



Memorandum Date: October 2, 2019

Order Date: October 8, 2019

TO: Board of County Commissioners

DEPARTMENT: County Administration

PRESENTED BY: Alex Cuyler, Intergovernmental Relations Manager

AGENDA ITEM TITLE: ORDER: In the matter of advocating for a statewide addiction recovery continuum of care

I. MOTION

Move to adopt Order number 19-10-08-03, in the matter of advocating for a statewide addiction recovery continuum of care.

II. AGENDA ITEM SUMMARY

The Board of Commissioners has been approached by a coalition of local drug and alcohol treatment advocates, working in concert with a statewide non-profit organization (Oregon Recovers) with a request to adopt a resolution broadly addressing drug and alcohol addiction within Oregon. This Order culminates the staff work on the draft resolution they provided to the Board initially. Staff have made several changes to what was initially provided to the Board, while hopefully keeping the overall intent of the draft resolution intact.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

- During public comment at the Board of Commissioners August 27, 2019 regularly scheduled meeting, a number of addiction advocates testified about addiction issues broadly, and specifically asked the Board of Commissioners to adopt a Resolution which they provided to the Board. Later during that meeting the Board requested that the Administrator have Alex Cuyler examine the document and bring it back to the Board for consideration in the future.

- On June 11, 2019, the Board of Commissioners directed that a letter of comment be sent to the Oregon Drug and Alcohol Policy Commission, responding to a series of statewide meetings that agency had scheduled to get feedback on their mandated (HB 4137 from 2018) framework plan, but which did not include a stop in Eugene. The letter had two emphasis points for the Commission to consider; expanding the work on prevention and better enhancing budgetary advocacy.
- In the lead up to the 2019 Oregon Legislature, the Lane County Board of Commissioners adopted a specific legislative priority that sought to amend state law such that pharmacies be mandated to post information regarding access to Naloxone. Lane County was ultimately successful in getting SB 910 passed and signed into law. In addition to the pharmacy issue, that bill contained a variety of other beneficial policy with respect to drug treatment.

B. Policy Issues

Lane County's Legislative Principles and Priorities document addresses alcohol and drug treatment (and other addictions) with specific language:

- Support strategies to reduce the negative effects of problem/disorder gambling in Lane County.
- Support multi-system efforts to address opiate overprescribing and addiction.
- Support efforts to combat opiate overdoses by increasing the availability and access to Naloxone.
- Support prescription drug take back.

C. Board Goals

Focusing in on substance use disorder and alcoholism is aligned with Strategic Priority 1: Safe, Healthy County. The Strategic Initiative at section 1B reads: *Increase access to prevention and treatment services and develop programs and policy focused on behavioral health, community health, and youth.*, and is the most pertinent Board Goal for this topic.

D. Financial and/or Resource Considerations

Lane County accesses a number of different funding streams, and partners with a variety of community-based organizations to ensure the delivery of addiction treatment services. Passing this Order and Resolution will ensure that Lane County's advocacy work in the fiscal realm will continue.

E. Health Implications

As the Order and Resolution indicates, addiction treatment continues to evolve. In particular, the defining of substance use disorder and alcoholism as an illness (or chronic

disease) has created a variety of tools for prevention and treatment, primarily in ensuring that insurance services cover the costs of treatment. Addiction has enormous cost and productivity implications and both state and federal regulatory and budgetary frameworks are evolving to address these society-wide impacts. Moreover, civil litigation addressing the role that pharmaceutical companies have played with respect to alarming addiction rates across the United States is becoming more prevalent, with a number of high profile legal cases playing out largely in favor of plaintiffs. In some cases, counties are parties to these suits, in an effort to recover resources that could have been expended into more traditional public health and wellness activities but were instead allocated for treatment or related public safety services.

F. Analysis

According to their website, Oregon Recovers “is an inclusive statewide coalition of people in recovery uniting to transform Oregon health care to ensure world-class protection, treatment, and recovery support services for Oregonians suffering from the disease of addiction.” Staff was unaware they were approaching local governments with a request for a resolution. Once assigned the task of reviewing the Oregon Recovers resolution, it became clear that the group is highly organized around an effort to have local governments across Oregon adopt very similar documents. Staff became aware that the City of Medford, Jackson County, and Deschutes County had already passed similar resolutions, and learned that Eugene and Multnomah County has also received similar requests.

Oregon Recovers staff testified to the Human Services Committee at the Association of Oregon Counties on September 9, 2019 regarding their statewide effort. It appears Oregon Recovers is simply using these draft resolutions to raise awareness, and will not be utilizing the collection of resolutions in support of any specific legislative or congressional action.

That said, Oregon Recovers has been instrumental in passing a number of pieces of legislation which served to establish and evolve the Oregon Alcohol and Drug Policy Commission. This framework is a departure from previous agency structures, which were primarily housed within the Oregon Health Authority (and in certain cases, are still housed there). Under Oregon Law (HB 4137, 2018) the Alcohol and Drug Policy Commission is required to report back to pertinent committees of the Oregon Legislature with recommendations as to a new statutory and operational framework for substance use disorder and alcoholism treatment and prevention in 2020, with the assumption that the 2021 Legislature will further formulate their recommendations into law.

Thus it is the conclusion of staff that the most pertinent outcome of this Order and Resolution will be the continue focus on advocating in support of that work before the Oregon Legislature. This is somewhat of a departure from the draft Resolution submitted to the Board of Commissioners, which asked that the Board of County Commissioners declare addiction to be a “public health crisis”.

