



Update on Virginia Legislative Efforts (and funding) that Relate to Opioid and SUD Abatement

OAA ABATEMENT ACADEMY

JULY 10, 2025

J. ADAM ROSATELLI
DIRECTOR OF FINANCE
OPIOID ABATEMENT AUTHORITY



Agenda

- Brief Background on the Opioid Abatement Authority (OAA)
 - Enabling Legislation
 - Prior Legislative/Budget Items (2021 Special Session I – 2024 Special Session I)
- Overview of OUD/SUD Budget Items Contained in Chapter 725 (2025 Appropriation Act)
 - COAR Fund Appropriations
 - Other GF/NGF and Language Items
- Overview of 2025 Session OUD/SUD-related Legislation

Background on the Opioid Settlements and OAA

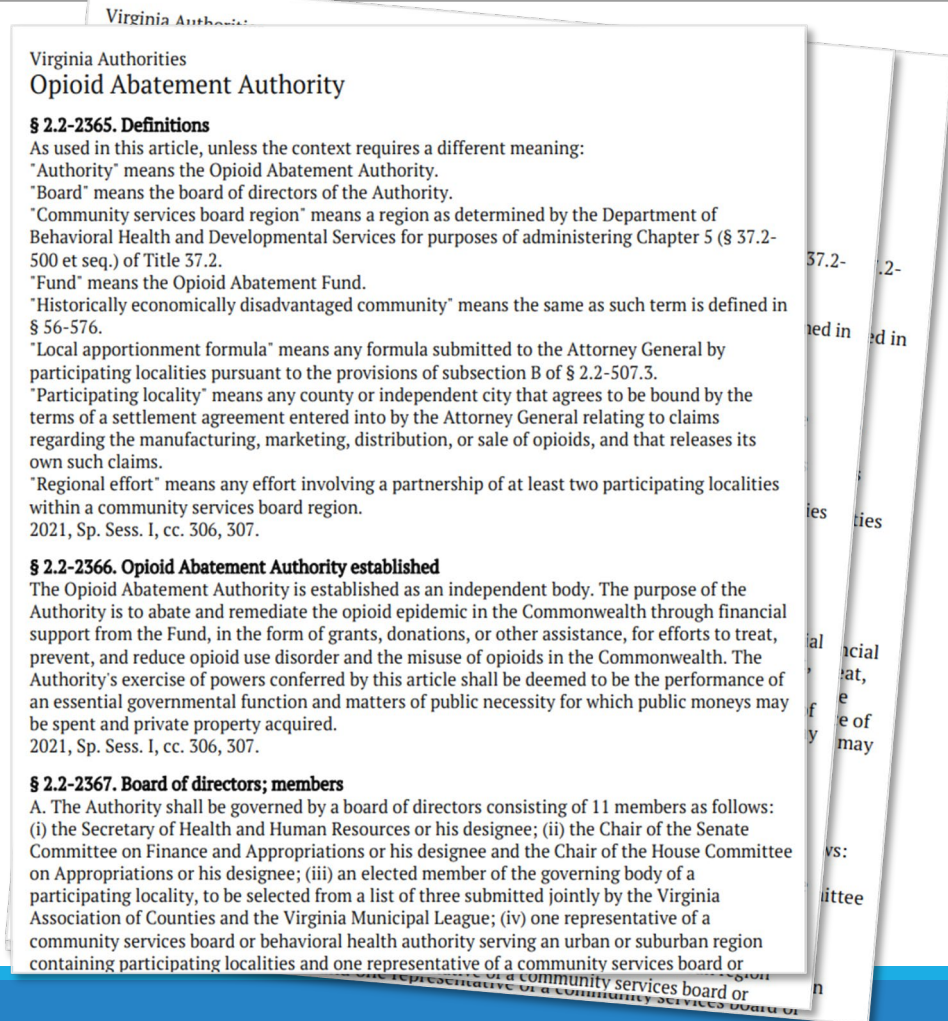
- **History**

- 2007 – Purdue Pharma executives convicted on criminal charges
- States and local governments begin litigating against prescription opioid manufacturers and companies involved in the marketing and distribution of prescription opioids
- 2017 – all litigation in Federal courts combined into one case.
- 2020 – negotiations with Distributors McKesson, Cardinal Health, and AmerisourceBergen begin to take shape.
- 2021 – Virginia begins to prepare to be able to accept the settlement offers. General Assembly creates statute that forms the Opioid Abatement Authority and Opioid Abatement Fund.
- May 2022 – Virginia's 13th Circuit Court issues an order that binds Virginia and the settling companies to the deal.

Code of Virginia, Title 2.2, Chapter 22, Article 12

§ 2.2-2366, Code of Virginia

- Established by the General Assembly in 2021 Special Session I.
- Created the Opioid Abatement Authority as an independent body whose purpose is to abate and remediate the opioid epidemic in the Commonwealth through financial support from the Fund, in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth.
- § 2.2-2365 through § 2.2-2377 collectively comprises the statutory framework.




