

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 524 Session of 2015

INTRODUCED BY SCARNATI, YAW, GREENLEAF, ALLOWAY, FOLMER, WAGNER, VULAKOVICH, STEFANO, WHITE, RAFFERTY, WARD, HUGHES, YUDICHAK, TEPLITZ AND SCHWANK, FEBRUARY 19, 2015

SENATOR GREENLEAF, JUDICIARY, AS AMENDED, APRIL 21, 2015

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, establishing the Non-narcotic
3 Medication Assisted Substance Abuse Treatment Grant Program;
4 and, imposing powers and duties on the Department of
5 Corrections.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 61 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

CHAPTER 46

NON-NARCOTIC MEDICATION ASSISTED

SUBSTANCE ABUSE TREATMENT GRANT PROGRAM

13 Sec.

14 4601. Definitions.

15 4602. Establishment of program.

16 4603. County participation requirements.

17 4604. Use of grant funding.

18 4605. Powers and duties of department.

19 4606. Prior authorization.

1 4607. Report to General Assembly.

2 § 4601. Definitions.

3 The following words and phrases when used in this chapter  
4 shall have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Eligible offender." The term shall have the same meaning  
7 given to it in section 4603 (relating to county participation <--  
8 requirements) 4503 (RELATING TO DEFINITIONS) and who is <--  
9 dependent on opioids or alcohol, or both.

10 "Program." The Non-narcotic Medication Assisted Substance  
11 Abuse Treatment Grant Program established under this chapter.

12 § 4602. Establishment of program.

13 The Non-narcotic Medication Assisted Substance Abuse  
14 Treatment Grant Program is established in the department to  
15 increase opportunities for counties to provide long acting non-  
16 narcotic, nonaddictive medication combined with comprehensive  
17 substance abuse treatment to eligible offenders upon release  
18 from county correctional institutions. Grants shall be awarded  
19 to counties eligible to participate in the program within six  
20 months of the effective date of this section.

21 § 4603. County participation requirements.

22 In order to be eligible for grant funding under the program,  
23 a county must:

24 (1) Make application to the department in a form and  
25 manner as provided by the department.

26 (2) Have a county correctional institution with an  
27 institutional substance abuse treatment program.

28 (3) Be able to contract with a provider as required  
29 under section 4604 (relating to use of grant funding).

30 (4) Meet any other requirements established by the

1 department.

2 § 4604. Use of grant funding.

3 A county awarded a grant under the program shall contract  
4 with an entity, provider or organization that shall:

5 (1) Assess each offender, prior to re-entry into the  
6 community, and determine if the offender is a candidate to  
7 whom should be administered medication that prevents relapse  
8 to opioid dependence or alcohol dependence, or both.

9 (2) Create an individualized program for each offender  
10 identified under paragraph (1).

11 (3) Provide access to and administer long-acting  
12 injectable naltrexone.

13 (4) Provide other types of counseling.

14 (5) Cooperate with the county board of probation and  
15 parole as to the use of any drug under paragraph (1) by any  
16 eligible offender.

17 (6) Create a discharge plan for each offender under  
18 paragraph (1).

19 § 4605. Powers and duties of department.

20 The department shall:

21 (1) Establish a form for counties to apply for grant  
22 funding under the program.

23 (2) Establish additional criteria for counties making  
24 application for grant funding under the program.

25 (3) Develop or approve training and instructional  
26 materials for the law enforcement community about opioid and  
27 alcohol addiction and the proper and effective use of non-  
28 narcotic medication assisted substance abuse treatment in  
29 consultation with the appropriate State agencies, including,  
30 but not limited to, the Department of Drug and Alcohol

1 Programs, the Department of Human Services, the Department of  
2 Health, the Pennsylvania Board of Probation and Parole and  
3 the Pennsylvania Commission on Crime and Delinquency.

4 (4) MAKE A FORM AVAILABLE TO PROVIDERS TO BE USED TO <--  
5 CONFIRM THAT AN OFFENDER IS ELIGIBLE FOR AND ENROLLED IN THE  
6 PROGRAM.

7 ~~(4)~~ (5) Promulgate any rules and regulations necessary <--  
8 to implement this chapter.

9 § 4606. Prior authorization.

10 Long acting injectable naltrexone shall ~~not be subject to~~ BE <--

11 APPROVED AS PART OF A prior authorization PROCESS by any <--

12 Medicaid managed care plan operating under contract with the

13 Commonwealth. FOR ELIGIBLE OFFENDERS ENROLLED IN THE PROGRAM AND <--

14 RECEIVING COMPREHENSIVE SUBSTANCE ABUSE TREATMENT WHICH INCLUDES

15 THE MONITORING OF MEDICATION ADHERENCE UPON THEIR RELEASE FROM

16 COUNTY CORRECTIONAL INSTITUTIONS. Within 90 days of the

17 effective date of this section, the Department of Human Services

18 shall issue a bulletin notice to ~~prohibit~~ INSTRUCT Medicaid <--

19 managed care plans ~~from requiring prior authorization~~ THAT <--

20 APPROVAL for the use of long acting injectable naltrexone. MUST <--

21 BE GRANTED IF THE ELIGIBLE OFFENDERS ARE ENROLLED IN THE PROGRAM

22 UPON THEIR RELEASE FROM COUNTY CORRECTIONAL INSTITUTIONS.

23 § 4607. Report to General Assembly.

24 ~~By June 30, 2016~~ WITHIN 18 MONTHS OF THE EFFECTIVE DATE OF <--

25 THIS SECTION, the department shall issue a report to the

26 Judiciary Committee of the Senate and the Appropriations

27 Committee of the Senate and the Judiciary Committee of the House

28 of Representatives and the Appropriations Committee of the House

29 of Representatives evaluating the effectiveness of the program.

30 The report shall include:

1           (1) The number of eligible offenders to whom long-acting  
2 injectable naltrexone was administered.

3           (2) The number of eligible offenders who completed the  
4 course of long-acting injectable naltrexone.

5           (3) Recidivism rates of eligible offenders to whom long-  
6 acting injectable naltrexone was administered.

7           (4) The average amount of grants awarded to counties.

8           (5) The number of providers available to meet the  
9 requirements provided in section 4603 (relating to county  
10 participation requirements) on a county-by-county basis.

11           (6) THE IMPACT OF THE USE OF LONG-ACTING INJECTABLE  
12 NALTREXONE ON TREATMENT OUTCOMES AND ANY POTENTIAL COST  
13 SAVINGS.

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14 Section 2. This act shall take effect in 60 days.