

# NEWS BITES

MAY 2021

## LAPPA NEWS

The Legislative Analysis and Public Policy Association is excited to announce that it has joined the Police, Treatment, and Community Collaborative (PTACC), an alliance of practitioners in law enforcement, behavioral health, the community, advocacy, research, and public policy, whose mission is to strategically widen community behavioral health and social service options available through law enforcement diversion. The purpose of the Collaborative is to provide vision, leadership, advocacy, and education to facilitate the practice of pre-arrest diversion across the United States. PTACC is organized into six strategic areas, but more are planned (*e.g.*, Special Populations and Families and Children). Working within each strategic area are “workgroups,” or teams of practitioners who create resources, guides, webinars, and other deliverables to be used to guide the practice of early diversion programs. The existing areas are Leadership; Treatment, Housing, and Recovery; Public Safety; Community, Diversion, and Equity; Research; Policy and Legislation; and Special Populations. To learn more about PTACC, visit its website at <https://ptaccollaborative.org/about/>.

## PUBLICATIONS

LAPPA published a 50-state summary and accompanying fact sheet on **fentanyl cleanup laws**. Federal guidance in this area focuses primarily on safety and personal protective equipment for first responders and those conducting cleanup of fentanyl sites. Current state-level policy on fentanyl cleanup is largely a vacuum. Over half of U.S. states would require new legislation to begin to address the issue. Twenty-two states and the District of Columbia have no laws on the books governing the cleanup of sites contaminated by controlled substances. Another 10 have enacted statutes designed to facilitate the cleanup of methamphetamine laboratories, but as written, they explicitly authorize cleanup standards, property use restrictions, or cleanup liability for meth labs alone. Sixteen states have statutes that were written for cleaning up meth labs (or occasionally a handful of other drugs such as GHB, LSD, or MDMA), but they are phrased to target “clandestine laboratories” or “controlled substance manufacturing sites” in general. Though these laws would seemingly apply to fentanyl contamination, none of these states has adopted regulations specifically tailored for it. To review the 50-state summary, click [here](#) and to read the accompanying fact sheet, click [here](#).

In addition to the fentanyl cleanup documents described above, LAPPA also recently published a 50-state summary and fact sheet pertaining to **pill presses**. In 2015, the first reports emerged of counterfeit pills containing fentanyl appearing in the United States, and proliferation of these pills has accelerated rapidly, to the point that they have been found in each of the 50 states. While controlled substances like fentanyl receive much attention, the presses and molds used to create counterfeit pills have been comparatively ignored. Federal laws exist to combat the use of pill presses to create counterfeit drugs, but they largely rely on self-reporting when such machines are bought or sold. In the 50-state summary, LAPPA examined the policy response at the state

level to the spread of pill presses used to create counterfeit drugs. There is relatively little policy in this area compared to federal law, and most innovation is relatively recent. To review the 50-state survey on pill presses, click [here](#), and to read the accompanying fact sheet, click [here](#).

## **PRESENTATIONS**

LAPPA's President, Susan P. Weinstein, spoke at the 2021 annual conference of the California Consortium of Addiction Programs and Professionals (CCAPP). Ms. Weinstein's presentation focused on LAPPA's model acts as well as legal and legislative research on which LAPPA has published fact sheets and state surveys. To learn more about CCAPP, visit its website [here](#).

## **IN THE NEWS**

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### **Vaccine for Opioid Use Disorder in Development**

Scientists from the Precision Vaccines Program at Boston Children's Hospital, together with various partners, received a \$25 million grant from the National Institutes of Health to work on the development of an adjuvant opioid disorder vaccine. Adjuvant molecules boost a body's immune response, a critical component for effectiveness of any vaccine, including one that might target opioids such as fentanyl. An anti-opioid vaccine would work by protecting the brain's nervous system, stimulating the production of antibodies that will bind themselves to opioid molecules and prevent those molecules from reaching a person's brain. As fentanyl overdoses are on the rise, this vaccine research may prove especially important since tools like naloxone, which are effective in many instances of opioid overdose, are mostly ineffective against fentanyl. For more information about this initiative, click [here](#).