Key Elements of Enabling Legislation

- Only state agencies and political subdivisions included in the court order shall receive distributions/grants
- Establishment of special, non-reverting fund
- Funds strictly used for opioid abatement and remediation (including co-occurring substance use or mental health conditions)
- Defined fund percentage allocations by category and local apportionment formula
- OAA established as an independent agency of the Commonwealth
- Diverse, 11 member governing board
- Subject to annual audit by the Auditor of Public Accounts

Factors Contributing to OAA Statutory Structure

- Legal requirements (settlements, MOU between state and cities/counties)
- Approved abatement uses (similar to Exhibit E)
- Formulaic distribution to cities/counties based on per capita measure of harm
- Consideration of present and future needs
- Maximizing utility and scale through regional initiatives
- Lessons learned from past settlement agreements (i.e. tobacco MSA)

Factors Contributing to OAA Statutory Structure (cont'd)



Richmond Division

Home - Richmond - Press Releases - 2010 - Former Virginia Secretary of Finance Sentenced for Embezzling \$4 Million from Tobacco Indemnification Fund

Former Virginia Secretary of Finance Sentenced for Embezzling \$4 Million from Tobacco Indemnification Fund

U.S. Attorney's Office
November 23, 2010

Former Virginia Secretary of Finance Sentenced for Embezzling \$4 Million from Tobacco Indemnification Fund

Richmond, VA—John W. Forbes, II, age 54, of Richmond, Virginia, was sentenced today in U.S. District Court for orchestrating the embezzlement of \$4,000,000 from the Virginia Tobacco Indemnification and Community Revitalization Commission. The defendant was also ordered to pay \$4,000,000 in restitution to the Revitalization Commission. Neil H. MacBride, United States Attorney for the Eastern District of Virginia, made the announcement after the defendant was sentenced by United States District Judge Henry F. Hudson.


"John Forbes stole millions from the tobacco settlement fund while serving as Virginia's top financial official," said U.S. Attorney MacBride. "Instead of using settlement funds to help bring economic recovery to Virginia communities which had depended on tobacco, he stole millions of dollars which he spent on a lavish new home and personal investments. Today, Mr. Forbes was held responsible for betraying the public's trust and will spend the next 10 years in prison."

According to court records and testimony at the sentencing hearing, the fraud started when Forbes was serving as the Secretary of Finance of the Commonwealth of Virginia in 2001 and 2002. During his tenure as Secretary of Finance, he sat on the Board of the Revitalization Commission, which was created by the Virginia General Assembly in 1999 to promote economic growth and development in tobacco-dependent communities, using proceeds of the national tobacco settlement to accomplish its aim. At meetings in June 7 and 8, 2001, Forbes sought a \$5,000,000 grant from the Revitalization Commission for a foundation he operated, the Literary Foundation of Virginia ("Literary Foundation"). In his presentation to the Revitalization Commission, Forbes explained that the Literary Foundation had the ability to leverage the proposed \$5,000,000 grant into \$5,000,000, which would be used to provide educational benefits for citizens in Northern and Southwest Virginia. Based on the defendant's proposal, the Revitalization Commission awarded the Literary Foundation the \$5,000,000 grant. The funds were wired to the Literary Foundation in two \$2,500,000 installments: the first on July 23, 2001; the second on February 13, 2002.

In perpetrating the fraud, Forbes selected and put a sham Board of Directors in place at the Literary Foundation. He selected his then-wife to serve as the Literary Foundation's Executive Director, at an annual salary of \$50,000 per year. After Forbes' tenure as Secretary of Finance concluded, he assumed the Executive Director position for the Literary Foundation. His annual salary was \$10,000. During the Literary Foundation's entire existence, Forbes orchestrated the fraudulent scheme and siphoned off the overwhelming majority of the revitalization funds for his own enrichment. To facilitate his fraud, Forbes created other sham entities, including the Community Development Council ("CDC") and International Business Associates ("IBA"). Between February 4, 2002 and June 6, 2006, Forbes caused the wiring of \$2,220,000 from the Literary Foundation to the CDC. These funds were ostensibly payment for public outreach services. CDC did not exist prior to its affiliation with the Literary Foundation, and at no time did CDC ever perform any work for any client. Although CDC purportedly used an address at 274 Madison Avenue in New York City, that was a virtual address. In fact, according to its formation documents, CDC operated from the same address as the Literary Foundation.


Almost immediately after Forbes completed each transfer of funds from the Literary Foundation to CDC, he would withdraw the funds from CDC and deposit them into the bank account of IBA. Forbes founded IBA on December 31, 2002. It was located in the same office building as CDC and the Literary Foundation. IBA conducted no ongoing business, and its bank account served generally as Forbes' private bank account. IBA had no source of income other than the fund transfers from CDC. Of the \$2,220,000 CDC received from the Literary Foundation, \$2,192,000 was ultimately transferred to IBA.

