

NEWS BITES

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LAPPA NEWS

PUBLICATIONS

Reports

LAPPA is pleased to announce the release of a new report entitled, “Performance Measures for Medication-assisted Treatment in Correctional Settings: A Framework for Implementation.” Written in collaboration with Rulo Strategies, this document provides jail and prison administrators, program managers, medical staff in correctional settings, and reentry staff with a performance management framework to monitor medication-assisted treatment (MAT) in correctional settings. Best practices related to treating substance use are fluid and ever-evolving, as is the language used to describe it. Most MAT programs in correctional settings focus on treating individuals with opioid use disorder. Therefore, the measures in this document focus primarily on MAT programs to treat opioid use disorder. Correctional programs using MAT to treat other substance use disorders can modify the measures to align with their program operations. Click [here](#), to read the press release about the report from the Office of National Drug Control Policy; click [here](#) to read an article from *Politico* magazine featuring the report; and click [here](#), to read the full report.

Fact Sheets

Also available on LAPPA’s website is a new Fact Sheet on withdrawal management in correctional settings. Withdrawal syndrome occurs in individuals who have developed physiological dependence on a substance and who discontinue or reduce their use of it. Individuals who use drugs or alcohol prior to incarceration may experience the onset of withdrawal syndrome while in a correctional setting. Click [here](#), to read this Fact Sheet, which reviews the management of withdrawal symptoms of individuals in the corrections system.

50-State Summaries

LAPPA continues to update its 50-state summaries, each of which is a comprehensive analysis of every state and U.S. territory’s statutes and regulations on a particular topic. Every analysis includes a summary of the topic, maps, and a chart for each state and territory that has a statute or regulation governing a particular topic. LAPPA has published surveys on the following topics – all 16 can be found [here](#):

- 1) Opioid Litigation Proceeds;
- 2) Kratom;
- 3) Good Samaritan Fatal Overdose Prevention and Drug-induced Homicide;
- 4) Substance Use During Pregnancy and Child Abuse or Neglect;

- 5) Methamphetamine and Methamphetamine Precursors;
- 6) Drug Take-back and Disposal Programs;
- 7) Naloxone;
- 8) Drugged Driving;
- 9) Fentanyl Cleanup;
- 10) Pill Presses;
- 11) Syringe Services Programs;
- 12) Drug Paraphernalia;
- 13) Deflection Programs;
- 14) Overdose Fatality Review Boards;
- 15) Home-generated Sharps – Collection and Disposal; and
- 16) Involuntary Commitment and Guardianship for Those with Substance Use Disorders.

Model Acts

In the coming months, LAPP is preparing to release six new Model Acts, four of which were drafted in collaboration with law schools across the country. The new Acts include:

- 1) The Model Fentanyl Test Strip and Other Drug Testing Equipment Act;
- 2) The Model Substance Use Disorder Treatment in Emergency Setting Act (drafted in partnership with the O’Neill Institute for National and Global Health Law at Georgetown Law Center);
- 3) The Model Substance Use During Pregnancy and Family Care Plans Act;
- 4) The Model Pharmacist Collaboration for Medication for Addiction Treatment Act (drafted in partnership with the Center for Health Law Studies at St. Louis University);
- 5) The Model School Response to Drugs and Drug-related Incidents Act (drafted in partnership with the Earl Carl Institute at the Thurgood Marshall School of Law at Texas Southern University); and
- 6) The Model Safe, Healthy, and Whole Family Care and Reporting Act (drafted in partnership with Boston University’s School of Law).

FEDERAL NEWS BITS

Rural Opioid Abuse Prevention Act: Bipartisan legislation aimed at preventing opioid addiction, overdoses, and deaths in rural communities passed Congress with broad support from both sides of the aisle just before the end of 2022. The *Rural Opioid Abuse Prevention Act* is intended to help fill existing gaps in prevention, treatment, and recovery services for individuals in rural areas by providing funding for local governments and organizations that serve rural communities that are often disproportionately impacted by opioid addiction and abuse.

Sentencing Reform Efforts Stall Again: Language that would have ended the sentencing disparity for crimes involving crack cocaine and powdered cocaine failed to make it into the final version of the omnibus spending bill that was winding its way through Congress at the end of 2022. Criminal justice reform advocates have been working for decades to roll back the penalties established by laws that were passed in the 1980s, which are in some cases 100 times greater for offenses involving crack than for offenses involving powdered cocaine. The Equal Act passed the House of Representatives with wide bipartisan support last year but having never made it onto the floor of the Senate as a stand-alone measure, the language would have needed to be included in the omnibus spending bill to become law.

