

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Fund Opioid Use Disorder Prevention and Treatment**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §20010** is enacted to read:

### **§ 20010. Opioid Use Disorder Prevention and Treatment Fund**

**1. Fund established.** The Opioid Use Disorder Prevention and Treatment Fund, referred to in this section as "the fund," is established for the purpose of supporting opioid use disorder analysis, prevention and treatment and is administered by the department. The fund consists of money received from proceeds from the prescription opioid impact fee under subsection 3 and appropriations, allocations and contributions from private and public sources. The fund must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any unexpended balances remaining in the fund at the end of any fiscal year do not lapse and must be carried forward to the next fiscal year.

**2. Uses of fund proceeds.** The proceeds of the fund must be used for the following purposes:

**A. Opioid addiction prevention services;**

**B. Opioid addiction treatment services, including:**

(1) Inpatient and outpatient treatment programs and facilities, including short-term and long-term residential treatment programs and sober living facilities;

(2) Treating substance use disorder for the underinsured and uninsured; and

(3) Research regarding opioid addiction prevention and treatment; and

**C. The department's reasonable expenses in administering the fund.**

The department shall award grants and contracts from proceeds of the fund to persons and organizations to carry out the purposes of the fund.

**3. Prescription opioid impact fee.** A manufacturer of prescription opioid drugs shall pay a prescription opioid impact fee on prescription opioid drugs manufactured by the manufacturer that are distributed in the State. The fee under this subsection is 2¢ per morphine milligram equivalent for each prescription opioid drug of the manufacturer distributed in the State. The department shall collect this fee pursuant to rules adopted by the department and deposit the proceeds from the fee into the fund.

**4. Rules.** The department shall adopt rules to carry out the purposes of this section. Rules adopted under this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

## SUMMARY

This bill establishes the Opioid Use Disorder Prevention and Treatment Fund administered by the Department of Health and Human Services for the purpose of supporting opioid use disorder analysis, prevention and treatment. The fund is funded by a 2¢ fee per morphine milligram equivalent assessed against prescription opioid drug manufacturers for prescription opioid drugs distributed in the State as well as appropriations, allocations and contributions from private and public sources.