c. of Section 3.3 of this act to purchase units of opioid antagonist at no charge to opioid treatment programs. Sec. 4.11 requires opioid treatment programs within two weeks of receiving the opioid antagonist to provide a prescription, at least one unit of opioid antagonist, and the opportunity to obtain prescription refills for opioid antagonist to participants who meet certain criteria.*

This section became effective May 4, 2020.

BILL ANALYSIS: 4.11(a) directs DMH/DD/SAS to use the \$400,000 allocated by this act to purchase units of opioid antagonist and distribute these opioid antagonist units at no charge to opioid treatment programs operating in the State.

Sec. 4.11(b) requires opioid treatment programs to do the following within two weeks of receiving the opioid antagonist:

- Provide a prescription for opioid antagonist for each program participant who is a Medicaid recipient or has prescription drug coverage for opioid antagonist;
- Provide at least one unit of opioid antagonist to each program participant who is uninsured, or lacks prescription drug coverage for opioid antagonist, or is receiving opioid use disorder services funded by a grant, a Local Management Entity/Managed Care Organization, or another source of funding not associated with the federal Centers for Medicare and Medicaid Services or a commercial payor.
- Provide each program participant who has take-home medication privileges with the opportunity to obtain prescription refills for opioid antagonist.

4.11(c) explains nothing in this section shall be construed as an obligation by the General Assembly to appropriate funds or an entitlement to receive opioid antagonist.

EFFECTIVE DATE: This section became effective May 4, 2020.

Jeffrey Hudson
Director

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Legislative Analysis
Division
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