

H.773

An act relating to opioid treatment programs in State correctional facilities

What is an opiate treatment program?

- Opiate Treatment Programs (OTPs) are federally-certified programs that “provide medication-assisted treatment (MAT) for people diagnosed with an opioid-use disorder. MAT patients also must receive counseling, which can include different forms of behavioral therapy.”
- OTP certification is required to treat patients with methadone. The methadone clinics that form the “Hubs” in Vermont’s “Hub and Spoke” model are examples of OTPs.
- To learn more about the certification process and guidelines for OTPs, see: <https://www.samhsa.gov/medication-assisted-treatment/opioid-treatment-programs>

What is medication-assisted treatment?

- Medication-assisted treatment (MAT) for opioid use disorder includes methadone, buprenorphine (a.k.a. Suboxone), and extended release naltrexone (a.k.a. Vivitrol).
- Methadone and buprenorphine, in particular, are considered the “gold standard” of treatment for opioid use disorder. Studies show that MAT can significantly reduce fatalities associated with addiction. It’s recommended by the Centers for Disease Control and Addiction, the National Institute on Drug Abuse, and the World Health Organization.
- There’s a grant-funded Vivitrol pilot in Vermont’s Department of Corrections that is offered on release to inmates struggling with opioid use disorder.

What does the bill do?

- Sec 1: Directs the Commissioner of Corrections to apply for federal certification of at least two Vermont correctional facilities as Opiate Treatment Programs (OTPs).
- Sec 2: Includes correctional facilities certified as OTPs in Vermont’s system of opioid addiction treatment.
- Sec 3: Directs the Commissioners of Health, Corrections, and Vermont Health Access to adopt a rule governing the operation of OTPs at state correctional facilities, in accordance with state and federal laws and regulations.

Will it cost money?

- The Department of Corrections is currently investigating strategies and costs for implementing OTP certification in Vermont’s correctional facilities. It’s unclear at this point if additional appropriations will be required.

- The timeline of this bill works with recommendations in the Governor’s Opioid Coordination Council that “within one year, the State of Vermont will complete a comprehensive exploration of potential models...for providing unlimited access to MAT in Vermont correctional facilities. Once completed, an action plan for implementation should begin.”
- The bill allows the Department of Corrections to complete their analysis and seek funding from the legislature if needed in January of 2019.

What does current MAT access in Vermont’s Department of Corrections look like?

- Prior to the fall of 2017, inmates who were already receiving MAT in the form of methadone or buprenorphine at the time of their incarceration were allowed to continue on these medications for 30 days at the majority of facilities, and 90 days at two pilot sites. At that point, or if they were expected to be held for longer periods of time, they were tapered from their MAT access.
- In the fall of 2017, Corrections adopted a new policy of providing access to MAT for no less than 120 days in all facilities, with provisions for case-by-case review for extension.
- Only inmates who are receiving access to MAT prior to incarceration are given access to these medications in Corrections settings.

Why is OTP certification necessary?

- OTP certification will allow Corrections to provide continuing access to MAT for inmates, without arbitrary timelines that run counter to best practices in opioid use disorder treatment.
- It will also allow inmates who have relapsed or never received treatment for opioid addiction to be screened and, if indicated, inducted into MAT.
- Opioid-dependent inmates face dramatically-increased risks of fatal overdose on release, following withdrawal from opiates and/or MAT while incarcerated.

Related bills:

- S.166: An act related to the provision of medication-assisted treatment for inmates*
- H.867: An act related to the provision of medication-assisted treatment for inmates*

*These bills direct the Department of Corrections to provides assessments for opioid dependence, and to allow inmates to continue and commence MAT treatment. H.773 would provide the mechanism to fully realize these goals in the Corrections setting.