

SECOND REGULAR SESSION

HOUSE BILL NO. 3361

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KIMBLE.

7129H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 21.790, RSMo, and to enact in lieu thereof two new sections relating to substance abuse prevention and treatment.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 21.790, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 21.790 and 631.185, to read as follows:

21.790. 1. There is hereby established the "Task Force on Substance Abuse Prevention and Treatment". The task force shall be composed of six members from the house of representatives, six members from the senate, and ~~four~~ **five** members appointed by the governor. The senate members of the task force shall be appointed by the president pro tempore of the senate and the house members by the speaker of the house of representatives. There shall be at least two members from the minority party of the senate and at least two members from the minority party of the house of representatives. The members appointed by the governor shall include one member from the health care industry, one member who is a first responder or law enforcement officer, one member who is a member of the judiciary or a prosecuting attorney, **one member who has personal experience with substance abuse**, and one member representing a substance abuse prevention advocacy group.

2. The task force shall select a chairperson and a vice-chairperson, one of whom shall be a member of the senate and one a member of the house of representatives. A majority of the members shall constitute a quorum. The task force shall meet at least once during each legislative session and at all other times as the chairperson may designate.

3. The task force shall:

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (1) Conduct hearings on current and estimated future drug and substance use and
18 abuse within the state;

19 (2) Explore solutions to substance abuse issues; ~~and~~

20 (3) **Make specific recommendations on age-appropriate fentanyl education in**
21 **schools;**

22 (4) **Create a model for sober-living homes and facilities;**

23 (5) **Develop a curriculum and educational materials about treatment centers;**

24 (6) **Create guidelines on the length of sobriety required for a person to qualify as**
25 **a peer specialist;**

26 (7) **Appoint members to the volunteer civilian oversight board for state-funded**
27 **substance abuse treatment facilities established under section 631.185; and**

28 (8) Draft or modify legislation as necessary to effectuate the goals of finding and
29 funding education and treatment solutions to curb drug and substance use and abuse.

30 4. The task force may make reasonable requests for staff assistance from the research
31 and appropriations staffs of the senate and house of representatives and the joint committee
32 on legislative research. In the performance of its duties, the task force may request assistance
33 or information from all branches of government and state departments, agencies, boards,
34 commissions, and offices.

35 5. The task force shall report annually to the general assembly and the governor. The
36 report shall include recommendations for legislation pertaining to substance abuse prevention
37 and treatment.

631.185. 1. There is hereby established the "Volunteer Civilian Oversight Board
2 **for State-Funded Substance Abuse Treatment Facilities", which shall consist of twelve**
3 **volunteer members to be appointed by the task force on substance abuse prevention and**
4 **treatment created in section 21.790.**

5 **2. The board shall be under the supervision of the task force on substance abuse**
6 **prevention and treatment. Appointments to the board shall ensure representation from**
7 **diverse backgrounds, with the board to include at least:**

8 (1) **One member with lived experience in recovery from substance abuse;**

9 (2) **One member who is a community leader;**

10 (3) **One member who represents the faith-based community;**

11 (4) **One member who represents a nonprofit organization;**

12 (5) **One member who is a public safety professional;**

13 (6) **One member who is a health care professional; and**

14 (7) **One member who represents the community at large.**

15 **3. Members of the board shall serve without compensation. The task force on**
16 **substance abuse prevention and treatment may require prospective members to pass a**
17 **criminal background check before appointment to the board.**

18 **4. The board may:**

19 **(1) Conduct unannounced walkthrough inspections of state-funded substance**
20 **abuse treatment facilities, provided that no fewer than three members participate in any**
21 **walkthrough;**

22 **(2) Access common areas of state-funded substance abuse treatment facilities at**
23 **any time for compliance review;**

24 **(3) Monitor the daily operations of state-funded substance abuse treatment**
25 **facilities to ensure adherence to state laws, licensing standards, and regulatory**
26 **requirements;**

27 **(4) Interview residents of state-funded substance abuse treatment facilities**
28 **regarding their treatment experience;**

29 **(5) Interview employees of state-funded substance abuse treatment facilities**
30 **regarding operational practices and compliance standards;**

31 **(6) Document findings and submit written reports to the task force on substance**
32 **abuse prevention and treatment or any entity designated by the task force;**

33 **(7) Serve as a liaison between treatment centers, community members, and the**
34 **state;**

35 **(8) Review and provide recommendations regarding the allocation and**
36 **expenditure of opioid settlement funds; and**

37 **(9) Track spending of opioid-related funds to promote transparency and**
38 **community accountability.**

39 **5. The board shall not access confidential medical records or protected health**
40 **information. All activities of the board shall comply with applicable federal and state**
41 **privacy laws, including the federal Health Insurance Portability and Accountability Act**
42 **(HIPAA).**

43 **6. Reasonable administrative expenses necessary for the functioning of the**
44 **board, including materials, training, transportation, and public awareness activities,**
45 **may be funded through designated opioid settlement funds.**

46 **7. The board shall submit an annual public report to the general assembly**
47 **summarizing findings, compliance concerns, recommendations, and funding**
48 **transparency reviews.**