### **Expanding Access to Pill Lock Boxes**

Based in Vancouver, the Prevent Coalition is working to expand the Locks Saves Lives campaign, an effort to keep people safe by having them store prescription medications in their homes in a locked location. The campaign's newest goal is to try and have pill lock boxes placed in every new home being built in Southwest Washington – Clark, Skamania, and Klickitat counties. The Prevent Coalition is working with an array of partners, including builders and property managers, who are all invested in a common goal of keeping the area's citizens safe and protected from overdose tragedies. To learn more about the Prevent Coalition, click [here](#).

### **U.S. Workers Struggling with Substance Misuse**

A recent study conducted by Versta Research shows that substance misuse and addiction have nearly doubled among America's working population since the beginning of the coronavirus pandemic. Of the 49 percent of workers who reported struggling with some level of addiction, the number of workers citing lower productivity or missed work due to substance misuse or addiction nearly doubled since 2019. Alcohol continues to be the most common substance abused by workers, and one in 10 workers report struggling with prescription medication misuse. In the face of increasing struggles in the workforce, employers can serve as an important resource by destigmatizing behavioral health issues in the workplace and providing encouragement and support to employees. To read the full article from *The Standard*, click [here](#).

### **Fentanyl Seizures on the Rise**

New data from U.S. Customs and Border Protection (CBP) reveals that the total weight of fentanyl seized at the southwestern border during the first three months of 2021 increased 233 percent from the same time period last year. CBP reports that in March 2021, 639 pounds of fentanyl was seized along the border, up from the 245 pounds that was seized in March 2020. Fentanyl is considered to be 50 to as much as 100 times more potent than morphine and is responsible for the deaths of thousands of Americans each year. Nearly every state is

experiencing an alarming rise in fentanyl-related opioid overdoses and deaths, and most of this fentanyl is coming into the U.S. across the southwestern border. To read the full article from *Fox News*, click [here](#).

### **New App Helps Providers Treat Patients with Opioid Use Disorder**

According to the Centers for Disease Control and Prevention, more than 81,000 drug overdose deaths occurred in the U.S. during the 12-month period ending in May 2020 – the highest 12-month total on record. As part of an effort to combat this growing public health crisis, researchers at Boston University School of Medicine have developed a mobile application that will help providers deliver evidence-based addiction treatment to those suffering from opioid use disorder (OUD). The application, called BMC MAT, can be downloaded for free from Apple iTunes and Google Play and provides guidelines and other resources to treat OUD with medications such as buprenorphine and naltrexone. BMC MAT includes clinical algorithms that guide providers step-by-step through the decision-making process and gives access to an array of tools. Development of the app was funded in part by the Substance Abuse and Mental Health Services Administration through the Opioid Resource Network and the Massachusetts Department of Health. To read the full article published by Healthcare Innovation, click [here](#).

### **States Looking to Permanently Expand Access to Telehealth**

Telehealth has undergone some rapid changes during the COVID-19 pandemic, and the myriad of temporary waivers and regulations put into place over the last year has left providers uncertain as to where things stand regarding reimbursement policy and whether recent relaxation of previous telehealth restrictions will become permanent. Many of the telehealth waivers recently implemented are tied directly to a federally declared public health emergency, which the Biden Administration has said it will likely extend at least through the end of 2021. Individual states have also begun taking steps to permanently expand access to telehealth, introducing legislation related to parity issues, removing existing restrictions on providing telehealth services, and establishing telehealth standards. To read the full article from the legal strategies group, Mintz, click [here](#).

### **Opioid Sales Flourish on the Dark Web**

Researchers at the University of Texas Health Science Center School of Biomedical Informatics have uncovered a slew of new opioid trade sites on the dark web. Using programming language, algorithms, and forums to detect key words, 248,359 listings were discovered on 10 anonymous marketplaces. These marketplaces included photos of the product being sold, reviews of the product, and directions on how to make a purchase. Typically, purchases must be made with cryptocurrency, which requires buyers to be familiar with specific technology. The study's authors hope that their efforts will help inform policymakers and stakeholders on the sophistication and danger of the online opioid trade so that efforts can continue to curb the illegal commerce. To read the full study in *The Journal of Medical Internet Research*, click [here](#).