Lessons learned from previous settlements, legislative review informed OAA statutory structure, conditions on funding




JLARC
JOINT LEGISLATIVE AUDIT
AND REVIEW COMMISSION

REPORT TO THE
GOVERNOR AND THE GENERAL ASSEMBLY OF VIRGINIA



Review of the Tobacco Indemnification and Community Revitalization Commission



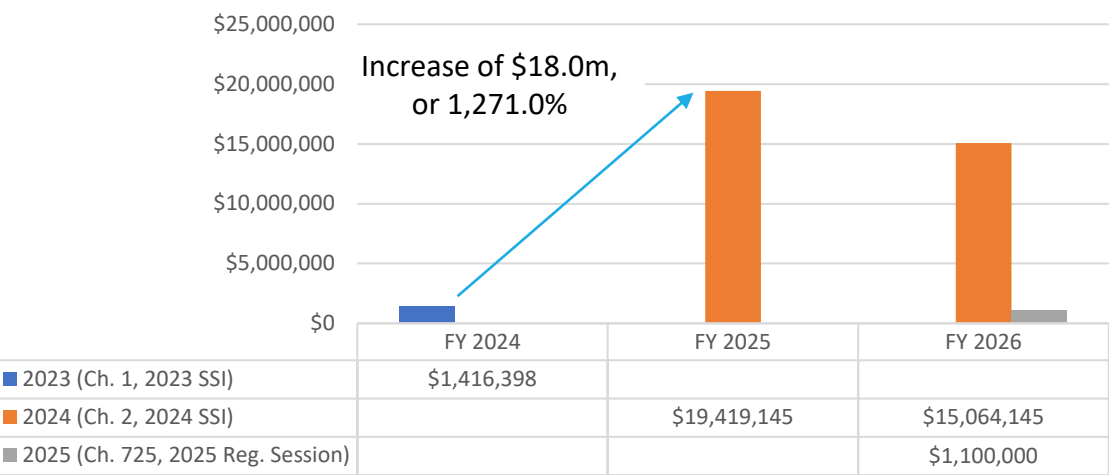
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COMMONWEALTH OF VIRGINIA
RICHMOND

JUNE 2011

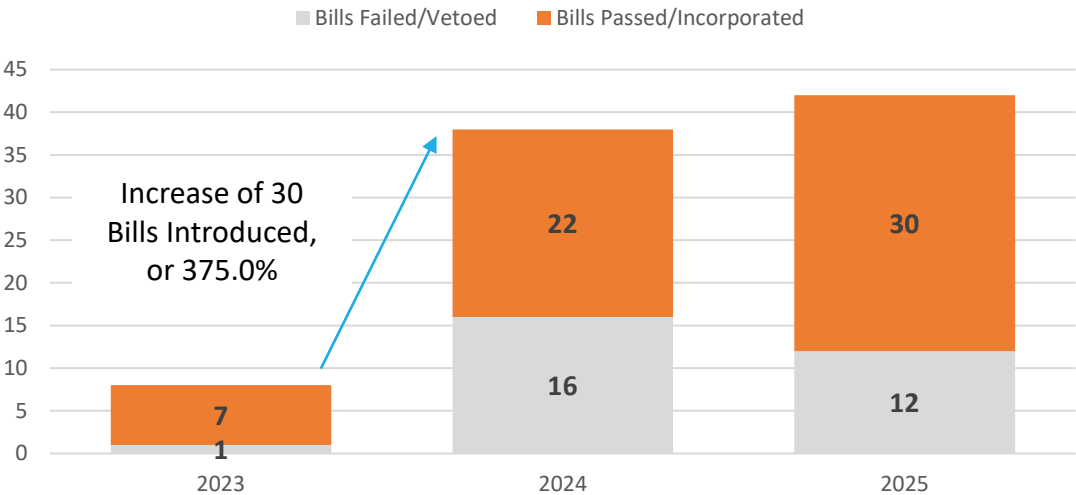
Budget/Legislative Overview

Awareness of OUD/SUD-related issues and opioid settlement funds availability increased dramatically from 2023 to 2024 GA Sessions

2023 - 2025 NGF (COAR) Appropriations



Opioid/SUD-related Bills
(2023 - 2025 GA Sessions)



Initial Budget/Legislative Initiatives (2022–2024)

Appropriation Act (Ch. 1, 2023 SSI – Ch. 2, 2024 SS I)

- Funding and language for VDH to provide administrative support to OAA
- APA local audit specifications regarding opioid settlement funds
- Initial COAR Fund appropriations for REVIVE! kits/naloxone
- Funding and language directing DBHDS to evaluate public/private partnership arrangements for the Catawba Hospital Transformation Plan (or alternatives)

Legislation (2023 Session – 2024 SSI)

- **SB 1414** (Pillion) – Creation of Commonwealth Opioid Abatement and Remediation Fund
- **SB 1415** (Pillion) – Opioid impact reduction; Opioid impact reduction registry
 - Allows any person to possess and administer non-injectable naloxone and removes training requirements; creation of statewide naloxone distribution plan; directs VDH to develop an Opioid Impact Reduction Registry.
- **SB 1424/HB 1709** (Pillion, Cherry) – Adds certain DOC employees authorized to possess and administer naloxone.

