

NEWS BITES

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LAPPA NEWS

On June 22, the Office of National Drug Control Policy announced the release of LAPPA's white paper, [*Telehealth and Substance Use Disorder Services in the Era of Covid 19: Review and Recommendations*](#). People with substance use disorder (SUD) were especially vulnerable during the COVID-19 pandemic. Many were unable to access services crucial to their treatment and recovery as those services were abruptly discontinued, reduced, or permanently closed. To continue to meet the needs of those with SUD, some care providers shifted to telehealth services, enabled by changes to federal and state laws that removed barriers to telehealth access. Standards, however, remain inconsistent across the country. This report outlines recommendations for access to telehealth, including making permanent the regulatory relief granted during the COVID-19 public health emergency, which made it easier to access medication for opioid use disorder. Read the full press release from the Office of National Drug Control Policy [here](#).

FACT SHEETS & 50-STATE SUMMARIES

LAPPA recently published a new fact sheet pertaining to Overdose Fatality Review, also known as OFR. OFR is a powerful tool used by local governments to identify system gaps and innovative community-specific overdose prevention and intervention strategies. OFRs involve a series of confidential, individual death reviews by a multidisciplinary group which examines many aspects of a decedent's life, including drug use history, comorbidities, major health events, social-emotional trauma (such as adverse childhood experiences), encounters with the criminal justice system, and treatment history to better understand and prevent missed opportunities for prevention and intervention in others. The groups performing OFRs are referred to by several names, including teams, boards, panels, committees, or commissions. This fact sheet uses the term "team" because it reflects the ideals behind the purpose of an OFR; that is, a group of multidisciplinary individuals coming together to achieve the common goal of overdose prevention in a setting in which everyone offers a unique perspective to the case review process. By understanding what influences a fatal overdose, the review team can recommend changes in law and policy that will better allow the state, city, or county to prevent future overdose deaths. The OFR fact sheet can be found [here](#).

Now that many state legislatures have adjourned for the year, LAPPA has begun the process of updating its 50-state summaries. Updated versions of Opioid Litigation Proceeds: Summary of State Laws and Syringe Services Programs: Summary of State Laws are currently available, and additional updates will be posted in the coming weeks and throughout the remainder of the summer. All of LAPPA's 50-state summaries can be found [here](#).

SPEAKING ENGAGEMENTS

On May 26, LAPP Senior Legislative Attorney Jon Woodruff presented to the Governors Criminal Justice Policy Advisors & Public Safety Executives on “Overdose Mitigation Tools.” With more than half of the state governors’ officers joining the remote meeting, Jon spoke about drug checking tools, syringe services programs, and naloxone access.

On June 3, LAPP President Susan Weinstein and Senior Legislative Attorney Jon Woodruff presented to the State Leaders Deflection (SLED) Network, convened by the Police, Treatment, and Community Collaborative (PTACC), the National Governors Association (NGA), the National Criminal Justice Association (NCJA), and the National Association of State Alcohol and Drug Abuse Directors (NASADAD). Susan and Jon spoke about the support and resources available on the state level with respect to deflection.

FEDERAL NEWS BITS

Tracking Fentanyl Fatalities: Families Against Fentanyl, an organization that raises awareness about the lethal effects of fentanyl, is asking the Biden Administration to count fentanyl poisonings and accidental overdose deaths in the same way coronavirus deaths are tallied. The group is urging that provisional fentanyl data be made available within six weeks of death, as opposed to the current six-month lag time, so that trends can be predicted and responded to accordingly. The group points out that like COVID-19, fentanyl poisoning is a national emergency, requiring the same level of monitoring as the coronavirus.

Meth Seizure at the Border: Customs and Border Protection officers seized a large amount of methamphetamine, hidden in child booster seats, at a border checkpoint in southern California. Two adults and four children were in the vehicle when a K-9 team detected the presence of narcotics inside three booster seats. Upon inspection, agents located packages containing methamphetamine, with an estimated street value of \$60,000. The driver of the vehicle was turned over to the Inland Crackdown Allied Taskforce, while the passenger and children were released.

