



# Capitol Talks

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## Bills Progress Prior to Lawmakers' Recess

After a hectic spring, the N.J. Legislature settled into its Summer Recess. This is a time to catch our collective breath and take stock of how far our issues have come. The entire Assembly is on the November 3 ballot. Subsequently, the last two months of 2015 will constitute the "Lame Duck" session of the 2014/15 Legislative Term. This is a period in which many of the pending bills that are outstanding in the Legislature will be acted upon before beginning the new 2016/17 Term. NCADD-NJ will continue to be a presence in the hallways of the Statehouse, as well as in the District offices of Senators and Assembly members, advocating for quality treatment and recovery services for those seeking a respite from the disease of addiction.

Thanks in large measure to the efforts of NCADD-NJ Advocate Leaders, the message of addiction as an illness now resonates with a majority of our state's decision-makers. The result of that refinement of thinking has been that we spend much more time pressing for enhancements to public policies instead of battling to block negative proposals.

*The following are some of the bills NCADD-NJ has been supporting:*

S.681/A.3602

Sponsors: Lesniak, Mainor, Bateman plus four others

Provides for the issuance of a Certificate of Rehabilitation by a court or State Parole Board to persons who have been convicted of certain drug offenses. With this certification, a person cannot be discriminated against in employment,

housing, voting and education because of their drug history. In order to demonstrate that the individual is in long-term recovery, s(he) must document that they have a substance disorder; that they have refrained from drugs and alcohol for at least five years; that they have not been convicted of a crime for three years, and; that a certified addictions professional has determined him/her to be in remission and stable in their recovery. This legislation is in committee in the Senate, while the Assembly version is awaiting a vote on the Floor.

S.52/A.3730

Sponsors: Barnes, Bateman, Stack, Singleton plus four others

Requires physicians who supervise a medical unit in a state prison, or a county or municipal jail, to acquire adequate training in the treatment of addicted patients. Both proposals were released by the Law and Public Safety Committees and referred to the Appropriations Committee.

A.471/S.552

Sponsors: Turner, Wimberly plus nine others

A landmark development in updating a 45-year old law has occurred in the N.J. Assembly. On December 18, a five-bill package upgrading the current statute that allows for some criminal offenses to be erased from the record

passed out of the Lower House on a 70 yes, 3 no, 2 abstain and 5 not present vote. Originally intended to assist an ex-offender in re-integrating into the community, over time the law (with its numerous subsequent amendments) became inaccessible for many people. NCADD-NJ supported all of the aspects of the new measure with our emphasis being on the provision to automatically expunge the entire criminal record of someone who completes a drug court program. Potential relief would also be available for people who had successfully finished a drug court regimen in the past. They would still have to apply to the court for expungement. However, the application fee would be waived. Then, if the person has neither a pending charge, nor a conviction post-drug court, their entire criminal history would be erased. The only exceptions would be for those offenses already delineated in the statute as non-expungeable, e.g. manslaughter, kidnapping, murder, etc. The legislation has moved to the N.J. Senate. All NCADD-NJ supporters are asked to communicate with Senate President, Steve Sweeney, to request that he post S.552/A.471 for a Floor Vote. 1-856-251-9801 985 Kings Hwy., Ste. 400 West Deptford, N.J. 08086 [sensweeney@njleg.org](mailto:sensweeney@njleg.org)

A.2982/S.478

Sponsors: Spencer, Cunningham plus three others

Would permit people on parole or probation to vote. Currently a person is disqualified from voting while serving a sentence for a crime in jail or prison, or on parole or probation. A key factor in retarding re-offending, is successfully re-integrating the returning formerly incarcerated into society. That objective is easier achieved when the ex-offender feels a desire to support his/her community. This sense of responsibility is enhanced through the ability to participate as a full citizen. Presently, this proposal is in committee.

S.53

Sponsor: Barnes

Requires jails and prisons to provide inmates with medication that was prescribed for chronic conditions existing prior to incarceration. In committee.