Initial Budget/Legislative Initiatives (2022-2024) – cont'd

Appropriation Act (Ch. 1, 2023 SSI – Ch. 2, 2024 SSI)

- \$35.9 million in COAR Fund appropriations (biennium)
 - Opioid Reversal Agent Program - \$16.0 million
 - Opioid reversal agents, test kits – \$12.4 million
 - Substance Use Disorder Analytics system – \$4.0 million
 - Deposit to Jail-Based Substance Use Fund – \$2.0 million
 - Other items – \$1.5 million
- Adds the OAA in Item 489.40 as an independent agency, includes language and appropriation

Legislation (2023 Session – 2024 SSI)

- **SB 820/HB 1524** (Favola, Coyner) – Establish the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund
- **SB 725/HB 292** (Pillion, Ballard) – Renames Drug Treatment Court Act the Recovery Court Act
- **SB 726/HB 732** (Pillion, Sewell) – Directs local school boards to implement opioid overdose prevention instruction, naloxone in schools, civil/criminal immunity for good faith naloxone administration.
- **SB 626/HB 1269** (Pillion, Price) – Authorizes hiring of applicants convicted of certain barrier crimes for SUD/behavioral health jobs.

2025 Session – Budget Initiatives

Appropriation Act (Ch. 725, 2025 Session)

- \$14.4 million (all funds)
- \$1.1 million (COAR fund)
- Several language-only amendments

- \$1.1 million in COAR Fund appropriations, bringing the total to \$37 million.

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
277.I.	<i>Out of this appropriation, \$100,000 the second year from the Commonwealth Opioid Abatement and Remediation fund shall be provided for one-time costs associated with the development of the Opioid Impact</i>	\$100,000	\$100,000	NGF/COAR
285.D.1-2.	<i>Provides one-time funding of \$600,000 the second year from the Commonwealth Opioid Abatement and Remediation (COAR) opioid settlement funds to support the cost of systems changes to the Prescription Monitoring Program pursuant to the passage of House Bill 1902 by the 2025 General Assembly, which requires data sharing from the Emergency Department Smartchart with the Prescription Monitoring Program to allow for the display of patient non-fatal overdose information in near real time at the point of prescribing. Language requires the Department of Health Professions</i>	\$600,000	\$600,000	NGF/COAR
334.I.	<i>Provides \$400,000 the second year from the Commonwealth Opioid Abatement and Remediation Fund to create an Addiction Treatment Navigator to assist individuals seeking treatment for substance use disorder.</i>	\$400,000	\$400,000	NGF/COAR

2025 Session – Budget Initiatives (cont'd)

- \$13.4 million in GF/NGF (non-COAR) appropriations

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
279.M.4.	<i>Provides \$110,000 the second year from the general fund for the fiscal impact of House Bill 1902 in the 2025 Session, which requires data sharing from the All Payer Claims Database with the Prescription Drug Monitoring Program to allow for the display of patient non-fatal overdose information in near real time at the point of prescribing. A companion amendment in Item 285 provides funding for systems changes to the Department of Health Professions Prescription Monitoring Program through funding from the Commonwealth Opioid Abatement and Remediation (COAR) opioid settlement funds. Language requires the Department of Health to include in its budget submission for the 2026-28 budget, any necessary general fund amounts needed to continue the data sharing agreement</i>	\$110,000	\$110,000	GF
288.MMMMM.	<i>Adds \$142,593 from the general fund and \$428,713 from nongeneral funds the second year to modify Medicaid reimbursement for long-acting injectable or extended release medications administered in an any hospital emergency department or hospital inpatient setting for substance use disorder. The payment will be unbundled from the hospital daily rate. The introduced budget provides funding and language to unbundle these payments only when administered for a serious mental illness. This language extends this provision for cases of substance use disorder</i>	\$428,713	\$428,713	NGF
288.MMMMM.	<i>Same as above; reflects GF fund source</i>	\$142,593	\$142,593	GF

2025 Session – Budget Initiatives (cont'd)

- \$13.4 million in GF/NGF (non-COAR) appropriations (cont'd)

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
288.UUUUU.	Provides \$1.1 million from the general fund and \$7.0 million from nongeneral funds the second year to support a 6.5 percent rate increase for Substance Use Disorder services. These services are Office Based Addiction Treatment, Opioid Treatment Services, Partial Hospitalization Services, and Intensive Outpatient Services	\$7,041,468	\$7,041,468	NGF
288.UUUUU.	Same as above; reflects GF fund source	\$1,112,831	\$1,112,831	GF
295.AA.	Provides \$1.1 million the second year from the general fund for the Department of Behavioral Health and Developmental Services to contract with the Virginia Health Care Foundation to expand the Boost! program, formerly known as Boost 200. Boost! pays for supervisory hours and licensure exam preparation for individuals obtaining their masters of social work and masters of counseling. This funding will add 60 more slots to the program, bringing the total to 383 slots	\$1,100,000	\$1,100,000	GF
295	Provides \$115,846 from the general fund and 1.0 position the second year to support the workgroup, pursuant to Senate Bill 838, that requires the Secretary of Health and Human Resources to convene and to make recommendations regarding the creation of an oversight process of residential recovery homes and transparency in the credentialing process pursuant to the bill	\$115,846	\$115,846	GF

