

## HB 4098 A STAFF MEASURE SUMMARY

### House Committee On Behavioral Health

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**Action Date:** 02/10/22

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 11-0-0-0

**Yeas:** 11 - Goodwin, Hoy, Lively, Moore-Green, Morgan, Nelson, Nosse, Reynolds, Sosa, Witt, Wright

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Oliver Droppers, LPRO Analyst

**Meeting Dates:** 2/3, 2/10, 2/10

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#### WHAT THE MEASURE DOES:

Expands the statutory definition for “participating state agency” the Alcohol and Drug Policy Commission (Commission) may engage to fulfill the Commission’s statutory responsibilities. Requires all participating agencies to meet quarterly with the Commission to share each agency’s progress with the Commission’s comprehensive plan as directed by ORS 430.223. Directs the Commission to develop and publish a progress report each even-numbered year. Establishes the Opioid Settlement Prevention, Treatment, and Recovery Fund (Recovery Fund) in State Treasury to appropriate settlement funds to the Oregon Health Authority (OHA). Creates the Opioid Settlement Prevention, Treatment, and Recovery Board (Board) in OHA. Repeals the Board on January 2, 2040. Takes effect on 91st day following adjournment sine die.

#### ISSUES DISCUSSED:

- State agencies directed to work with the Alcohol and Drug Policy Commission (ADPC)
- Implementation of ADPC's Strategic Plan
- Oregon opioid settlement and allocation of funds to local municipalities

#### EFFECT OF AMENDMENT:

Establishes the Opioid Settlement Prevention, Treatment, and Recovery Fund (Recovery Fund) in State Treasury to appropriate settlement funds to the Oregon Health Authority (OHA). Creates the Opioid Settlement Prevention, Treatment, and Recovery Board (Board) in OHA. Grants the Board authority to allocate funds from the Recovery Fund. Specifies Board membership, appointing authority, and terms. Establishes guidelines for the Board in determining the allocation of appropriated funds. Repeals the Board on January 2, 2040.

#### BACKGROUND:

Created by the Legislative Assembly in 2009, the Alcohol and Drug Policy Commission (ADPC) is charged with planning to fund and deliver effective drug and alcohol treatment and prevention services. The ADPC has varied in size over time, with 20 commissioners as of 2019. In 2018, the Legislative Assembly passed House Bill 4137 requiring the ADPC to develop preliminary recommendations for the scope and framework of its comprehensive addiction, prevention, treatment, and recovery plan by July 1, 2020. The measure directed the ADPC to review and update the comprehensive plan every two years and required the Governor to appoint a director and establish the director's functions and powers. House Bill 2638 (2019) expanded and modified the composition of the ADPC and modified the definition of alcohol and drug abuse prevention and treatment program in Oregon to include tribal programs.

The National Conference of State Legislatures describes that between 1999 and 2019, 700,000 people died of a drug overdose, with 500,000 of those deaths attributed to opioids. The Oregon Health Authority [reports](#) Oregon

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has one of the highest rates of misuse of prescription opioids in the country, with a weekly average of five overdose fatalities, from pharmaceutical and illicit opioids. State Attorney Generals sued pharmaceutical manufacturers, distributors, and others in the supply chain, claiming these entities used deceptive marketing and failed to prevent misuse. A nationwide settlement was reached in 2021, providing \$26 billion in funding to states and local municipalities over 18 years to fund prevention, treatment, and recovery services. Approximately 45 percent of Oregon's settlement funds will go into a "Prevention, Treatment, and Recovery Fund" with the remaining 55 percent allocated to cities and counties ([Oregon agreement](#)).

House Bill 4098 A increases the number of state agencies required to engage with the Alcohol and Drug Policy Commission to fulfill its statutory responsibilities, and establishes the Opioid Settlement Prevention, Treatment, and Recovery Fund to allocate funding from Oregon's opioid settlements.