

HOUSE No. 4120

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, October 10, 2019.

The committee on Mental Health, Substance Use and Recovery, to whom was referred the petition (accompanied by bill, House, No. 1755) of José F. Tosado and others for legislation to establish a commission to study substance use disorder and treatment disparities in minority communities, reports recommending that the accompanying bill (House, No. 4120) ought to pass.

For the committee,

MARJORIE C. DECKER.

HOUSE No. 4120

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An act to establish a commission to study substance use disorder and treatment disparities in the minority community.

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

1 “SECTION XX. (a) There shall be a commission established to study the
2 disproportionate impact substance use disorders and overdoses have on the minority community
3 of the commonwealth and the corresponding disparities in substance use disorder treatment
4 access. The commission shall make recommendations to address said disparities.

5 (b) The commission shall consist of the following 17 members: the secretary of health
6 and human services or a designee; the house chair of the joint committee on mental health,
7 substance use and recovery or a designee; the senate chair of the joint committee on mental
8 health, substance use and recovery or a designee; the director of the Bureau of Substance
9 Addiction Services or a designee; the director of the Office of Health Equity or a designee; the
10 director of the office of Medicaid or a designee; the commissioner of the department of higher
11 education or a designee; 1 representative from each of the following organizations: the
12 Massachusetts Medical Society, the Massachusetts Society of Addiction Medicine, the American
13 Nurses Association Massachusetts and the Massachusetts Nurses Association; and 6 members

14 appointed by the secretary, 1 of whom shall be a representative from an advocacy organization
15 with expertise in substance use disorder and treatment, 1 of whom shall be a representative of an
16 organization with expertise in racial disparities in health care and promoting culturally competent
17 behavioral health, 1 of whom shall be a representative of a community health center located in a
18 minority community, 1 of whom shall be a provider with expertise in substance use disorder
19 treatment primarily serving the minority community and 2 of whom shall be representatives who
20 identify as members of a minority community and have experience soliciting treatment for
21 substance use disorder.

22 (c) Members of the commission may serve a maximum of 3 consecutive 3-year terms.
23 Vacancies in the membership of the commission shall be filled for the balance of the unexpired
24 term. The commission shall elect from among its members a chair and any other officers it
25 considers necessary.

26 (d) The commission shall meet on a quarterly basis at the discretion of the chair.

27 (e) The commission shall be empowered to hold regular public meetings, fact-finding
28 hearings and other public forums as it considers necessary.

29 (f) The commission shall issue an annual report that shall: (i) review current data and
30 trends within minority communities across the commonwealth regarding substance use and
31 overdose rates, disparities in treatment access, and corresponding causes; (ii) evaluate the
32 effectiveness of current substance use disorder treatment interventions within minority
33 communities, including access and availability of evidence-based practices and culturally
34 appropriate care and intervention; (iii) identify barriers to accessing treatment, including lack of
35 providers, cost of treatment, geographic limitations, cultural barriers and relevant provider

36 training; (iv) assess the current behavioral health workforce, workforce needs and workforce
37 shortages by service type, setting, geography, race and ethnicity in minority communities; (v)
38 review barriers to recruiting, retaining and increasing the behavioral health workforce in
39 minority communities, including the impact of commercial and public behavioral health wage
40 rates; (vi) evaluate the efficacy of expanding and funding mechanisms for loan forgiveness and
41 scholarship programs for behavioral health providers; (vii) recommend legislation, policies,
42 programs, services and funding as appropriate to address the disproportionate impact of
43 substance use disorder on minority communities and corresponding disparities in treatment
44 access. The commission shall advise the general court and the executive branch of the impact of
45 existing and proposed state laws, policies and regulations on the disproportionate impact
46 substance use disorders and overdoses have on the minority community. The commission shall
47 file its report, including recommendations, with the clerks of the house of representatives and the
48 senate, the joint committee on mental health, substance use and recovery, the joint committee on
49 public health and the house and senate committees on ways and means annually, and not later
50 than January 1 of each year. The secretary shall also make the report publicly available on the
51 executive office of health and human services' website.”