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FOR IMMEDIATE RELEASE:
August 14, 2018

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Governor Baker Signs Second Major Piece of Legislation to Address Opioid Epidemic in Massachusetts

New law strengthens state's education and prevention efforts, expands role of recovery coaches, and improves access to treatment

BOSTON – Governor Charlie Baker was joined by members of the Administration, the Legislature and the health care community for the ceremonial signing of H4742, [An Act for prevention and access to appropriate care and treatment of addiction](#) today at the [STEPRox Recovery Support Center](#) in Boston. This bill is the Baker-Polito Administration's second major legislative action to address the opioid crisis since taking office in 2015, and expands the Commonwealth's prevention, intervention, treatment and recovery strategies.

"The opioid and heroin crisis has tragically claimed scores of lives and broken families across the Commonwealth, and this new bill will serve as our latest tool kit to address the public health crisis through increased access to treatment, education and prevention," **said Governor Charlie Baker**. "While there is still much work to do, this bipartisan bill will support the fight against this horrible epidemic by holding providers more accountable for prescribing practices, taking stronger steps to intervene earlier in a person's life, and expanding access to recovery coaches."

"We have gained valuable insight from families, individuals with substance use disorders, providers, recovery coaches, and first responders into what it takes to effectively address the opioid crisis," **said Lieutenant Governor Karyn Polito**. "That insight has helped us tailor our policies to better address the epidemic on the ground, so we are grateful to the Legislature and members of the treatment and recovery communities for standing alongside us today as we build on the Commonwealth's existing framework to protect more families from being impacted by this horrible

epidemic.”

“Every individual with a substance use or co-occurring illness in the Commonwealth should have access to quality treatment and the opportunity to live a long and healthy life. Addiction is a disease, and we must continue to break down the stigma that prevents individuals from seeking or receiving help,” **said Health and Human Services Secretary Marylou Sudders**. “This bill takes aim at ensuring people get the treatment they need, where and when they need it, through a multi-year, comprehensive strategy. I am proud to stand with my colleagues in the treatment and recovery community and the Legislature today.”

“Today Massachusetts builds on its national leadership role in the fight against the opioid epidemic with a third package of comprehensive legislation to address the disease of addiction,” **said House Speaker Robert A. DeLeo, (D – Winthrop)**. “Our continued focus on prevention, treatment and behavioral health will save lives and help individuals and communities heal.”

“This legislation is an important next step in the Commonwealth’s continuing commitment to fighting the opioid epidemic on multiple fronts, in order to ultimately help our friends and neighbors who are suffering,” **said Senate President Karen Spilka (D-Ashland)**. “I am particularly proud that this bill seeks to address the areas where mental health and substance misuse overlap, as addiction is often the result of unmet mental health needs.”

“With this legislation, Massachusetts continues its national leadership in combatting the disease of addiction and the opioid epidemic” **said Representative Denise C. Garlick (D-Needham), House Chair of the Joint Committee on Mental Health, Substance Use and Recovery**. “It lays the foundation for a 21st century behavioral health system and puts in place strong prevention measures that will help stop this crisis from spreading to future generations and strengthens the providers abilities to expand treatment to help individuals, families and communities that are struggling with this disease .”

“Despite efforts to suppress the opioid crisis, families across the Commonwealth continue to lose their loved ones to substance use disorder,” **said Senator Cindy F. Friedman (D-Arlington), Senate Chair of the Joint Committee on Mental Health, Substance Use and Recovery**. “This legislation represents a major step forward in our efforts to combat this devastating disease.”

Summary of An Act for prevention and access to appropriate care and treatment of addiction

Strengthening the Commonwealth’s Education and Prevention Efforts:

Building on this success of the [STEP Act](#) which instituted the nation’s first seven day limit on opioid prescriptions for adults resulting in a 29 percent decline in prescribing, the bill mandates:

- All prescribers convert to secure electronic prescriptions (including Schedule II drugs) by 2020.
- Prescribers check the PMP each time a prescription for a benzodiazepine is issued.
- Massachusetts' existing partial fill law align with new federal changes that allow patients to fill the remainder of their opioid prescription at the same pharmacy within five days of the issue date on the script.
- DPH issue a statewide standing order for naloxone from a pharmacy.
- Changing the composition of the Board of Registration of Nursing to require that one nurse member currently provide direct care to patients with substance use disorder; one nurse member provide direct care to patients living in outpatient community based behavioral health setting and one nurse member currently provide direct care to patients living with chronic care.

