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Legislation to Expand Addiction Treatment, Deter Public Drug Use, Improve Community Safety Outlined

Salem, Ore. – Today, the Joint Committee on Addiction and Community Safety Response outlined its [legislative proposal](#) to combat the drug crisis by expanding access to addiction treatment, deterring public drug use, and improving community safety. The proposal is the result of a four-month bipartisan effort to find solutions that will increase access to drug treatment, prevent addiction, clean up our communities, and keep Oregonians safe.

"We need to urgently expand drug treatment and addiction prevention in our state while stopping drug dealers, confiscating hard drugs, and cleaning up trash and graffiti," said **Senate Majority Leader Kate Lieber (D - Beaverton), co-chair of the joint committee**. "We won't solve this problem overnight, but this plan will get people the help they need, clean up our communities, and save lives."

"We said when we started this new committee process in the fall that we were going to approach this problem from both a public health perspective and a public safety perspective," said **Representative Jason Kropf (D - Bend), co-chair of the joint committee**. "With this proposal, we are braiding together the public health and public safety systems to create as many effective pathways to treatment and recovery as possible through proven, evidence-based solutions."

The legislation will be introduced as an amendment to House Bill 4002 once the 2024 legislative session begins February 5th. The committee will hold public hearings on the proposed

legislation during the upcoming legislative session. The initial amendment to the bill will include provisions that will put Oregon on a path toward:

Increasing Access to Medication-Assisted Treatment (MAT) by:

- Banning health insurers, health benefit plans and Coordinated Care Organizations (CCOs) from imposing prior authorization or other utilization review for drugs used to treat substance use disorders.
- Allowing pharmacists to prescribe and dispense emergency refills of medications used to treat opioid use disorder and requiring health benefit plans to reimburse the cost of emergency refills.
- Requiring the Alcohol and Drug Policy Commission (ADPC) to study removing barriers to MAT interventions in emergency departments and report recommendations to the Legislature.

Ensuring Consistent, High-Quality Care Statewide by:

- Applying CCO network adequacy standards for providers to addiction treatment providers.

Making the Addiction Treatment System Responsive to Fentanyl by:

- Extending welfare holds to allow a treatment facility or sobering center to hold an incapacitated person for 72 hours (up from 48 hours) due to fentanyl staying in an individual's body for longer than other opioids.

Building More Proven Community Clinics to Treat Mental Health and Substance Use Disorder Needs by:

- Expanding [Certified Community Behavioral Health Clinic](#) operations in Oregon and establishing the program within the Oregon Health Authority. Minimum services for these health centers will be identified in the bill. The bill will require OHA to submit a plan to the Centers for Medicare and Medicaid Services for adding new certified community behavioral health clinics to a demonstration program by January 15, 2025 and seek approval for federal financial participation in the program by September 2025.

Preventing Homelessness for People in Recovery by:

- Extending fair housing standards to cover individuals prescribed MAT. Long-term care facilities and residential facilities will be prohibited from refusing to admit an individual based on that individual's involvement with medication-assisted treatment for a substance use disorder.

Building Up the Drug Treatment and Mental Health Workforce by:

- Requiring the ADPC to study and deliver recommendations to the Legislature by 2025 on ways to reduce barriers to substance use disorder treatment provider credentialing.

Protecting Our Kids from Drugs by:

- Requiring the ADPC to study and deliver recommendations on specific strategies to improve access to substance use disorder treatment for youth.

Stopping Drug Dealers by:

- Prosecuting more drug dealers through restoring Oregon law to what it was for 34 years before the 2021 *Hubbell* decision, ensuring that someone with a large stash of drugs and paraphernalia can be charged for delivery of a controlled substance.
- Creating steeper penalties for drug dealing in a public park and within 500 ft. of substance use disorder treatment centers and homeless shelters.
- Asking the courts to keep dangerous drug dealers in jail pre-trial. The bill would direct the Chief Justice's Criminal Justice Advisory Committee to evaluate the pretrial release criteria for persons arrested for Delivery and Manufacture of Controlled Substances.

Deterring Public Use and Confiscating Drugs by:

- Building a path from public use and possession to recovery through creating a Class C misdemeanor for possession with requirements for a deflection program to create more offramps to treatment.
 - A pre-booking deflection program must be offered to a person and declined before they can be prosecuted for possession of a controlled substance.
 - Deflection consists of a behavioral health intervention focused on helping individuals into drug treatment, supporting their addiction recovery and connecting them with peer support.
 - Class C misdemeanor for possession of drugs carries up to 30 days in jail and a \$1,250 fine – the same class of crime as a petty theft.
- Giving police officers a way to legally confiscate drugs as current law is unclear on their authority to do so. Creating a Class C misdemeanor will give officers this legal footing to get dangerous drugs off our streets. The Class C misdemeanor will also allow officers to stop public drug use – an unintended consequence of Measure 110.

Monitoring Law Enforcement Interactions by:

- Requiring any enforcement of delivery of a controlled substance and possession of a controlled substance – including officer-initiated stops and prosecutions – to be reported to the Criminal Justice Commission. Data will be monitored for racial and other demographic disparities. The CJC will report annually to the Legislature on its findings starting August 2025.

Increasing Funding for Emergency Mental Health and Addiction Services by:

- Expanding the IMPACTS Grant Program, giving communities more resources to treat people with mental health or substance use disorders before they end up in jail or the

hospital. The grants could be spent on supporting deflection programs, mobile crisis units, mobile MAT programs, MAT in jail and case management or peer support for homeless people living with a substance use disorder.

The committee will continue to receive input from the public on this proposal and develop a complimentary budget package through the Legislature's Ways and Means process. Additions to this proposal the committee is considering include:

- Supporting the construction of shovel-ready mental health and addiction treatment projects.
- Allocating money to ODOT to support removal of trash and graffiti.
- Launching statewide and local fentanyl awareness campaigns.
- Creating a Task Force on Regional Behavioral Health Accountability.

The Legislature will consider additional bills in the upcoming session that will address other aspects of the drug crisis, including:

- Funding for recovery housing to keep people housed while in treatment.
- Funding for the expansion of post-plea diversion via drug courts.
- Improving access to medication-assisted treatment in jails.
- Strengthening protections for behavioral health care workers.
- Funding behavioral health care apprenticeships.

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