NATIONAL NEWS BITS

Drug-Related Deaths Rising Among Pregnant People: Research published in the December 2022 issue of the Journal of the American Medical Association provides an in-depth look at how substance use disorder (SUD) is severely harming pregnant people. The study from Columbia University's Mailman School of Public Health examined death certificates of 7,642 people who died while pregnant or just after giving birth and of those, 1,249 died from a drug overdose, primarily methamphetamine or fentanyl. Pregnant people are less likely than other demographic groups to both seek and receive help for an SUD, in part because there have long been barriers to treatment for substance use during pregnancy, not the least of which is the stigma associated with seeking treatment while carrying a child. Opioid use during pregnancy has skyrocketed over the last decade, but there are medications that pregnant people can safely take during pregnancy to treat SUD that will increase the chances of a full-term, healthy pregnancy.

New Overdose Reversal Drug Released: Zimhi, an FDA-approved high-dose naloxone injection, was recently released specifically for the treatment of fentanyl overdoses. The injection delivers an intramuscular, immediate dose of naloxone, much higher than a traditional dose of Narcan, commonly used to reverse overdoses from other opioids that are not as powerful as fentanyl. A typical dose of Narcan contains four mg of nasal spray, with a patient receiving approximately two mg once the spray is delivered; Zimhi delivers five mg of naloxone directly into the thigh muscle, with the patient immediately receiving all five mg at the moment of injection.

STATE NEWS BITS

California: State officials announced that they have seized enough fentanyl in California to kill every person in North America, twice. Governor Newsom's office recently reported that 28,765 pounds of fentanyl were seized by law enforcement in 2022, with a total street value of \$230 million. The state is investing additional resources on the fentanyl crisis, pledging more than one billion dollars and 100 National Guard members trained specifically to support fentanyl-related initiatives.

Colorado: A public library in Boulder has temporarily closed its doors after tests showed that traces of methamphetamine residue was found in its air ducts. The testing took place after a spike of incidents of people found smoking meth in the library's restrooms. Employees at the library have experienced symptoms consistent with exposure to methamphetamine residue or fumes, and all affected areas will be professionally remediated before the library can be reopened to the public. According to National Institutes of Health, after years of decline, overdose deaths attributed to methamphetamine, are sharply on the rise.

Florida: Federal prosecutors say that one man helped flood Florida and surrounding states with 4,000 kilograms of cocaine by hiding the drugs inside custom-made coffee tables arriving on the mainland as part of an elaborate drug trafficking scheme. It is estimated that between 2018 and 2021, four tons of cocaine was shipped inside more than 70 pieces of furniture, with a street value totaling \$120 million.

Illinois: A new proposal would allow state-licensed drug injection sites to open across Illinois as part of the state's efforts to reduce fatal overdoses that increased across the country in 2022 and hit Cook County particularly hard. The proposal would permit people to use drugs at approved sites as part of a larger push to treat the opioid crisis as a public health problem as opposed to a criminal justice issue. Applicants who wish to host the injection sites would have to show that they have hygienic space, adequate staffing, safe injection supplies, first aid, and overdose monitoring capability.

Iowa: Harm reduction boxes were installed at locations around Polk County, containing items like tourniquets, cotton filters, and needle disposal containers. The purpose of the boxes is to assist those who are struggling with substance use in avoiding some of the consequences of addiction, like infections, that can cause death. One

thing the kits do not have is fentanyl test strips, because these are still classified as drug paraphernalia in Iowa, and thus illegal to possess.

Missouri: Families are demanding answers from officials at the South Central Correctional Center, where seven inmates died in one month. Toxicology reports showed that at least half of those inmates died as a result of having ingested lethal levels of fentanyl. When asked for comment, the Missouri Department of Corrections was unable to pinpoint a source for the drugs that are making their way into the prison system.

Nevada: The Executive Committee to Review the Death of Children is calling on Nevada hospitals to test for fentanyl, as overdoses from the synthetic drug continue to rise across the country. Currently, a request to test for fentanyl must be sent to the lab, and results can take a few days. In Clark County alone, fentanyl claimed the lives of 191 people in 2020 and 225 people in 2021.

Ohio: The State Board of Pharmacy has banned the sale of any product containing the chemical tianeptine, also known as “gas station heroin.” Tianeptine can cause agitation, drowsiness, confusion, sweating, rapid heartbeat, high blood pressure, nausea, and vomiting and although it has been shown to have high abuse potential, it is still legal in more than 40 states. The substance was banned through an emergency order issued by Governor Mike DeWine.

Oregon: Oregon Health and Science University is one of 10 winners of a federal grant aimed at speeding up scientific solutions to preventing overdose fatalities. Researchers will analyze the experiences of about 1600 study subjects, who will each receive \$15 to \$25 gift cards when they participate in desired services or meet personal harm reduction goals. This method of rewarding behavior is called contingency management, and this study is the first large-scale one of its kind to test rewards in harm reduction engagement and overdose prevention.

Virginia: Attorney General Jason Miyares joined 44 other attorneys general in urging the Drug Enforcement Administration and Substance Abuse and Mental Health Services Administration to permanently extend the temporary telehealth flexibility for prescribing buprenorphine as a treatment for opioid use disorder (OUD). Without a permanent extension, an estimated 2.5 million U.S. adults could be cut off from their OUD treatment.

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/>.