

GREEN SHEET REDIGEST

HB 250

2019 Regular Session

Davis

HEALTH/BEHAVIORAL: Requires residential treatment facilities to provide access to medication-assisted treatment for patients with opioid use disorder

DIGEST

Proposed law requires each residential treatment facility licensed pursuant to present law, R.S. 40:2151 et seq., which provides treatment for opioid use disorder to provide all of the following:

- (1) Onsite access to at least one form of FDA-approved opioid antagonist treatment either onsite or by referral.
- (2) Onsite access to at least one form of FDA-approved partial opioid agonist treatment.

Proposed law requires each residential substance use disorder facility licensed pursuant to present law which provides treatment for opioid use disorder to submit to the La. Department of Health (LDH) on its initial licensing application or its annual licensing renewal application an attestation as to whether it is complying with the requirements of proposed law. Provides that the requirement for submission of the attestation shall commence on Jan. 1, 2021. Provides further that if the licensed facility is not fully complying with the requirements of proposed law, then its attestation shall include a report addressing its progress toward satisfying those requirements.

Proposed law prohibits LDH from taking any action prior to Jan. 1, 2021, to enforce the requirements of proposed law for residential substance use disorder facilities to submit attestations to the department relative to their compliance with proposed law.

Effective Jan. 1, 2020.

(Amends R.S. 40:2156(B)(intro. para.) and (6); Adds R.S. 40:2153(15) and 2159.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

- 1. Retain and relocate proposed law within present law.
- 2. Delete proposed law indicating that residential substance use disorder facilities may meet opioid use disorder treatment requirements of proposed law by providing access to opioid antagonist treatment by referral.
- 3. Require that each residential substance use disorder facility licensed pursuant to present law as a behavioral health services provider which provides treatment for opioid use disorder submit to the LDH on its initial licensing application or its annual licensing renewal application an attestation as to whether it is complying with the requirements of proposed law. Provide that the requirement for submission of the attestation shall commence on Jan. 1, 2021. Provide further that if the licensed facility is not fully complying with the requirements of proposed law, then its attestation shall include a report addressing its progress toward satisfying those requirements.
- 4. Prohibit LDH from taking any action prior to Jan. 1, 2021, to enforce the requirements of proposed law for residential substance use disorder facilities to submit attestations to the department relative to their compliance with proposed law.

5. Change the date on which LDH may begin taking actions against licensees to enforce requirements of proposed law relative to the provision of opioid agonist and antagonist treatment from Jan. 1, 2023, to Jan. 1, 2020.
6. Delete proposed law requiring the following:
 - (a) That LDH develop a monitoring mechanism to track and report on which behavioral health services providers are complying with the requirements of proposed law prior to commencement of enforcement of proposed law.
 - (b) That LDH offer technical assistance to behavioral health services providers seeking to comply with proposed law prior to commencement of enforcement of proposed law.
 - (c) That each behavioral health services provider subject to the requirements of proposed law furnish to LDH, on or before Jan. 1, 2021, a report addressing its progress toward satisfying proposed law.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Provides that onsite access to at least one form of FDA-approved opioid antagonist treatment may be either onsite or by referral.
2. Changes effective date for enforcement by the La. Department of Health from January 1, 2020 to January 1, 2021.