2025 Session – Budget Initiatives (cont'd)

- \$13.4 million in GF/NGF (non-COAR) appropriations (cont'd)

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
296.Y.	<i>Includes \$2.3 million GF the second year to support two regional pilot hubs for the Adult Psychiatric Access Line, a program that provides psychiatric consultation and care navigation for primary care physicians to better treat adults with mental health and substance use disorders</i>	\$2,284,100	\$2,284,100	GF
334.C.5.	<i>Provides \$500,000 the second year from the general fund and \$500,000 the second year from nongeneral funds to be used to support one-time costs associated with modernizing the statewide 2-1-1 Information and Referral System. As part of the required modernization, the Department of Social Services (DSS) shall integrate information that is required to be included in the Opioid Impact Reduction Registry at the Virginia Department of Health (VDH). VDH shall provide DSS with all necessary information and support to accomplish this integration.</i>	\$500,000	\$500,000	NGF
334.C.5.	<i>Same as above; reflects GF fund source</i>	\$500,000	\$500,000	GF

2025 Session – Budget Initiatives (cont'd)

- Language-only amendments

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
277.J.	Adds language requiring the Virginia Department of Health to report on the distribution of opioid antagonists through its distribution program.	Language	Language	N/A
285.C.	Includes language to provide emergency authority for the Board of Counseling to promulgate regulations that align w/ regulations adopted by DBHDS for peer recovery specialist trainees, pursuant to this Act. (companion amendment in DBHDS).	Language	Language	N/A
285.B.1.	Strikes language contained in Chapter 2, 2024 Special Session I, which required as a condition of licensure, all practitioners with authority to prescribe behavioral health medications to children and adolescents to provide families with a plan for medication management and access after hours, on weekends, and holidays or in emergencies, a working means of contacting the prescriber either telephonically or electronically, and guidance documents on how to obtain help related to medication management prescription refills or medication overdose after hours. Concerns were raised about the ability of the agency to enforce the requirements of the language. The amendment establishes a workgroup to examine best practices for patient behavioral health medication management, provider availability, and provider-patient communication	Language	Language	N/A

2025 Session – Budget Initiatives (cont'd)

- Language-only amendments (cont'd)

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
288.CC.9-10.	Adds language requiring the Pharmacy and Therapeutics Committee to ensure that any non opioid drug approved by the federal Food and Drug Administration shall be considered for safety and clinical efficacy and cost effectiveness pursuant to requirements set forth in the Virginia Administrative Code. Language is also added requiring the Department of Medical Assistance Services to conduct a fiscal impact review on recommendations from the Pharmacy and Therapeutics Committee that would result in changes to the program's Common Core Formulary. In addition, it requires that the Pharmacy and Therapeutics Committee include as part of its membership one physician or pharmacist from each contracted managed care organization	Language	Language	N/A
293.C.	Directs the State Board of Behavioral Health and Developmental Services to amend its regulations as necessary for persons in the process of completing necessary hours of supervision for certification through the Department of Behavioral Health and Developmental Services to be eligible for registration through the Department of Health Professions as a peer recovery specialist-trainee for approval as a Medicaid provider type for the provision of mental health and substance use peer supported services. The board shall promulgate emergency regulations to amend its peer recovery specialist regulations in order to implement the changes for peer support specialist-trainees to become effective within 280 days of the enactment of this Act.	Language	Language	N/A

2025 Session – Budget Initiatives (cont'd)

- Language-only amendments (cont'd)

Chapter 725, 2025 Reconvened Session, Acts of Assembly		Color indicates Ch. 725 (2025 Session) amendment		
Item #	Description	FY 2026	Biennium	Fund Type/Source
295.TT.	<i>Directs up to \$75,000 from the Crisis Call Center Fund to support the Mental Health Virginia Warmline</i>	<i>Language</i>	<i>Language</i>	N/A
295.UU.	<i>Directs the Department of Behavioral Health and Developmental Services (DBHDS) to align and monitor the Commonwealth of Virginia's recovery support services, including services offered by recovery residences, and other similar providers with the nationally recognized American Society of Addiction Medicine (ASAM) 4th Edition criteria to ensure quality and consistency in care by June 30, 2026. This criteria would be made publicly available to all consumers and accessible on the DBHDS website</i>	<i>Language</i>	<i>Language</i>	N/A
296.L.1.-3.	<i>Strikes language associated with the provision of funds to grants for the Virginia Association of Recovery Residences (VARR) to recovery support services and replaces VARR with funding for such purpose to made available to recovery residences certified by DBHDS.</i>	<i>Language</i>	<i>Language</i>	N/A
489.4.G.	<i>Updates a table of all appropriations in the budget related to the Commonwealth Opioid Abatement and Remediation Fund</i>	<i>Language</i>	<i>Language</i>	N/A

