

# POLICY & PLANNING COMMITTEE

## Meeting Summary – July 14, 2021

**COMMISSIONERS REPRESENT:** Tony Bell, Deena Duncan, Joseph Essavi, Lou La Monte, Sharona R. Nazarian, Mark Ryan, John Ho Song, Wendie Warwick and Howard Winkler

**MATERIAL DISTRIBUTED:** Policy Planning Committee July 2021 Agenda; Policy and Planning Meeting Minutes 6.9.21 – Draft; P&P Handout - SB 314 and AB 61

Topic	Discussion/Finding	Recommendations, Action, Follow-up
Welcome and Introductions	Chair Deena Duncan, County of Los Angeles, to the Commission on Alcohol and Other Drugs (CAOD) Policy and Planning Committee convened the meeting at 12:03 p.m.	
Approval of Meeting Minutes	<p>Quorum now present.</p> <p>Chair Deena Duncan asked for a motion to accept the minutes of the June 2021 meeting.</p>	Chair Deena Duncan entertained a motion which was moved to approve by Comm Lou La Monte and second by Comm. Tony Bell. Motion was unanimously carried.
Pending Legislation	<p>Francisco Reyes, Chief for the Policy and Strategic Initiatives Unit for Substance Abuse Prevention and Control (SAPC), provided an update.</p> <p>AB 1242 (Bauer-Kahan): Alcoholic beverages: bona fide public eating place: off-sale privileges - This bill would, authorize a licensee to sell the alcoholic beverages for off-sale consumption for which their license permits on-sale consumption when the beverages are not in manufacturer prepackaged containers if specified conditions are met, including that the beverages be sold in conjunction with meals and be packaged in a container with a secure lid or cap. The bill would prescribe requirements for the order and receipt of alcoholic beverages sold pursuant to these authorizations and would prohibit these alcoholic beverages from being ordered or picked up for delivery. The bill would prohibit a licensee from selling more than 2 of these alcoholic beverages per each bona fide meal ordered. The bill would require the licensee to notify the department of its intent to sell pursuant to this authorization. The bill would prohibit containers of alcoholic beverages sold for off-sale consumption pursuant to either of these authorizations from exceeding 412 ounces of distilled spirits. Updated 6/6/21 – In Senate. Read first time. Referred to Committee on rules for assignment.</p> <p>SB 57 (Wiener): Controlled substances: overdose prevention program - This bill would authorize the City and County of San Francisco, County of Los Angeles, and the City of Oakland to approve entities to operate overdose prevention programs, including safe consumption sites. The safe consumption sites</p>	Francisco Reyes to send notes to liaison after meeting.

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	<p>would be authorized to provide a hygienic space supervised by trained staff to consume pre-obtained drugs, sterile consumption supplies, and access to substance use disorder treatment. The bill would exempt a person from, among other things, civil liability, professional discipline, or existing criminal sanctions, solely for actions, conduct, or omissions in compliance with an overdose prevention program authorized by the specified jurisdictions. Update: 1/28/21 – Referred to Committee on Health, Public Safety, and Judiciary the County of Los Angeles supports this bill.</p> <p>AB 929 (Rivas): California Health Benefit Exchange: data collection - This bill would require the board, if it requires or has previously required a qualified health plan to report on cost reduction efforts, quality improvements, or disparity reductions, to make public plan-specific data on cost reduction efforts, quality improvements, and disparity reductions. The bill would require the board to post that data and information to the internet website of the Exchange no less than annually and in a way that demonstrates the compliance and performance of a health plan but protects the personal information of an enrollee. The bill would require a qualified health plan to provide enrollee data and other information on quality measures to the board, as specified, and would require information to be provided by product type. The bill would exempt Exchange records that reveal specified claims and rate data from disclosure under the California Public Records Act. The bill would delete an existing requirement that the portion of a contract or amendment containing rates of payment be open to inspection 3 years after the contract or amendment is open to inspection. The bill would also require the board to engage in health oversight activities relating to Exchange operations, including audits, investigations, evaluations, analyses, data collection through routine reporting, and any other activities for oversight of the Exchange, including qualified health plan contracts with health care service plans and health insurers.</p> <p>AB 666 (Chiu): Substance use disorder workforce development - This bill would require the department to issue a statewide substance use disorder (SUD) workforce needs assessment report that evaluates the current state of the SUD workforce, determines barriers to entry into the SUD workforce, and assesses the state’s systems for regulating and supporting the SUD workforce. The bill would require the department take into consideration the needs assessment report, to create and implement an SUD workforce development program that supports a career ladder for the SUD workforce, and that, at a minimum, provides a number of program elements, including fee waivers to cover costs related to testing, registration, and certification for specified individuals, and tuition reimbursements for undergraduate and graduate students who complete coursework in programs related to SUDs.. Update: 4/6/21 – Referred to Committee on Health.</p>	

