

EXECUTIVE AGENCY
FISCAL NOTE

AGENCY'S ESTIMATES

Date Prepared: February 14, 2023

Agency Submitting: Department of Corrections

Items of Revenue or Expense, or Both	Fiscal Year 2022-23	Fiscal Year 2023-24	Fiscal Year 2024-25	Effect on Future Biennia
Total	0	0	0	0

Explanation

(Use Additional Sheets of Attachments, if required)

Bill Draft Request 40-331, proposes revisions to any treatment provider of health care or program for the treatment of alcohol or other substance use disorder to prioritize persons to receive services for the treatment funded in whole or in part by federal or state money: requires a public or private penal institution to take reasonable measures to ensure: (1) the availability of medication-assisted treatment (MAT) for an offender who has been diagnosed with an opioid use disorder to the same extent and under the same conditions as other medical care for offenders, and (2) the continuation of such treatment when such an offender is released or transferred, prohibit such an institution from discriminating against such treatment or an offender who is receiving such treatment. See Exhibit 1 for full explanation.

Name Barbara Weisenthal

Title Administrative Services Officer 2

GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Tuesday, February 14, 2023

The agency's response appears reasonable.

Name Amy Stephenson

Title Director

DESCRIPTION OF FISCAL EFFECT

BDR/Bill/Amendment Number: BDR 40-331

Name of Agency: Department of Corrections

Division/Department: Prison Medical

Date: February 13, 2023

Bill Draft Request 40-331, proposes revisions to any treatment provider of health care or program for the treatment of alcohol or other substance use disorder to prioritize persons to receive services for the treatment funded in whole or in part by federal or state money: requires a public or private penal institution to take reasonable measures to ensure: (1) the availability of medication-assisted treatment (MAT) for an offender who has been diagnosed with an opioid use disorder to the same extent and under the same conditions as other medical care for offenders, and (2) the continuation of such treatment when such an offender is released or transferred, prohibit such an institution from discriminating against such treatment or an offender who is receiving such treatment. This bill requires the Nevada Department of Corrections (NDOC), an official who is responsible for local jail or detention facility to take reasonable measures to ensure the continuation of such treatment for an offender who is released or transferred: requires a program treatment for offenders with substance use or co-occurring disorders who have been sentenced to imprisonment in the state prison to include MAT; clarifies that certain provisions concerning the eligibility of an offender to participate in a program of treatment for offenders with substance use or co-occurring disorders and the removal of an offender from such a program do not affect the ability of an offender who has been diagnosed with an opioid use disorder to receive MAT; requires a physician, physician assistant, advanced practice registered nurse, certain providers of behavioral health care who diagnose a patient with opioid use disorder to counsel and provide information to the patient concerning evidence-based treatment for opioid use disorder, including MAT and to refer the patient to a physician, physician assistant or advanced practice registered nurse who is authorized to issue such a prescription.

The medications used for opioid use disorder are Sublocade, Suboxone, Vivitrol and Methadone. Currently, the NDOC does not have offenders in MAT programs. Consequently, the number of offenders estimated to enter a MAT program cannot be quantified. The fiscal impact for additional physicians, nursing staff and medication costs would be dependent on the number of offenders entering the MAT program. Thus, the NDOC has determined that the possible fiscal impact of the bill cannot be determined.