BILLS & RESOLUTIONS

2025 Regular Session

Find a Bill

Lobbyist-in-a-Box

Create New Watchlist

Name Create

Find a watchlist

OAA-related bills
Last Modified 02/25/2025 11:01 am

Fentanyl bills
Last Modified 01/07/2025 01:54 pm

Opioid bills
Last Modified 01/07/2025 12:24 pm

Coyner zoning bill HB646

Your Lobbyist-in-a-Box Watchlists

Bills by Category

View Bills by Category List

Include Failed Legislation

Find a Bill

OAA-related bills

Created on 12/03/2024 10:21

Composite View

Merge

Delete Watchlist

Close

Notifications

35 Items

Remove Bill(s) [Show All Notes +/-](#)

☐ Select all

Sort

☐ [HB1587](#) Drug Control Act; Schedule I; Schedule IV. Acts of Assembly Chapter

☐ [HB1637](#) Opioid antagonists; dispensing and administration by person acting on behalf of an organization. Acts of Assembly Chapter

☐ [HB1678](#) School board policies; parental notification; safe storage of prescription drugs and firearms in the household. Governor's Veto

☐ [HB1713](#) Jurisdiction of district courts in felony cases; specialty dockets; Behavioral Health Docket Act. Governor's Veto

☐ [HB1765](#) Health insurance; coverage for non-opioid prescription drugs. Failed

☐ [HB1849](#) Fentanyl; manufacturing, selling, etc., weight-based and pill-based penalties. Failed

☐ [HB1877](#) Barrier crimes; peer recovery specialists; screening requirements. Acts of Assembly Chapter

☐ [HB1893](#) State plan for medical assistance services; recovery residences; work group; report. Failed

☐ [HB1902](#) Board of Health; Department of Health Professions; Prescription Monitoring Program; overdose information. Acts of Assembly Chapter

☐ [HB2079](#) Pharmacy; Board of; membership, EMS agencies authorized to obtain controlled Failed

Bill Status

#

Introduced

42

Passed

24

Failed

10

Continued

0

Incorporated

6

Vetoed

2

2025 Session – Legislative Initiatives

Last updated on: 5/14/2025					
Bill #	Patron	Link	Short Bill Title	Description	Final Bill Status
HB1587	Wachsmann	HB 1587	Drug Control Act; Schedule I; Schedule IV.	Drug Control Act; Schedule I; Schedule IV. Adds certain chemicals to Schedules I and IV of the Drug Control Act. The Board of Pharmacy has added these substances in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule.	Acts of Assembly Chapter
HB1637	Hope	HB 1637	Opioid antagonists; dispensing and administration by person acting on behalf of an organization.	Opioid antagonists; dispensing and administration by person acting on behalf of an organization. Permits persons acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone or other opioid antagonists to dispense other opioid antagonists. The bill also allows persons to whom other opioid antagonists are dispensed to possess and administer such opioid antagonists. Under current law, persons acting on behalf of such organizations may only dispense naloxone. This bill is identical to SB 1035.	Acts of Assembly Chapter
HB1877	Callsen	HB 1877	Barrier crimes; peer recovery specialists; screening requirements.	Barrier crimes; peer recovery specialists; screening requirements. Modifies the barrier crimes screening assessment requirements for peer recovery specialists applying for employment with the Department of Behavioral Health and Developmental Services, an employer licensed by the Department, or a community services board to require that such specialists have completed all prison or jail terms, been free of parole or probation for at least five years, have no pending charges in any locality, and not be under probation or parole supervision in order to be eligible for a screening assessment. Under current law, an applicant must also have paid all fines, restitution, and court costs for any prior convictions.	Acts of Assembly Chapter
HB1902	Willett	HB 1902	Board of Health; Department of Health Professions; Prescription Monitoring Program; overdose information.	Board of Health; Department of Health Professions; Prescription Monitoring Program; overdose information. Directs the Board of Health to report patient level data on patients who overdose on opioids to the Department of Health Professions for use in the Prescription Monitoring Program. The bill requires practitioners to obtain such data when prescribing opioids.	Acts of Assembly Chapter

2025 Session – Legislative Initiatives (cont'd)

Last updated on:		5/14/2025			
Bill #	Patron	Link	Short Bill Title	Description	Final Bill Status
HB2307	Hodges	HB 2307	Prescription Monitoring Program; requirements of practitioners; pharmacy technicians; training programs.	Prescription Monitoring Program; requirements of practitioners; pharmacy technicians; training programs. Requires any prescriber of controlled substances approved for use in opioid addiction therapy to, prior to or as a part of execution of a treatment agreement with a patient, request information from the Director of the Department of Health Professions for the purpose of determining what, if any, other covered substances such patient is currently being prescribed. Under current law, only prescribers who hold a special identification number from the Drug Enforcement Administration authorizing the prescribing of controlled substances are required to request such information prior to or as a part of execution of a treatment agreement with a patient. The bill also adds training programs recognized by the Pharmacy Technician Certification Board or the National Healthcareer Association to the list of approved pharmacy technician training programs.	Acts of Assembly Chapter
HB2473	Sickles	HB 2473	Board of Pharmacy; long-acting injectable or extended-release prescription drugs; correctional facilities.	Board of Pharmacy; long-acting injectable or extended-release prescription drugs; correctional facilities. Allows the Board of Pharmacy to register a correctional facility to maintain a floor stock of long-acting injectable or extended-release prescription drugs for the treatment of mental illness or substance use disorder. The bill requires such long-acting injectable or extended-release prescription drugs to be stored in an area accessible only to persons who are licensed to administer such prescription drugs, regardless of whether the prescriber is on site. The bill provides that each correctional facility shall maintain an ongoing perpetual inventory of all such drugs in Schedules II through V and that such perpetual inventory shall (i) accurately indicate the physical count of each drug on hand at the time the inventory is performed and (ii) no less than once per month, include a reconciliation of each drug with a written explanation for any difference between the physical count and the theoretical count. This bill is identical to SB 1367.	Acts of Assembly Chapter
HB2649	Wachsmann	HB 2649	Prescription Monitoring Program; exemptions; licensed narcotic maintenance treatment programs.	Prescription Monitoring Program; exemptions; licensed narcotic maintenance treatment programs. Removes dispensing of covered substances within a licensed narcotic maintenance treatment program from the list of circumstances that are exempt from the reporting requirements of the Prescription Monitoring Program. The bill specifies that any reporting of information related to dispensing covered substances within a licensed narcotic maintenance treatment program shall comply with applicable federal laws and regulations. The bill has a delayed effective date of July 1, 2026.	Acts of Assembly Chapter