S.2806

Sponsor: Cunningham

Removes restrictions on certain convicted drug offenders receiving General Assistance (formerly Welfare) benefits under the Work First NJ program. In committee.

A.3550/S.3165

Sponsors: Angelini, Benson, Vitale plus 10 others

Would require medical personnel and First Responders who have administered naloxone to an overdosing patient, to give that individual written information as to where to secure drug therapy. This legislation is presently in committee.

SJR56/AJR87

Sponsors: Singer, Vitale, Angelini, Benson plus 6 others

Would establish an Opioid Antidote Commission to study and report on procedures to be used following the administration of an opiate blocker to a hospital patient. This legislation is currently in committee.

AR113/SR75

Sponsors: Conaway, Vitale, Sumter plus 3 others

Urges the U.S. Food and Drug Administration to make naloxone available over the counter. In Senate committee and on the Assembly floor.

**OPPOSE... OPPOSE... OPPOSE...**

A.783/S.211

Sponsors: Caride, Van Drew, Connors plus 15 others

Would change the standard for prosecuting heroin cases. The current "weight" formula for determining intent to distribute would be replaced by a "units" measurement. This legislation would exacerbate an already existing racial and class-based disparate impact in our criminal justice system; keep people out of treatment and drug court and give them a jail cell and criminal record instead; and break the bank by adding millions of dollars to the extant \$1.1b Corrections Budget. A.783 has passed the Assembly 66 to 2. S.211 is in the Judiciary Committee.

A.3056

Sponsors: Pinkin, Auth, McKeon plus 14 others

Create an Opiate Abuse Prevention Commission to study the opioid crisis and make recommendations to the Legislature and Governor. This proposal is presently in committee.

A.218

Sponsors: Gusciora, Vainieri-Huttle, Mukherji plus 16 others

Would de-criminalize possession of fifteen grams or less of marijuana, impose civil penalties, and establish a drug education fund. It would also provide drug assessment and referral to treatment for certain users. This measure is currently in committee.

S.1998/A.3129

Sponsors: Weinberg, Conaway, Holzapfel plus 11 others

Expands the existing Prescription Monitoring Program. Signed into law.

A.709/S.2370

Sponsors: Whelan, Kyrillos, Lagana plus 21 others

Requires pharmacies and prescribers to notify patients about how to ensure proper and safe disposal of unused prescription drugs. Signed into law.

A.2859/S.2369

Sponsors: T. Kean, Eustace plus 26 others

Codifies "Project Medicine Drop" program; requires N.J. Division of Consumer Affairs to maintain secure prescription medicine drop-off receptacles at certain law enforcement agencies. Signed into law.

S.2380/A.3722

Sponsors: Vitale, Lesniak, Vainieri-Huttle, Angelini plus 9 others

Requires N.J. Department of Human Services and N.J. Department of Corrections to formulate a joint arrangement and plan to ensure an improved delivery of mental health and substance use disorder services to

prisoners. Signed into law.

S.2378/A.3720

Sponsors: Conaway, Vitale, singer plus 16 others

Extends "Overdose Prevention Act" immunity provisions to certain professionals, and permits needle exchange programs to obtain a standing order for opioid antidote. Signed into law.

S.2373/A.3716

Sponsors: Addiego, O'Scanlon, Greenstein plus 12 others

Requires the N.J. Division of Mental Health and Addiction Services to annually prepare a substance use treatment provider performance report, and make it publicly available. Signed into law.

A.3738/S.2058

Sponsors: Lesniak, Diegman, Sumter, Jasey, Greenwald plus 2 others

Authorizes establishment of three pilot recovery alternative high schools that provide a high school education and a substance dependency plan. Conditionally vetoed.

A.3159/S.2457

Sponsors: Scutari, Allen, Wilson, Gusciora plus 3 others

Provides that an inmate in a state prison who is otherwise eligible for drug treatment cannot be denied access to a program operating in a state prison based solely on that prisoner having any detainer or open charge issued against him/her. In Senate committee/ on Assembly Floor.

