



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 427 of the 132nd G.A.

**Status:** As Reported by House Community and Family Advancement

**Sponsor:** Rep. Young

**Local Impact Statement Procedure Required:** No

**Subject:** Community and faith-based substance abuse grants and drug overdose reports

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### State & Local Fiscal Highlights

- The bill appropriates \$1.0 million in GRF line item 336421, Continuum of Care Services, in FY 2019 for the Community and Faith-based Substance Abuse Rehabilitation Facility Grant Program.
- The bill requires the Ohio Department of Mental Health and Addiction Services (OhioMHAS) to expend \$50,000 in FY 2019 for each of the following: the Community and Faith-based Substance Abuse Curricula Grant Program and the Community and Faith-based Substance Abuse Transportation Assistance Grant Program. Funding for these two programs will come from existing OhioMHAS appropriations.
- The bill requires the Ohio Department of Health (ODH) to publish monthly reports and issue press releases regarding drug overdose deaths, review drug overdose fatality review committee reports, and to promulgate rules, which will result in a minimal increase in administrative costs.
- Boards of county commissioners that choose to establish a drug overdose fatality review committee may realize an increase in administrative costs associated with implementing a committee. However, the bill specifies committee members will not receive compensation.
- Law enforcement agencies, county prosecutors, government-owned hospitals, and other public offices could realize a minimal increase in costs if these entities provide any requested information to drug overdose fatality review committees.

### Detailed Fiscal Analysis

#### Substance abuse grant programs

The bill creates three grant programs to be administered by the Ohio Department of Mental Health and Addiction Services (OhioMHAS). Under these programs, grants will be awarded to the appropriate board of alcohol, drug addiction, and mental health services (ADAMHS boards), which will then distribute all grant funds to each

organization in its jurisdiction awarded a grant. Each grant program requires OhioMHAS to: create a separate grant application and develop a process for reviewing and evaluating completed applications on a competitive basis and select initial grant recipients no later than nine months after the bill's effective date. As a result, OhioMHAS could experience a minimal increase in administrative duties to create and review grant applications and to select grant recipients. ADAMHS boards that distribute grants might have some negligible administrative costs; however, these costs would be absorbed with existing staff and resources.

### **Rehabilitation Facility Grant Program**

The bill creates the Community and Faith-based Substance Abuse Rehabilitation Facility Grant Program which will award grants to the appropriate ADAMHS boards, which will then distribute grants to each organization in its jurisdiction awarded a grant. The bill prohibits OhioMHAS from transferring any of these funds to other OhioMHAS-administered programs. Nonprofit entities that meet certain criteria are eligible for grants. Grantees can use the awards to open and operate one or more facilities that provide certified drug addiction services. The facilities have to be located in or not more than ten miles from a community that has historically had a high incidence of accidental death by opioid overdose. The bill appropriates \$1.0 million in GRF line item 336421, Continuum of Care Services, in FY 2019 for the program.

### **Curricula and transportation assistance grant programs**

The bill creates the Community and Faith-based Substance Abuse Curricula Grant Program, which will award grants to the appropriate ADAMHS boards, which will then distribute grants to each organization in its jurisdiction awarded a grant. Nonprofit entities that administer programs intended to support individuals in avoiding abuse or overcoming addiction and that use curricula materials to achieve this purpose are eligible for grants. OhioMHAS is required to expend \$50,000 in FY 2019 for the program. Funding will come from any available appropriations contained in H.B. 49 of the 132nd General Assembly.

The bill also creates the Community and Faith-based Substance Abuse Transportation Assistance Grant Program, which will award grants to the appropriate ADAMHS boards, which will then distribute grants to each organization in its jurisdiction awarded a grant. Nonprofit entities that administer programs intended to support individuals in avoiding substance abuse or overcoming substance addiction are eligible for grants. A grantee can only use the award to pay costs associated with providing program participants with transportation services to program activities or to reimburse them for the costs they incur in traveling to these activities. OhioMHAS is required to expend \$50,000 in FY 2019 for the grants. Funding will come from any available appropriations contained in H.B. 49 of the 132nd General Assembly.

Under the bill, the grant applications for both grants will require applicants to specify an entity that OhioMHAS will consult with to obtain input about the entity's success with supporting individuals in avoiding drug abuse or overcoming addiction.

Those entities include any or all of the following: (1) a judge or magistrate from the drug court or other court that considers drug-related prosecutions in the same jurisdiction as the entity, (2) the jurisdiction's chief police officer or the officer's delegate, or (3) the Ohio Attorney General. OhioMHAS is required to give this input significant weight when making a final determination regarding a grant award.

### **Drug overdose death reports**

The bill requires the Ohio Department of Health (ODH) to publish monthly reports on its website showing the number of drug overdose deaths delineated by county and to issue a press release each time a monthly report is completed. ODH is required to use information submitted through the Ohio Public Health Data Warehouse to update information and to publish these reports. The bill allows the ODH Director to adopt rules as necessary to implement this requirement. ODH will experience an increase in administrative costs to promulgate rules. ODH would also realize an increase in administrative costs to publish monthly reports and issue press releases. However, ODH currently compiles drug overdose statistics and produces an annual report regarding this data, so the increase in administrative costs is expected to be minimal.

### **Drug overdose fatality review committees**

The bill permits a board of county commissioners to appoint a health commissioner of a local board of health to establish a drug overdose fatality review committee. The committee will review drug overdose deaths and opioid-involved deaths. In addition, the boards of county commissioners of two or more counties may, by adopting a joint resolution, create a regional drug overdose fatality committee to serve all participating counties. The joint resolution must appoint one health commissioner from each participating county. Under the bill, if a county already has an operating drug overdose fatality review committee on the effective date of the bill, the board of county commissioners may appoint that body to function as the committee for that county. The body must have the same duties, obligations, and protections as drug overdose fatality review committees appointed by a health commissioner. The bill specifies the purpose of the committees. By April 1 of each year, a committee is required to prepare and submit to ODH certain information in a manner prescribed by the Department. Counties that choose to establish a drug overdose fatality review committee could realize an increase in administrative costs. However, the bill states that members are not to receive compensation for duties unless the compensation is for duties that are pursuant to a member's regular employment.

The bill specifies that the law enforcement agency conducting an investigation of a death and the prosecuting attorney prosecuting the case must notify the committee's chairperson on the conclusion of the investigation or case. Additionally, any individual, law enforcement agency, or other public or private entity that provided services to a person whose death is being reviewed by a drug overdose fatality review committee must submit certain summary information at the committee's request. Law enforcement

agencies, county prosecutors, government-owned hospitals, and other public offices could realize a minimal increase in costs to provide this information.

The bill requires ODH to adopt rules that establish a procedure for county or regional drug overdose fatality review committees to follow in conducting a review of an overdose death. The bill specifies what the rules must entail. ODH will realize an increase in costs to adopt rules and to review reports from any additional committees established.

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