DEA Releases Emoji Drug Code: As part of its One Pill Can Kill campaign, the Drug Enforcement Administration (DEA) has begun alerting parents of the codes their children might be using to buy drugs through social media. The reference guide is intended to give parents, caregivers, educators, and other custodians a better sense of how emojis are being used to refer to illegal drugs. For example, a brown heart coupled with a dragon symbolizes heroin, while a blue heart together with a diamond represents methamphetamine. Anyone with a smart phone can gain access to counterfeit prescription pills, which are often laced with fentanyl, so the DEA believes that the reference guide will give parents another tool to prevent their kids from gaining access to these dangerous pills.

Changes Coming to Opioid Prescribing: The U.S. Food and Drug Administration (FDA) is requesting public comment on possible changes to the Opioid Analgesic Risk Evaluation and Mitigation Strategy, including requiring opioid analgesics used in an outpatient setting to be dispensed with mail-back envelopes for the purpose of disposing of any unused medication. Pharmacists would also be required to educate patients on the safe disposal of opioids. The new requirements would apply to all opioid analgesics, including immediate, extended, and long-acting formulations. Current disposal methods include: (1) in-home disposal options by way of flushing; and (2) disposal methods outside of the home through take-back events and disposal kiosks. These options come with environmental dangers and other challenges, so the FDA hopes that providing mail-back envelopes will give patients another tool.

NATIONAL NEWS BITS

Religious Leaders Call for Overdose Prevention Centers: One hundred and fifty religious leaders recently came together to call for U.S. Attorney General Merrick Garland to eliminate barriers that are preventing the establishment of new overdose prevention centers across the country. These centers provide sterile drug paraphernalia and a safe, monitored environment for drug consumption. Garland's U.S. Department of Justice has indicated that it might support these centers or would at least not take steps to prevent their operation. The call for action came in the form of a letter, penned by Faith in Harm Reduction and Clergy for a New Drug Policy.

Drug-impaired Prevention Grants Awarded: The Governors Highway Safety Association and Responsibility.org awarded grants to five states to fund proven and innovative countermeasures to enhance the identification and treatment of alcohol and drug-impaired drivers. Drug and multi-substance impaired driving has been steadily increasing, but many instances go unreported because police may not have the training or the tools needed to recognize drug impairment. Grants were awarded to Connecticut, Illinois, Louisiana, Maryland, and Nevada.

Opioid Usage in the Black Community: Researchers at the University of Kentucky are conducting a landmark study focusing solely on the opioid epidemic among Black Americans. A team of ten researchers, including students, post-doctoral grads, and university staff, is looking into misuse behavior and trying to determine why overdose rates among African Americans are surpassing those of Caucasians. The study will look at men and women between the ages of 18 and 65, and researchers plan on speaking directly to communities in an effort to determine what drives drug misuse behavior.

Warning Patch in Development: Researchers at the Indiana University in Bloomington received a three-year \$3.8 million grant from the National Institute on Drug Abuse to develop a patch that is capable of detecting an oncoming opioid overdose and, in response, delivering a dose of opioid overdose reversal medication. The device is about the size of a nicotine patch, and contains sensors that track the wearer's pulse, blood pressure, and blood oxygen levels. The patch will be sensing those three variables continuously and, through an algorithm, will detect imminent overdose before blood oxygen saturation drops to dangerous levels. When an imminent overdose is detected, hundreds of microneedles on the inside of the patch will penetrate the skin, delivering naloxone into the person's bloodstream. The patch will then continue to monitor the person's vital signs and has the capability of delivering a second dose of naloxone, if indicated.

Limiting Opioids after Cesarean Delivery: Research recently presented at the 2022 annual meeting of the American College of Obstetricians and Gynecologists showed that 10-tablet opioid prescriptions correlated with less opioid consumption than 20-tablet prescriptions for women being discharged after a cesarean childbirth delivery. There is no standard dose recommendation for physicians when prescribing opioids for post-cesarean pain management; yet, almost all post-cesarean women are given a prescription for opioids. Thirty-five percent of those prescriptions go unfilled, prompting researchers to ponder whether prescribers can limit the number of pills prescribed, while still adequately controlling post-operative pain.

STATE NEWS BITS

Alaska: A group of about a dozen state health nurses and volunteers recently gathered in Juneau to assemble opioid emergency kits to place inside fish processing plants in the southeastern part of the state. The boxes are made of red metal and contain the overdose reversal medication naloxone, sharps disposal containers, fentanyl test strips, rubber gloves, and CPR masks. Assembly and distribution of the kits is part of a new state

department of health and social services program aimed at preventing overdose deaths among industrial workers, particularly those in the state's fisheries. Plant managers are supportive of the effort, and the state plans to expand the program to other parts of the state and to other industries.