A.3719/S.2377

Sponsors: Vitale, Barnes

Directs certain four-year public institutions of higher education to establish substance misuse recovery housing programs. Signed into law.

A.3723/S.2381

Sponsors: Lesniak, Johnson, O'Scanlon, Allen, Sumter plus 7 others

Requires medication assisted treatment (MAT) to be offered to persons incarcerated who receive drug treatment if appropriate. Also it would allow MAT to be used in the drug court program and not constitute its use as a violation or a reason to withhold graduation from the program. Signed into law.

### ADVOCACY MATTERS

NCADD-NJ Advocacy Leaders are presently engaged in an effort to reach out to local police departments that are not yet utilizing naloxone for reversing opioid overdoses and encouraging them to do so.

To find out more about Advocate projects and how to join your local county team of Leaders who are working to create public policies that facilitate and enhance recovery, we encourage you to click on the "Become an Advocate" link on the left side of the NCADD-NJ homepage.

ACA HEALTH BENEFITS REMINDER

The next open enrollment period for Marketplace coverage under the Affordable Care Act (Obamacare) begins on November 1 for insurance starting on January 1. Some people can sign up for health benefits outside of open enrollment, before November 1, because they gain or lose Medicaid eligibility, lose a job, have a change in family status, or because of other life-changing circumstances.

A.4008/S.2334

Sponsors: Pou, Singleton, Pinter Marin, Ruiz, Tucker, Oliver, Giblin, Muoio, Jimenez plus 5 others

Requires the N.J. Dept. of Corrections to make reports containing information concerning treatment programs and reentry initiatives participation. On Governor's desk.

S.3036/A.4271

Sponsors: Vitale, Conaway plus 5 others

Requires health insurers to provide benefits coverage for prescribed abuse-deterrent opioid analgesic drugs. Opioid analgesic drugs are those prescribed to treat pain. Abuse-deterrent opioid analgesic drugs are those approved by the U.S. Food and Drug Administration with abuse-deterrence labeling claims that indicate the drug is expected to result in a meaningful reduction in abuse. Passed Assembly; in Senate committee.

S.2855/A.3830

Sponsors: Weinberg, Conaway, Benson, and Vainieri-Huttle

Requires health insurance benefits coverage for Suboxone and naloxone. In committee.

A.3777

Sponsor: Conaway

Requires the N.J. Division of Consumer Affairs to publish a list of certain tamper-proof opioid drugs and prohibits a pharmacist from substituting a drug not on the list with one that isn't. In committee.

S.2367/A.3713

Sponsors: Codey, Gordon, S. Kean, McKeon, Rible plus 11 others

Requires a review of the Core Curriculum Content Standards to ensure guidance for substance abuse instruction provided to public school students incorporates the most recent evidence-based standards and practices. Passed Senate, on Assembly Floor.

A.3712/S.2366

Sponsors: Weinberg, Madden, Rice, Coughlin, Lampitt, Conaway plus 16 others

Requires health care practitioners to inform patients of addiction potential of controlled dangerous substances prior to issuing a prescription. Passed Senate, in Assembly committee.

S.2372/A.1436

Sponsors: Madden, Oroho, Caride, Mosquera, Moriarty, Bucco, Beck, Space, Munoz, Danielsen, DiMaio plus 8 others

Authorizes the Attorney General to coordinate statewide law enforcement efforts against opioid drug misuse. Signed into law.

A.3700/S.2375

Sponsors: Vitale, Singer, Peterson, Mazzeo plus 7 others

Provides for licensure of ambulatory care facilities to provide integrated primary care services including behavioral health care. On Senate Floor, in Assembly committee.

For contact information for your representatives, or for more on these proposals, see the N.J. Legislature's website: [www.njleg.state.nj.us](http://www.njleg.state.nj.us), or contact NCADD-NJ Policy Analyst Ed Martone at [emartone@ncaddnj.org](mailto:emartone@ncaddnj.org).