

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 730

H.P. 535

House of Representatives, February 11, 2019

### An Act To Create the Substance Use Disorders Cabinet

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HYMANSON of York.  
Cosponsored by Senator GRATWICK of Penobscot and  
Representatives: CRAVEN of Lewiston, FARNSWORTH of Portland, McCREIGHT of  
Harswell, Senator: CLAXTON of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA c. 441** is enacted to read:

3 **CHAPTER 441**

4 **SUBSTANCE USE DISORDERS CABINET**

5 **§19151. Substance Use Disorders Cabinet**

6 **1. Establishment.** The Substance Use Disorders Cabinet, referred to in this chapter  
7 as "the cabinet," is established, no later than January 15, 2020, to promote  
8 interdepartmental collaboration on policy development and program implementation and  
9 to support the delivery of services for prevention, harm reduction and treatment of  
10 substance use disorders for citizens of the State that are planned, managed and delivered  
11 in an integrated manner.

12 **2. Membership.** The cabinet consists of the following members:

13 A. The Commissioner of Corrections or the commissioner's designee;

14 B. The Commissioner of Education or the commissioner's designee;

15 C. The Commissioner of Health and Human Services or the commissioner's  
16 designee;

17 D. The Commissioner of Labor or the commissioner's designee;

18 E. The Commissioner of Public Safety or the commissioner's designee;

19 F. The Chief Justice of the Supreme Judicial Court or the Chief Justice's designee;  
20 and

21 G. At the discretion of the Governor, a member of the public, appointed by the  
22 Governor.

23 **3. Chair.** The Governor shall appoint one of the members to serve as chair of the  
24 cabinet. The term of the chair is 2 years.

25 **§19152. Duties of the cabinet**

26 Within existing resources, the cabinet shall collaborate to create, manage and  
27 promote coordinated policies, programs and service delivery systems that address  
28 prevention, harm reduction and treatment of substance use disorders consistent with the  
29 purposes of this chapter. To accomplish these purposes, the cabinet shall:

30 **1. Regional cabinets.** Appoint regional cabinets to ensure that the purposes of this  
31 chapter are implemented at the regional and local levels;

32 **2. Subcommittees.** Appoint subcommittees, which may include members from any  
33 public or private agency or advisory committee or any citizen who has appropriate  
34 interest and expertise, as may be necessary to carry out the work of the cabinet;

1           **3. Coordinate funding; collaboration.** Coordinate funding and budgets among the  
2 departments represented in the cabinet related to services for prevention, harm reduction  
3 and treatment of substance use disorders in order to carry out the purposes of this chapter,  
4 collaborate to share funding resources and remove barriers between departments;

5           **4. Planning and policy development.** Conduct long-term planning and policy  
6 development to create a more effective public and private service delivery system;

7           **5. Service delivery.** Coordinate the delivery of residential and community-based  
8 services for prevention, harm reduction and treatment of substance use disorders among  
9 the departments represented in the cabinet;

10          **6. Assessment of resources.** Assess resource capacity and resource allocation;

11          **7. Policy and program review.** Improve policies and programs through the review  
12 of specific case examples; and

13          **8. Communication.** Broadly communicate the work of the cabinet to the  
14 departments represented in the cabinet and to the public.

15          **§19153. Implementation and oversight**

16           Within existing resources, the cabinet shall initiate, implement and oversee programs,  
17 policies and services consistent with the purposes of this chapter, which may include but  
18 are not limited to programs, policies and services designed to:

19           **1. Community resources.** Support a collaborative effort between communities and  
20 State Government in order to effectively address the problem of substance use disorders  
21 facing the State's citizens by organizing and combining the resources of State  
22 Government with resources and leadership at the community level;

23           **2. Effectiveness indicators.** Identify indicators to measure progress in prevention,  
24 harm reduction and treatment of substance use disorders to be used by policy makers at  
25 the state and local levels;

26           **3. Reducing overdose.** Reduce the incidence of drug overdose among citizens of  
27 the State and improve access to appropriate services for prevention, harm reduction and  
28 treatment of substance use disorders;

29           **4. Access to information and referral.** Ensure easy access to information and  
30 referral for services for treatment of substance use disorders;

31           **5. Service coordination and access.** Coordinate services for prevention, harm  
32 reduction and treatment of substance use disorders as an integrated whole and facilitate  
33 access to services; and

34           **6. Pooled funds.** Provide services for prevention, harm reduction and treatment of  
35 substance use disorders using appropriate funds pooled from each department represented  
36 in the cabinet.

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**§19154. Funds**

The cabinet is authorized to solicit, receive and pool funds from the Federal Government, any political subdivision of the State or any individual, foundation or corporation and may expend those funds for purposes that are consistent with this chapter.

**§19155. Annual report**

Beginning in 2021, no later than January 31st of each year, the cabinet shall, within existing resources, provide a report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs, criminal justice and public safety matters, education and cultural affairs, health and human services matters, judiciary matters, labor matters and state and local government matters. The cabinet shall make the report available to the public on the Department of Health and Human Services' publicly accessible website.

**Sec. 2. Initial chair of the cabinet.** Notwithstanding the Maine Revised Statutes, Title 5, section 19151, subsection 3, the Commissioner of Health and Human Services, or the commissioner's designee, is the chair of the Substance Use Disorders Cabinet for the first 2-year term.

**SUMMARY**

This bill establishes the Substance Use Disorders Cabinet. The cabinet consists of the Commissioner of Corrections, the Commissioner of Education, the Commissioner of Health and Human Services, the Commissioner of Labor and the Commissioner of Public Safety, the Chief Justice of the Supreme Judicial Court and, at the discretion of the Governor, one member of the public. The initial chair of the cabinet is the Commissioner of Health and Human Services or the commissioner's designee. The cabinet is established to promote interdepartmental collaboration on substance use disorders policy development and program implementation and support service delivery in an integrated manner. The duties of the cabinet include coordinating funding, conducting long-term planning and policy development, coordinating service delivery, assessing resource capacity, reviewing programs and policies and communicating the work of the cabinet. The cabinet is authorized to solicit, receive and pool funds from the Federal Government, subdivisions of the State and individuals, foundations or corporations. The cabinet is required to submit an annual report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs, criminal justice and public safety matters, education and cultural affairs, health and human services matters, judiciary matters, labor matters and state and local government matters and to make the report available to the public. The cabinet is required to carry out its duties within existing resources.