2025 Session – Legislative Initiatives (cont'd)



Last updated on: 5/14/2025					
Bill #	Patron	Link	Short Bill Title	Description	Final Bill Status
HB2708	Wachsmann	HB 2708	Prohibited equipment related to manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance; penalties.	Prohibited equipment related to manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance; penalties. Exempts permitted outsourcing facilities and pharmacies from the prohibition for any person to possess, purchase, sell, give, distribute, or possess with intent to sell, give, or distribute an encapsulating machine or a tableting machine that manufactures, compounds, converts, produces, processes, prepares, or otherwise introduces into the human body a controlled substance. Current law exempts permitted manufacturers.	Acts of Assembly Chapter
HB2738	Sickles	HB 2738	Health insurance; coverage for mental health and substance abuse disorders; generally accepted standards of care.	Health insurance; coverage for mental health and substance abuse disorders; generally accepted standards of care. Requires health insurance coverage, as defined in the bill, to provide coverage for mental health and substance use disorder benefits for children, adolescents, and adults and requires such coverage to apply the definitions of 'generally accepted standards of mental health or substance use disorder care' and 'medically necessary' provided in the bill for any determination of medical necessity, prior authorization, or utilization review under such coverage.	Acts of Assembly Chapter
HB2742	Shin	HB 2742	Hospitals; urine drug screening; fentanyl.	Malcolm's Law; hospitals; urine drug screening; fentanyl. Requires hospitals with an emergency department, when conducting a urine drug screening, as defined in the bill, to assist in diagnosing a patient's condition, to include testing for fentanyl in such urine drug screening. The bill has a delayed effective date of January 1, 2026.	Acts of Assembly Chapter
HB 2754	Singh	HB 2754	Behavioral health services; correctional facilities, exchange of medical/mental health information	Behavioral health services; exchange of medical and mental health information and records; correctional facilities. Permits the Department of Medical Assistance Services, the Department of Social Services, and any local department of social services to access medical and mental health information and records for persons committed to any correctional facility for the purposes of providing pre-release services, reentry planning, and post-incarceration placement and services. The bill also authorizes the Department of Medical Assistance Services to access a juvenile's social, medical, psychiatric, and psychological reports and records during pre-release and for up to 30 days following such juvenile's release from commitment for the purposes of providing pre-release services, reentry planning, and post-incarceration placement and services. This bill incorporates HB 2290, HB 2655, and HB 2752 and is identical to SB 870.	Acts of Assembly Chapter

2025 Session – Legislative Initiatives (cont'd)

Last updated on: 5/14/2025					
Bill #	Patron	Link	Short Bill Title	Description	Final Bill Status
HB 2774	Singh	HB 2774	School-connected student overdoses, etc.; policies relating to parental notification	School-connected student overdoses; policies relating to parental notification. Requires public school principals and heads of private schools in the Commonwealth to report certain information to the parents of enrolled students within 24 hours of a confirmed or suspected school-connected student overdose, as defined in the bill. This bill incorporates HB 2287 and HB 2424 and is identical to SB 1240.	Acts of Assembly Chapter
SB746	McDougle	SB 746	Felony homicide; certain drug offenses, penalty.	Involuntary manslaughter; certain drug offenses. Provides that any person who knowingly, intentionally, and feloniously manufactures, sells, or distributes a controlled substance knowing that such controlled substance contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, and unintentionally causes the death of another person is guilty of involuntary manslaughter if (i) such death results from the use of the controlled substance and (ii) such controlled substance is the proximate cause of the death. The bill provides that venue for a prosecution of this crime shall lie in the locality where the manufacturing, sale, or distribution of such controlled substance occurred, where the use of the controlled substance occurred, or where death occurred. The bill also provides that if a person gave or distributed such controlled substance only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility, or state correctional facility, or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, he is not guilty of involuntary manslaughter but is guilty of a Class 6 felony. This bill is identical to HB 2657.	Acts of Assembly Chapter
SB826	Locke	SB 826	Predetermination for licensing eligibility; prior convictions.	Department of Professional and Occupational Regulation; Department of Health Professions; predetermination for licensing eligibility; prior convictions. Prohibits the use of vague or arbitrary terms by a regulatory board within the Department of Professional and Occupational Regulation or Department of Health when refusing a person a license, certificate, or registration to practice, pursue, or engage in any regulated occupation or profession. The bill requires such regulatory board denying a registration, license, or certificate based on information in the applicant's criminal history record to notify the applicant in writing of (i) the specific offense or offenses that contributed to such denial; (ii) how the criminal history directly relates to the occupation for which the registration, license, or certificate applies; and (iii) how the regulatory board weighed rehabilitation factors when making its decision. The bill further allows an applicant to request a written predetermination from a regulatory board within the Department of Professional and Occupational Regulation concerning whether his criminal record would disqualify him from obtaining a license, certificate, registration, or other authority to engage in a particular occupation, trade, or profession in the Commonwealth.	Acts of Assembly Chapter

