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## 2016 legislative session update

### General Fund/Medicaid Cuts

Lawmakers approved a general fund budget \$85 million short of the \$785 million the Alabama Medicaid Agency said was needed to adequately fund the agency. Republican legislative leaders said they could no longer cut other agencies to support Medicaid. Commissioner Stephanie Azar said the agency will be cutting services without additional funding.

In response, the Medical Association of the State of Alabama is urging state lawmakers and Gov. Bentley to start now to find a permanent revenue solution to fully fund Alabama Medicaid before the next fiscal year.

“Alabama already runs the most bare-bones Medicaid program in the country,” said Medical Association Executive Director Mark Jackson, “so to end this legislative session without an appropriate funding solution is more than heartbreaking. It’s dangerous.”

In just five months, 25 percent of the state’s population will be at risk of losing their access to health care because of the legislature’s inability to come to an agreement on funding options that would have helped close the \$85 million gap in Medicaid’s budget.

### Medicaid Managed Care Delay

Lawmakers voted to allow the state to delay implementation of a managed care system at the state Medicaid Agency after state officials said funding troubles threatened the implementation of regional care organizations next fiscal year.

### Oil Spill Settlement

Lawmakers did not approve the plan to dictate how \$1 billion in oil spill settlement money will be spent. A feud erupted between coastal lawmakers, who said the region should get a larger share, and lawmakers elsewhere who said the region had been compensated from another pot of settlement funds. A plan to use the money for state debt payment, would have freed up \$70 million to help fill a Medicaid funding gap.

### Chemical Endangerment Bill

State law will now clarify that the normal practice of maternal medicine does not constitute chemical endangerment of unborn children, SB 372 by Sen. Clyde Chambliss (R-Prattville), passed and has been sent to the Governor for his signature. This bill clears up an issue that arose from a court ruling that criminalized aspects of providing normal, routine medical care to pregnant women.

This bill protects pregnant women and their physicians by ensuring the following

do not constitute the crime of chemical endangerment of a child:

- A pregnant woman’s taking of a drug prescribed by her doctor
- A pregnant woman’s taking of a non-prescription FDA approved drug or substance recommended by her doctor

Further, this bill ensures that neither of these activities trigger “reportable events” to any authorities.

### Virtual Credit Card Bill

SB 291 sponsored by Sen. Quinton Ross (D-Montgomery) passed and has been sent to the Governor for his signature. The bill will ensure physicians cannot be forced to accept costly Virtual Credit Cards (VCCs) as a form of payment.

### Marijuana Oil

Gov. Robert Bentley signed into law legislation to decriminalize marijuana oil for people who use it as a treatment for debilitating medical conditions. The law, which will decriminalize possession of cannabidiol (CBD) produced in other states, will go into effect June 1.

The law creates a defense to prosecution for possession of CBD products with 3 percent or less THC if the

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# U.S. Senate passes bipartisan opioid bill


The U.S. Senate has passed the Comprehensive Addiction and Recovery Act, which will provide grants to states, local governments and non-profit groups for programs to strengthen prescription drug monitoring, improve treatment for addicts, and expand prevention, education and law enforcement initiatives.

According to an article in *USA Today*, this legislation authorizes \$725 million for federal grants but does not allocate any actual funds, which would have to be approved as part of legislation to fund federal agencies for the 2017 fiscal year. Senate Republicans last week blocked an effort by Sen. Jeanne Shaheen (D-NH), to add \$600 million in emergency money to the bill.

GOP leaders said that Congress already appropriated more than \$400 million in funds that are available now for programs to combat opioid abuse as part of a huge spending bill passed in December. President Obama is also asking Congress for an extra \$1.1 billion in his 2017 budget request to pay for drug treatment for people addicted to prescription painkillers and heroin.

“This authorization bill, in conjunction with the \$400 million appropriated for opioid-specific programs just a few months ago, can make important strides in combating the growing addiction and overdose problem we’ve seen in all 50 states,” said Majority Leader Mitch McConnell (R-Ky).

Each day, 44 people die in the U.S. from an overdose of prescription painkillers, according to the Centers for Disease Control and Prevention. More people die from accidental drug overdoses than in car accidents, according to the American Society of Addiction Medicine. Opioid abuse is the main problem, with nearly 19,000 overdose deaths related to prescription pain relievers in 2014.

To combat this growing problem in Alabama, the Medical Association is leading a multi-industry coalition of medical, business, health insurance and law enforcement organizations in the launch of a new initiative – *Smart & Safe* – aimed at providing education on and encouraging the safe prescription, use, storage and disposal of medication. (Read more below.) 

## Efforts continue in Alabama to combat prescription drug abuse


Earlier this year, APPA partnered with the Medical Association of the State of Alabama and a coalition of medical, business, health insurance and law enforcement organizations to launch – *Smart & Safe* – an initiative to provide education on safe prescription, use, storage and disposal of medication.

The U.S. Drug Enforcement Agency held its annual Prescription Drug Take-Back Day on April 30 to provide a safe, secure and convenient way for the public to properly dispose of unused prescription medications.

Flushing drugs down the toilet contaminates waterways, affecting how fish, frogs, waterfowl and other animals develop and behave. Some of the drugs, once dissolved, end back up in drinking water, unable to be filtered out by sewage treatment plants.

More than 6.5 million people in the U.S. abuse prescription drugs, according to the DEA, and overdoses are now the leading cause of injury-related deaths. In the past five years, the DEA has destroyed more than 5.5 million pounds of unused prescription drugs.

Recent studies indicate most first-time abusers get their drugs from a family member or friend, and Alabama is no different. Raising awareness about proper medication use is essential to preventing accidental overdose and death.


Smart & Safe will build upon the success already realized through passage of a 2013 legislative package (Prescription Drug Monitoring Program) aimed at reducing prescription drug abuse. Learn more at [www.smartAndSafeAL.org](http://www.smartAndSafeAL.org). 

## Legislative Session continued

person has a “debilitating medical condition,” defined as a wide range of health conditions in the bill. Opponents of the bill fought its passage because artisanal marijuana products have not received the same FDA approval as other medicinal compounds.

### Kratom Ban

Lawmakers passed a bill to classify as a Schedule I controlled substance the herb Kratom, a South Asian herb which mimics the mind-altering effects of opioids. If the Governor signs the bill, Kratom – which is now widely available in gas stations and other retail establishments where children can easily acquire it – would be an illegal substance in Alabama.

Law enforcement sought to make the over-the-counter substance illegal saying it is as dangerous as narcotics. 

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