Alaska: According to provisional data released by the Centers for Disease Control and Prevention, Alaska had the highest increase of drug overdose deaths in the nation last year, even though the state historically has had a rate below or well below the national average. According to an official with the state's office of substance misuse and addiction prevention, fentanyl is the cause. Though it took longer for the deadly opioid to reach Alaska, due to its geographic isolation, fentanyl-attributed overdose deaths have now reached alarming numbers, with 2021 seeing a 75 percent increase. The state's health department has gone so far as to recommend that every Alaskan carry naloxone.

California: The San Diego County Board of Supervisors unanimously agreed to declare illegal fentanyl a public health crisis. Accidental fentanyl overdose deaths in the county jumped from 151 in 2019 to more than 800 by the end of 2021, and fentanyl is now the number one cause of death for people aged 18-45 in the United States and in San Diego County. In declaring a public health crisis, the county board directed the chief administrative officer and the director of the health and human services agency to develop a comprehensive strategy to address the spectrum of fentanyl-related problems.

Colorado: Governor Jared Polis recently signed legislation that provides a regulatory framework for legal sales of kratom, a plant that advocates say can serve as a safer alternative to opioids and that can help treat the symptoms of opioid withdrawal. The state's Regulation of Kratom Processors Act will require businesses that sell the plant to register with the state department of revenue and disclose certain information regarding each of the processor's kratom products. Kratom is not currently scheduled under the federal Controlled Substances Act or international drug treaties and, while the Food and Drug Administration has considered putting restrictions on the substance, those restrictions are not yet in place.

District of Columbia: The Washington D.C. City Council recently passed legislation that bars employers from firing workers for marijuana usage, thereby joining a growing list of cities and states that have added employment protections for people who use marijuana. The measure passed the city council unanimously and, if signed by Mayor Muriel Bowser, prohibits employers from punishing current and prospective employees by denying them roles for promotions because of a positive test for marijuana. The bill does not cover employees in positions where drug use could cause serious injury or death to the employee or others, such as jobs involving operation of heavy machinery or those near gas or power lines.

Florida: Governor Ron DeSantis signed Florida House Bill 95 which enhances penalties for the sale and distribution of opioids, including fentanyl. The legislation implements the recommendations of the Statewide Task Force on Opioid Abuse, which was created by DeSantis in 2019 to develop a statewide strategy and identify best practices to combat the opioid epidemic through education, treatment, prevention, recovery, and law enforcement. Among other provisions, House Bill 95 enhances penalties for sale of a controlled substance within 1,000 feet of a substance abuse treatment facility and increases the mandatory minimum sentence for fentanyl trafficking.

New Jersey: To counter the effects on oft overlooked victims of substance misuse, New Jersey is launching a pilot program to train law enforcement and community members on how to recognize and interact with children and families affected by substance misuse and connect them with needed services. The Child Trauma Response Initiative will launch in three municipalities, chosen based on need and availability of resources. The \$2 million needed to initially fund the pilot is coming from the \$16 million the state will receive from a settlement with McKinsey & Company.

New York: The state recently announced that it will be sending more than \$3.4 million to 14 treatment providers to help them create integrated outpatient programs. Governor Kathy Hochul stated that the funding is part of a comprehensive effort to help New Yorkers who are seeking treatment for substance use disorder and

who will benefit from receiving access to multiple services at one site. New York, like most other states, experienced a steep increase in overdose deaths during the COVID pandemic, reaching record levels this past year.

Ohio: Governor Mike DeWine’s RecoveryOhio, the Attorney General’s Task Force on Criminal Justice and Mental Illness, and the Ohio Opioid Litigation Alliance teamed together to create a guide to help journalists, producers, and other media professionals reduce their use of potentially stigmatizing language in news and media coverage. The guide is part of the state’s “Beat the Stigma” campaign and was created in collaboration with substance use and mental health professionals, veteran journalists, and media relations professionals. It provides an in-depth look at stigma and how media professionals often unknowingly use stigmatizing imagery and language.

Oregon: While there is no FDA-approved treatment for methamphetamine addiction, a 2021 study revealed promising results from combining two drugs into one treatment – a treatment that is currently offered in Portland, Oregon. The two drugs are naltrexone, traditionally used to treat alcohol and opioid addiction by blocking brain receptors, and bupropion, which is prescribed as an anti-depressant and smoking cessation aid. This drug combination is considered by some to be a miracle cure. Study results revealed that it helped nearly 14 percent of patients with their addiction over the course of three months.