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	<p>AB 381 (Davies, Petrie-Norris): Licensed facilities: duties - This bill would require a licensee, at all times, to maintain at least 2 unexpired doses of naloxone on the premises and have at least one staff member on the premises who knows the specific location of the naloxone and who has been trained to administer it. • The bill would prohibit a trained staff member from being held civilly or criminally liable for the administration, in good faith, of naloxone to a person appearing to experience an opioid-related overdose. • The bill would specify that the administration of naloxone is an emergent care required in the case of a life-threatening emergency for purposes of the medical or health care services a licensed facility may provide. • The bill would also make technical changes and delete an obsolete provision. Update: 4/5/21 – Re-referred to Committee on Appropriations pursuant to Assembly Rule 96.</p> <p>SB 110 (Wiener): Substance use disorder services: contingency management services - This bill would expand substance use disorder services to include contingency management services as an optional benefit under the Drug Medi-Cal organized delivery system, as specified, subject to utilization controls. The bill would require counties that administer the Drug Medi-Cal organized delivery system to submit a plan to the department that demonstrates readiness to implement contingency management services that are provided to eligible Medi-Cal beneficiaries through electronic or in-person means and to consult with stakeholders for purposes of developing that plan. The bill would require the department to review and approve the plan. The bill would require the department to issue guidance on the use of contingency management services for Medi-Cal beneficiaries who access substance use disorder services under the Drug Medi-Cal organized delivery system. The bill would provide that contingency management services are not a rebate, refund, commission preference, patronage dividend, discount, or any other gratuitous consideration. The bill would authorize the department to establish limits on the number and value of incentives available to Medi-Cal beneficiaries who receive contingency management services, and to implement these provisions by various means, including provider bulletin, without taking regulatory action. The bill would condition the implementation of these provisions to the extent permitted by federal law, the availability of federal financial participation, and the department securing federal approval. The bill would require the department to determine maximum allowable rates for contingency management services, as specified.</p> <p>SB 519 (Wiener): Controlled substances: decriminalization of certain hallucinogenic substances - This bill would make lawful the possession for personal use, as described, and the social sharing, as defined, of psilocybin, psilocyn, dimethyltryptamine (DMT) , ibogaine, mescaline, lysergic acid diethylamide (LSD) , and 3,4-methylenedioxymethamphetamine (MDMA) , by and</p>	

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	<p>with persons 21 years of age or older. The bill would provide penalties for possession of these substance on school grounds, or possession by, or sharing with, persons under 21 years of age. This bill would repeal existing law prohibits the cultivation, transfer, or transportation, as specified, of any spores or mycelium capable of producing mushrooms or other material which contain psilocybin or psilocyn. (3) Existing law, contingent upon specified changes in federal law regarding the federally controlled substance cannabidiol, would deem a physician, pharmacist, or other healing arts licensee who prescribes, furnishes, or dispenses a product composed of cannabidiol in accordance with that federal law, to be in compliance with state law governing those acts, as specified. This bill would make those provisions also applicable to the controlled substances made lawful by this bill. Existing law creates a Research Advisory Panel, as specified, to conduct hearings on, and in other ways study, research projects concerning cannabis or hallucinogenic drugs. This bill would require the State Department of Public Health to convene a working group, as specified, to research and make recommendations to the Legislature regarding, among other things, the regulation and use of the substances made lawful by this bill, as specified. Existing law prohibits the possession of drug paraphernalia, as defined. This bill would exempt from this prohibition, paraphernalia related, as specified, to these specific substances. The bill would also exempt from the prohibition items used for the testing and analysis of controlled substances. Existing law states the intent of the Legislature that the messages and information provided by various state drug and alcohol programs promote no unlawful use of any drugs or alcohol. This bill would repeal those provisions. By eliminating and changing the elements of existing crimes and creating new offenses, and by requiring new duties of local prosecutors, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason. With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above. This bill would state that its provisions are severable.</p>	
<p>Comments from Commissioners on items of interest</p>	<p>Chair Deena Duncan discussed Methylenedioxymethamphetamine (MDMA) assisted therapy for Post-traumatic stress disorder (PTSD)</p>	

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Public comments (Comments from the public on items of interest within Commission's Subject Matter Jurisdiction)	No public comments.	
Adjourn to the next meeting of the commission	Meeting was adjourned at 12:24 p.m.	

**Next meeting:** September 22, 2021

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