

HOUSE No. 2086

The Commonwealth of Massachusetts

PRESENTED BY:

Shawn Dooley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to combating the opioid epidemic.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/25/2021</i>

HOUSE No. 2086

By Mr. Dooley of Norfolk, a petition (accompanied by bill, House, No. 2086) of Shawn Dooley for legislation to establish an opioid advisory council (including members of the General Court) and opioid prevention fund to be credited with funds from settlements. Mental Health, Substance Use and Recovery.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE [Refile Branch], NO. OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to combating the opioid epidemic.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 6A of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by inserting after section 16BB the following 2 sections:-

3 “Section 16EE. (a) Any monies received by the Commonwealth resulting from a
4 settlement agreement or an assurance of discontinuance entered into by the attorney general, or a
5 court order in litigation brought by the attorney general, on behalf of the Commonwealth or a
6 state agency, against 1 or more opioid manufacturers or opioid wholesale drug distributors
7 related to alleged violations of consumer fraud laws in the marketing, sale or distribution of
8 opioids in this Commonwealth or other alleged illegal actions that contributed to the excessive
9 use of opioids, shall be deposited in a separate account, which shall be referred to as the Opioid

10 Prevention Fund and shall be created and overseen jointly by the secretary of health and human
11 services and the secretary of administration and finance.

12 (b) Upon the depositing of funds into the Opioid Prevention Fund, the attorney general
13 shall notify the secretary of health and human services and the chair of the opioid advisory
14 council pursuant to section 16FF of this chapter.

15 (c) The secretary of health and human services shall disburse and utilize the monies in the
16 Opioid Prevention Fund to address the effects and the prevention of the ongoing opioid crisis
17 based on the mission and the recommendations of the opioid advisory council pursuant to section
18 16FF of this chapter.”

19 “Section 16FF (a) Notwithstanding any general or special law to the contrary, the
20 Secretary of Health and Human Services shall establish the opioid advisory council (OAC). The
21 council shall be composed of 22 members: 2 members of the house of representatives, 1 of
22 whom shall be appointed by the speaker of the house and 1 of whom shall be appointed by the
23 minority leader of the house; 2 members of the senate, one of whom shall be appointed by the
24 senate president and one of whom shall be appointed by the minority leader of the senate; 1
25 member from the bureau of substance addiction services; 1 member from department of children
26 and families; 2 doctors specializing in opioid treatment appointed by the Massachusetts Medical
27 Society and the Emergency Room Association; 1 member involved in substance use treatment
28 who represents the Massachusetts Nurses Association; 1 member from the Massachusetts higher
29 education community who is engaged in research on the treatment of opioid addiction and the
30 prevention of the opioid epidemic; 1 member from the National Alliance on Mental Illness of
31 Massachusetts; 1 member representing the Massachusetts courts who is a judge from a drug

32 court; 1 member of law enforcement; the commissioner of department of correction or their
33 designee; 1 member representing the department of public health; 2 members who work for a
34 non-profit treating people with substance use disorder, one of whom shall work in outpatient
35 programs and one of whom shall who work in residential programs; 1 person in long term
36 recovery who has personal experience with opioid addiction; 1 person who has lost a loved one
37 to substance use disorder; 1 person who represents kinship, grandparents raising grandchildren 1
38 person from a community outreach program; and 1 person who is a certified recovery coach.

39 (b) The secretary of health and human services shall oversee appointments to the OAC to
40 ensure a diverse distribution of membership to ensure a membership that is accurate to the
41 populations that are affected by the opioid crisis.

42 (c) The scope of the OAC shall be to help combat the ongoing opioid use and overdose
43 epidemic in the state in order to:

44 (1) Increase, as well as enhance, continuum care for opioid related to substance use
45 disorder services, support services that directly impact individuals and support services for
46 children and grandparents and affected families;

47 (2) Continue the training and treatment of opioid addiction including the use of all FDA-
48 approved opioid addiction medications, detoxification, relapse prevention, patient assessment,
49 individual treatment planning, counseling, recovery supports, diversion control, and other best
50 practices;

51 (3) Increase services that ensure overdose prevention as well as public safety and
52 community well-being, including expanding access to FDA-approved opioid addiction
53 medications and providing social services to families affected by the opioid epidemic; and

54 (4) Help with the prevention and education of the public, regarding the development and
55 sustainability of substance use disorder program.

56 (d) The OAC shall act as the main advisory body to the secretary of health and human
57 services on how to fight the on-going opioid crisis by:

58 (1) Establishing clear priorities about where state funding may be used to address the
59 opioid crisis ensuring that all new monies used are best in line with existing state and federal
60 funding and that all state and federal is adequately distributed to all affected communities; and

61 (2) Making concrete recommendations to the secretary of health and human services on
62 how to adjust funding related to the opioid crisis and how to best utilize monies in the Opioid
63 Prevention Fund pursuant to section 16EE of this chapter.

64 (e) Members of the council shall receive no compensation for their duties.

65 (f) The chair of the OAC shall convene the council at least 3 times a year and may
66 convene other meetings as necessary. The chair shall convene meetings at different locations in
67 the state to provide geographic access.

68 (g) The secretary of health and human services shall provide staff and administrative
69 services for the operation of the OAC.”