2025 Session – Legislative Initiatives (cont'd)

Last updated on: 5/14/2025					
Bill #	Patron	Link	Short Bill Title	Description	Final Bill Status
SB838	VanValkenburg	SB 838	Recovery residences; certification required penalty, report.	Department of Behavioral Health and Developmental Services; recovery residences; certification required; penalty; work group. Changes the existing civil penalty for a violation of law related to the operation of recovery residences to a Class 1 misdemeanor. The bill allows the Department of Behavioral Health and Developmental Services to issue provisional certification to certain recovery residences. The bill also directs the Secretary of Health and Human Resources to convene a work group to (i) make recommendations related to oversight and transparency for recovery residences and (ii) develop credentialing guidelines for recovery residences. The bill directs the work group to report its findings and recommendations to the General Assembly by November 1, 2025.	Acts of Assembly Chapter
SB924	Head	SB 924	Drug paraphernalia and controlled paraphernalia; drug checking products.	Drug paraphernalia and controlled paraphernalia; drug checking products. Clarifies that drug checking products used to determine the presence or concentration of a contaminant that can cause physical harm or death are not drug paraphernalia or controlled paraphernalia.	Acts of Assembly Chapter
SB1035	Pekarsky	SB 1035	Opioid antagonists; dispensing and administration by person acting on behalf of an organization.	Opioid antagonists; dispensing and administration by person acting on behalf of an organization. Permits persons acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone or other opioid antagonists to dispense other opioid antagonists. The bill also allows persons to whom other opioid antagonists are dispensed to possess and administer such opioid antagonists. Under current law, persons acting on behalf of such organizations may only dispense naloxone. This bill incorporates SB 790 and is identical to HB 1637.	Acts of Assembly Chapter
SB1278	DeSteph	SB 1278	Task Force on Fentanyl and Heroin Enforcement; bimonthly meetings.	Task Force on Fentanyl and Heroin Enforcement; quarterly meetings. Requires the Task Force on Fentanyl and Heroin Enforcement to meet quarterly beginning in July 2025 until the 2025 annual report is provided to the Governor and the General Assembly.	Acts of Assembly Chapter

2025 Session – Legislative Initiatives (cont'd)



Last updated on: 5/14/2025					
Bill #	Patron	Link	Short Bill Title	Description	Final Bill Status
SB1367	Pillion	SB 1367	Board of Pharmacy; long-acting injectable or extended-release prescription drugs; correctional facilities.	Board of Pharmacy; long-acting injectable or extended-release prescription drugs; correctional facilities. Allows the Board of Pharmacy to register a correctional facility to maintain a floor stock of long-acting injectable or extended-release prescription drugs for the treatment of mental illness or substance use disorder. The bill requires such long-acting injectable or extended-release prescription drugs to be stored in an area accessible only to persons who are licensed to administer such prescription drugs, regardless of whether the prescriber is on site. The bill provides that each correctional facility shall maintain an ongoing perpetual inventory of all such drugs in Schedules II through V and that such perpetual inventory shall (i) accurately indicate the physical count of each drug on hand at the time the inventory is performed and (ii) no less than once per month, include a reconciliation of each drug with a written explanation for any difference between the physical count and the theoretical count. This bill is identical to HB 2473.	Acts of Assembly Chapter
SB1369	Pillion	SB 1369	Retail sales and use tax; exemption for prescription medicine and drugs purchased by veterinarians; sunset extension.	Retail sales and use tax; exemption for prescription medicine and drugs purchased by veterinarians; sunset. Extends to July 1, 2028, the exemption from sales and use tax available for the purchase by veterinarians of prescription medicines and drugs that are administered or dispensed to patients within a veterinarian-client-patient relationship that is currently set to expire on July 1, 2025. This bill is identical to HB 1698.	Acts of Assembly Chapter

2025 Session – Legislative Initiatives (cont'd)



For more information



Adam Rosatelli
Finance Director

arosatelli@voaa.us
(804) 629-0522

www.voaa.us