Strengthening intervention and harm reduction strategies including:

- Establishing a recovery coach commission to review and make recommendations regarding the standards that should govern the credentialing of recovery coaches.
- Requiring the development and implementation of a statewide program to provide remote consultations to primary care practices, nurse practitioners, and other health care providers for individuals over age 17 who are experiencing chronic pain or exhibit symptoms of substance use disorder.
- Creating a section 35 involuntary commitment commission to study the efficacy of involuntary inpatient treatment for non-court involved individuals diagnosed with substance use disorder.
- Establishing a commission to study the way consumer protection laws in the Commonwealth may be strengthened to hold corporate entities responsible for their role in furthering the opioid epidemic.
- Creating a commission on community behavioral health promotion and prevention and a separate commission to review and make recommendations regarding harm reduction opportunities, including harm reduction sites, to address substance use disorder. Both commissions will be chaired by the EOHHS Secretary.

Educating students, parents and teachers on the dangers of opioids and addiction by:

- Creating a safe and supportive schools trust fund to promote positive mental, emotional, and behavioral health among children and young adults and to prevent substance use disorders among children and young adults.

Improving Access to Treatment:

Since 2015, the Baker-Polito Administration has doubled spending to address the opioid crisis and added more than 1,200 treatment beds, including 768 adult substance use treatment beds at different treatment levels, and certified more than 168 Sober Homes accounting for an additional 2,242 beds. This legislation continues to develop innovative strategies to get individuals into treatment by:

- Creating new pathways to treatment in the emergency department
 - Ensures more timely substance use disorder evaluations of individuals treated in an ED following an opioid overdose.
 - Requires hospital staff to either admit the patient into an inpatient service or provide a referral and transition to an internal or community-based treatment program when a patient expresses an interest in treatment.
 - Requires acute care hospitals, satellite emergency facilities, or emergency service programs to record the opiate-related overdose incident and results of the substance use evaluation in the patient's electronic medical record.
- Expanding the use of medication assisted treatment (MAT)
 - Requires emergency departments to offer MAT.
 - Requires that all Section 35 facilities maintain the capacity to treat substance use disorders with all FDA-approved MAT modalities.
 - Requires DPH to implement a pilot program for MAT in five Houses of Correction (Franklin, Hampden, Hampshire, Middlesex and Norfolk) to be implemented no later than September 1, 2019.
 - Requires that all three FDA-approved MAT modalities be offered to detainees or prisoners at the Massachusetts Alcohol and Substance Abuse Center (MASAC), MCI-Framingham, South Middlesex Correctional Center, and MCI-Cedar Junction upon the recommendation of a DATA ([Drug Addiction Treatment Act of 2000](#)).

The bill signed into law today will also ensure that psychiatric and substance use treatment beds meet the needs of the Commonwealth by:

- Requiring that the Department of Mental Health and Department of Public Health establish standards and criteria to ensure that facilities subject to the licensing process address the needs of the Commonwealth.
- Establishing a commission to recommend standards that specify how licensed behavioral health clinicians represent their specialty and capability to insurance carriers and patients so individuals seeking treatment for a substance use disorder can more easily and effectively find clinicians appropriate to meet their needs.
- Authorizing the Child Advocate to impose temporary cost share agreements when a child is unable to access services because of disagreement about responsibility for payment among state agencies and local education agencies.

The Baker-Polito Administration was the first in the nation to launch core competencies for safe prescribing of opioids and treatment of substance use disorders with the state's nursing, medical, dental, social work and physician assistant schools accounting for more than 8,500 future prescribers and clinicians. Through administrative action, the Baker-Polito Administration will also invest up to \$219 million over five years from the state's 1115 Medicaid waiver, which began in fiscal year 2018, to meet the needs of individuals with addictions and/or co-occurring

disorders.

For more information on the Commonwealth's response to the opioid epidemic as well as links to the latest data, visit www.mass.gov/opioidresponse. To get help for a substance use disorder, visit www.helpline.ma.org or call the Massachusetts Substance Use Helpline at (800) 327-5050.

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