Staff was reluctant to maintain that language within the Order and Resolution presented as part of this memo. It is the case that while Governor Brown did declare a public health crisis in 2018 related to substance use disorder and alcoholism, staff is unable to find an actual definition of a public health crisis. Under Oregon law, the Local Public Health Authority has a number of powers (ORS 431.414), declaring a public health emergency is not one of them. That power is relegated to the Governor (ORS 433.441), or in certain cases, the Oregon Public Health Director (ORS 431A.015). And while Oregon Administrative Rules promulgated by the Public Health Division (OAR 333-003-010 et seq) are titled “Impending Public Health Crisis” the rules themselves refer to activities occurring after a public health emergency has been declared.

G. Alternatives/Options

The Board may:

- Adopt the Order and Resolution as written
- Amend the Order and Resolution
- Do nothing

IV. RECOMMENDATION

Staff recommend the Board adopt the Order and Resolution as written. It will ensure that Lane County continue to monitor the work of the Oregon Alcohol and Drug Policy Commission, and participate in legislative work involving this topic.

V. TIMING/IMPLEMENTATION

The Alcohol and Drug Policy Commission must develop a preliminary addiction, prevention, treatment and recovery plan by July 1, 2020.

VI. FOLLOW-UP

Staff will continue to monitor the work of the Alcohol and Drug Policy Commission

VII. ATTACHMENTS

Attachment A: Order #19-10-08-03

Attachment B: Draft Resolution submitted to the Board of Commissioners, 8/27/19

ATTACHMENT A

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER AND RESOLUTION
NO:

IN THE MATTER OF ADVOCATING FOR A
STATEWIDE ADDICTION RECOVERY
CONTINUUM OF CARE

WHEREAS, Oregon law now defines substance use disorder and alcoholism to be a chronic disease; and

WHEREAS, these statutory definitions are designed to improve access to multiple systems of care and a lifetime of support; and

WHEREAS, substance use disorder and alcoholism are treatable conditions, as exemplified by the millions of people who identify as in recovery; and

WHEREAS, according to data compiled by the Substance Abuse and Mental Health Services Administration (SAMHSA) for 2017, Oregon has the 4th highest rate of substance use disorder rate in the country; and

WHEREAS, according to data compiled by the Substance Abuse and Mental Health Services Administration (SAMHSA) for 2017, Oregon ranks 50th in access to addiction treatment; and

WHEREAS, according to an 2006 EcoNorthwest analysis, untreated substance abuse disorder in Oregon represents economic costs of \$5.9 billion annually; and

WHEREAS, two-thirds of Oregonians have a friend or family member who suffers from addiction; and

WHEREAS, five Oregonians die each day in alcohol-related deaths and one to two Oregonians die each day from drug-overdoses; and

WHEREAS, more than 2100 people die each year in Oregon from untreated addiction; and

WHEREAS, the Legislature has tasked the Alcohol and Drug Policy Commission with producing a strategic plan to address alcohol and drug abuse prevention and treatment service delivery in the state of Oregon; and

WHEREAS, Oregon will be the first state to measure a "recovery rate," a metric which can be used to track the success of the Alcohol and Drug Policy Commission's strategic plan.

NOW, THEREFORE, the Board of County Commissioners **ORDERS AND RESOLVES** as follows:

1. That Lane County supports Governor Brown's May, 2018 executive order on addiction as a public health crisis; and
2. That Lane County is closely monitoring the work of the Oregon Alcohol and Drug Policy Commission; and
3. That Lane County will continue to advocate to state and federal elected leaders to develop and implement a new, comprehensive statewide addiction recovery continuum-of-care, and to provide adequate funding for same.

ADOPTED this ____ day of _____, 2019.

Pete Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date _____

LANE COUNTY OFFICE OF LEGAL COUNSEL

ATTACHMENT B

WHEREAS, addiction is a chronic disease, often requiring multiple episodes of care and a lifetime of support; and

WHEREAS, addiction is a treatable condition, as exemplified by the millions of people who identify as in recovery; and

WHEREAS, according to the Substance Abuse and Mental Health Services Administration (SAMHSA), Oregon has the 4th highest addiction rate in the country; and

WHEREAS, according to SAMHSA, Oregon ranks 50th in access to addiction treatment; and

WHEREAS, according to an EcoNorthwest analysis, untreated addiction costs Oregon taxpayers \$5.9 billion annually; and

WHEREAS, two-thirds of Oregonians have a friend or family member who suffers from addiction; and

WHEREAS, five Oregonians die each day in alcohol-related deaths and one to two Oregonians die each day from drug-overdoses; and

WHEREAS, more than 2100 people die each year in Oregon from untreated addiction; and

WHEREAS, the legislature has tasked the Alcohol and Drug Policy Commission with producing a strategic plan to address addiction in the state of Oregon; and

WHEREAS, Oregon will be the first state to measure a "recovery rate," a metric which can be used to track the success of the Alcohol and Drug Policy Commission's strategic plan.

NOW, THEREFORE, BE IT RESOLVED that Lane County declares addiction to be a public health crisis; and

BE IT FURTHER RESOLVED that Lane County expects its state and federal elected leaders to take immediate steps to reduce Oregon's untreated addiction rate from 9.5% to 6.5% in five years; and

BE IT FURTHER RESOLVED that Lane County expects its state and federal elected leaders to increase the state's recovery rate by 25% within five years; and

BE IT FURTHER RESOLVED that Lane County expects its state and federal elected leaders to accomplish the above goals by funding the development and implementation of a new, comprehensive statewide addiction recovery continuum-of-care.