Pennsylvania: The City of Pittsburgh is launching a new syringe services program that is expected to be operational by the end of the summer. From 2019 to 2020, drug overdose deaths increased by 22 percent in Allegheny County, exceeding both the national rate of increase and that for the rest of the commonwealth. The program will provide access to sterile syringes used to inject drugs, safe disposal of used needles, referrals to drug treatment, disease testing, and mental health services. Recipients of the sterile needles will also be given training on how to use naloxone, the opioid overdose reversal medication.

Vermont: Governor Phil Scott vetoed legislation that would have paved the way for Vermont to explore establishing safe consumption or injection sites. Like most states, Vermont is experiencing the emergence of the dangerous synthetic opioid fentanyl coupled with a sharp increase in overdose deaths. Proponents of the vetoed legislation say that safe injection sites would provide lifesaving intervention for those not currently seeking treatment; opponents claim that these sites, while functionally operational in urban areas, would not work in a rural state with a dispersed population.

Virginia: As of July 1, so-called copycat THC products will be illegal in the Commonwealth of Virginia. Copycat brands of popular and easily recognizable food items often contain THC, which can cause severe symptoms in children when they innocently eat those products. A new study from the Substance Abuse and Mental Health Services Administration found that marijuana is now the leading cause of drug-related emergency room visits for children under the age of 18, a statistic that is of great concern to officials in Virginia, where lawmakers are hammering out a framework for legal sales of recreational marijuana.

Wisconsin: Officials across the state are warning citizens about a new danger on the roads – sports drink bottles filled with materials for making meth and discarded on the side of the highway. In a technique called “shake and bake,” meth manufacturers place used material in the bottle and then dispose of them through vehicle windows, creating a danger for those who pick up trash. The bottles contain harmful chemicals and used sharps and, depending on their contents, can even explode. Law enforcement officials urge caution and ask that people refrain from touching any bottles whose contents seem out of the ordinary.

Wisconsin: LaCrosse County saw more than 30 residents die of an overdose in 2021, prompting investment in a new, yet controversial, strategy to reduce overdose deaths. Community agencies, such as the Coulee Recovery Center, will begin distributing fentanyl test strips, which will be accompanied by information about local resources for those with a substance use disorder. Some county officials are not optimistic about the efficacy of the strips in preventing overdose, pointing to claims that many of those who suffer from a substance use disorder will not take the time to test their drug supply for the presence of adulterants such as fentanyl.

IN OTHER NEWS...

Call for Papers, Research, Case Studies, Literature Reviews and Expert Analysis: *Journal of Opioid Management* is pleased to present a special issue, **Legal, Legislative, and Regulatory Approaches to Reducing Opioid Use Disorder and Opioid-involved Poisonings** focused on the current medico-legal environment and a look towards the future. This issue will assess the legal and policy landscape for healthcare professionals managing patients' pain, addressing opioid use disorder and opioid-involved poisonings in the healthcare setting, as well as coordinating the broader public health response. The full Call for Papers is found [here](#), and instructions for submitting a manuscript are [here](#).

2022 Police, Treatment, and Community Collaborative (PTACC) Deflection and Pre-arrest Diversion Training Summit: PTACC is holding its 2022 Deflection and Pre-arrest Diversion Training Summit on August 2-5, in Chicago, Illinois. The emerging field of deflection and pre-arrest diversion provides an opportunity for public safety practitioners to collaborate with the public health system to create community-based pathways to treatment and services for people with substance use, mental health, and co-occurring issues. These pathways can help to reduce overdose deaths, steer people with substance use or mental health disorders into treatment, and reduce the collateral consequences that can result from entering the justice system. The PTACC Training Summit aims to achieve three goals:

1. Provide an orientation to the field of deflection through a combination of plenary sessions, peer learning opportunities, and workshop activities;
2. Enable deflection teams to plan new programs or enhance existing work. Deflection teams will leave the conference with a structured work plan; and
3. Offer advanced deflection practitioners the opportunity to engage in immersive workgroups, focusing on key issues like evaluation and research, sustainability, diversity/equity, and collaboration with 988 initiatives. Register [here](#) for the training summit.

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 for addiction 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/>.

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