## **NEWS BITS**

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**Colorado:** Due in part to a 30 percent increase in overdoses from illicit drugs in Colorado during the pandemic, the Colorado Naloxone Project announced a goal to make Colorado the first state in the country where every hospital identifies patients at risk of an opioid overdose and discharges them with naloxone nasal spray that can help reverse the effects of overdose. The kits would be sent home with those who have overdosed but also with those sent home with pain medications. Only five percent of prescriptions for naloxone are filled at pharmacies, so sending those at risk of overdose home with naloxone, instead of a prescription, is a better option for many patients.

**Maryland:** A new and dangerous drug, referred to as WIPEOUT, is potentially making its way around Carroll County, according to health department officials. The department says that WIPEOUT is believed to contain a dangerous mix of fentanyl, cocaine, and xylazine (a veterinary drug that is commonly used to adulterate

heroin). Existence of WIPEOUT in Carroll County has yet to be confirmed, but officials note that overdoses of the drug have been reported in other parts of the country and are urging vigilance.

**Mississippi:** Effective January 1, 2022, citizens of the state will no longer need a prescription to purchase products containing pseudoephedrine. Mississippi and Oregon are the only two states that require a prescription to purchase such products, though all states have some point-of-sale restrictions, as part of ongoing efforts to restrict the manufacture of methamphetamine, a powerful drug of which pseudoephedrine is a main ingredient.

**Ohio:** The Cuyahoga County Council recently approved a contract that will provide a boost to opioid-related programs for addicted county jail inmates. The new funding comes from money won in settlements with opioid manufacturers and will pay for a two-year \$2.8 million contract with the county hospital, which already oversees health care for inmates. The program will include: (1) improved intake screenings for those being admitted to jail; (2) additional medical staff in some jail units, providing 24 hour-per-day monitoring for inmates experiencing withdrawal; and (3) the addition of a patient navigator to help connect inmates being released to community-based addiction treatment services.

**Oklahoma:** After approval from the federal government, Oklahoma has become the first state to expand Medicaid coverage to include treatment for opioid addiction. The state Health Care Authority declared that federal approval allows for Medicaid coverage and reimbursement for prescriptions that treat opioid addiction, such as methadone and naltrexone, among others. Coverage will also extend to other treatments for opioid use disorder, like counseling and behavioral therapies. The state's deputy Medicaid director says the expansion will help approximately 3,500 Oklahomans who currently are enrolled in Medicaid.

**Virginia:** On March 18, 2021, the governor of Virginia signed legislation that requires each hospital with an emergency department to establish a protocol for treatment and discharge of individuals who are experiencing a substance use-related emergency. Established protocols must include: (1) provisions for screening and assessment of those experiencing substance use-related emergencies; and (2) recommendations for follow-up care, which can include the dispensing of naloxone and issuance of a prescription for naloxone. The signed legislation also provides that hospitals in Virginia can enter into agreements with the state department of health to provide uninsured patients naloxone or other opioid antagonists used to reverse an overdose.

## ABOUT LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

The Legislative Analysis and Public Policy Association (LAPPA) is a 501(c)(3) nonprofit organization whose mission is to conduct legal and legislative research and analysis and draft legislation on effective law and policy in the areas of public safety and health, substance use disorders, and the criminal justice system.

LAPPA produces up-to-the-minute comparative analyses, publications, educational brochures, and other tools ranging from podcasts to model laws and policies that can be used by national, state, and local criminal justice and substance use disorder practitioners who want the latest comprehensive information on law and policy. Examples of topics on which LAPPA has assisted stakeholders include naloxone laws, law enforcement/community engagement, alternatives to incarceration for those with substance use disorders, medication-assisted treatment in correctional settings, and the involuntary commitment and guardianship of individuals with alcohol or substance use disorders.

For more information about LAPPA, please visit: <https://legislativeanalysis.org/>.