



Legislative Update
Alcohol and Drug Policy Council
February 17, 2026

Agenda

Legislative Timeline

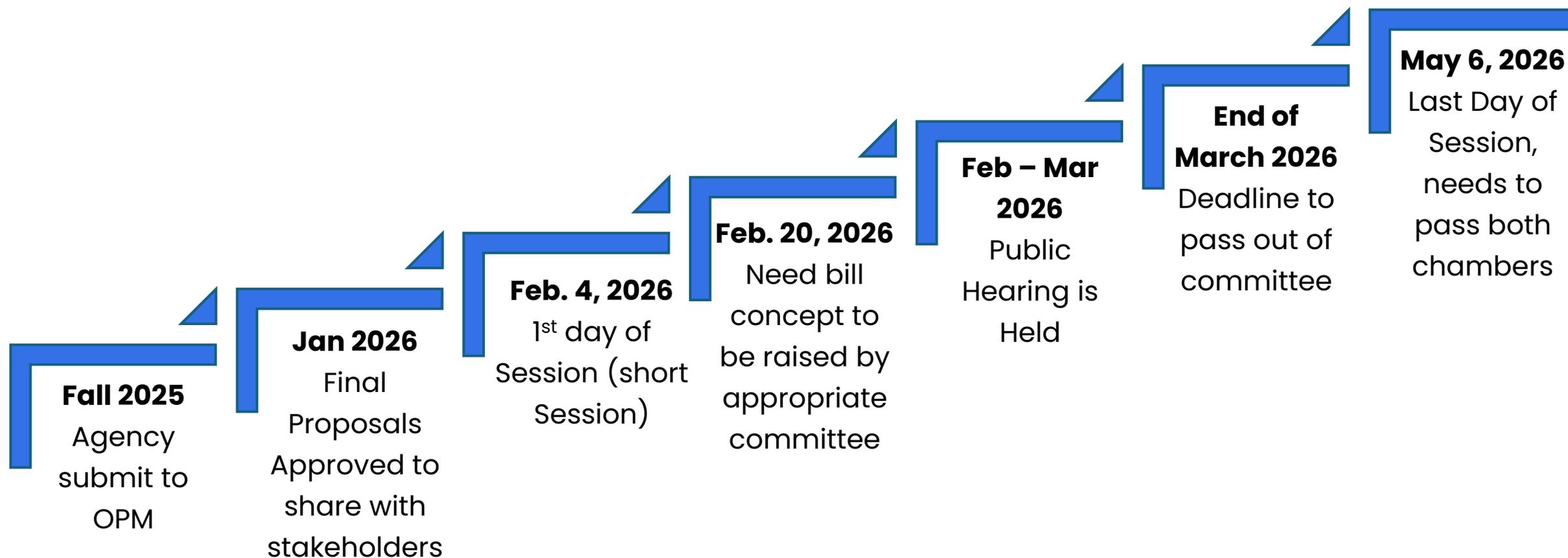
2026 Proposals

- AAC Recovery Friendly Language and Various Revisions to Mental Health and Addiction Statutes
- An Act Expanding Access to Opioid Overdose Reversal Medication

Questions

01 Legislative Timeline

Overview of Proposal Journey



DMHAS Proposes 2 Bills For Consideration

AAC Recovery Friendly Language and Various Revisions to Mental Health and Addiction Statutes

- ▶ **Promoting person-centered, recovery-friendly language**
- ▶ Adds DMHAS to list of agencies DESPP coordinates with for deployment of behavioral health professionals in certain emergency situations
- ▶ Updates state facility advisory council language to reflect current practice
- ▶ Repeals outdated references to Catchment Area Councils

An Act Expanding Access to Opioid Overdose Reversal Medication

- ▶ Removes barriers to access for opioid antagonists by:
 - ▶ updating education statutes to conform with changes in FDA designations
 - ▶ clearly allowing distribution of over-the-counter (OTC) opioid antagonists by state agencies and other organizations
 - ▶ exempting free distribution from the nonlegend drug permit requirement

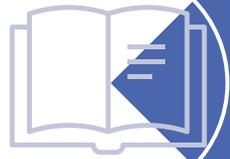
AAC Recovery Friendly Language and Various Revisions to Mental Health and Addiction Statutes

Sections 1-110

Recovery-Friendly Language



Inclusive and supportive environments



Diagnostic Statistical Manual (DSM) Updated terms



State affirmation of commitment to dignity and recovery

Sections 1-110

Recovery-Friendly Language

PRINCIPLES

- ▶ When “substance abuse” was used as an adjective to describe services, treatment, facilities, etc, we changed it to “substance use”.
- ▶ When “substance abuse” referred to a diagnosis/disorder, we changed it to “substance use disorder”
- ▶ When “substance abuse” referred to the act of actually consuming/taking substances, we took it case by case:
 - ▶ For example, when referring to the use of prescription drugs in a way not intended, we said “substance misuse”.

An Act Expanding Access to Opioid Overdose Reversal Medication

Context for Sections 1 & 2 – Education Statutes

- ▶ 2023 – US FDA approved the first over-the-counter (OTC) naloxone nasal spray
- ▶ OTC status indicates that consumers can understand how to use the drug safely and effectively without the supervision of a health care professional or specialized training
- ▶ This action necessitated updates to statutes regarding reference to “training” requirements or clinician/pharmacist prescriptive authority
- ▶ Collaborated with SDE, DPH, and DCP

Section 1 & 2 – Education Related

- ▶ 4 main changes to education statutes relating to opioid antagonist administration:
 - ▶ remove outdated language that narrowly identifies who can administer opioid antagonists on school grounds;
 - ▶ expand immunity to those who can administer an opioid antagonist;
 - ▶ add DMHAS to the list of agencies advising on the guidelines for storage and administration of OTC opioid antagonists in schools used by local and regional boards of education; and
 - ▶ limit training requirements only to those who are using opioid antagonist delivery mechanisms not yet approved by the FDA to be OTC.

Context for Section 3 – Expanding Overdose Reversal Drug Access in Communities

- ▶ Overdose deaths have declined for four consecutive years, yet continued efforts are needed.
- ▶ In 2025, DMHAS distributed nearly 80,000 kits, exceeding its saturation goal.
- ▶ While this work has contributed to a significant, multi-year decrease in overdose fatalities, perceived legal or regulatory barriers to distribution and liability remain.

Section 3 – Expanding Overdose Reversal Drug Access in Communities

- ▶ Updates the opioid antagonist Good Samaritan law by extending liability protections to those distributing OTC opioid antagonists
- ▶ Exempts free distribution from the nonlegend drug permit requirement

Questions/Discussion

