

AMENDED IN ASSEMBLY MARCH 30, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 653

Introduced by Assembly Member Waldron

February 12, 2021

An act to add and repeal Article 6 (commencing with Section 6047) ~~to~~ of Chapter 5 of Title 7 of Part 3 of the Penal Code, relating to medication-assisted treatment.

LEGISLATIVE COUNSEL'S DIGEST

AB 653, as amended, Waldron. Medication-Assisted Treatment Grant Program.

Existing law requires the Department of Corrections and Rehabilitation, under the oversight of the Undersecretary of Health Care Services, to establish a 3-year pilot program at one or more institutions that will provide a medically assisted substance use disorder treatment model for treatment of inmates with a history of substance use problems. Existing law requires the department, in establishing the program, to consider specified treatment components, including, among others, access to medication-assisted treatment throughout the period of incarceration up to and including immediately prior to release.

This bill would establish, until January 1, 2026, the Medication-Assisted Treatment Grant Program, to be administered by the Board of State and Community Corrections. The bill would require the board to award grants, on a competitive basis, to counties and would authorize counties that receive grants to use grant funds for various purposes relating to the treatment of substance use disorders and the provision of medication-assisted treatment. *The bill would prohibit counties from using the grant funds to supplant existing resources for*

medication-assisted treatment services delivered in county jails or in the community. The bill would require counties that receive grants pursuant to these provisions to collect and maintain data relating to the effectiveness of the program and would require the board, by July 1, 2025, to submit a report to the Legislature describing the activities funded by the grant program and the success of those activities in reducing drug overdoses and recidivism by jail inmates and persons under criminal justice supervision.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 6 (commencing with Section 6047) is
2 added to Chapter 5 of Title 7 of Part 3 of the Penal Code, to read:

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4 Article 6. Medication-Assisted Treatment Grant Program

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6 6047. For the purposes of this article, the following terms have
7 the following meanings:

8 (a) “Criminal justice supervision” means probation, postrelease
9 community supervision, and mandatory supervision.

10 (b) “Medication-assisted treatment” means the use of *any* United
11 States Food and Drug ~~Administration~~ ~~approved~~
12 *Administration-approved* medically assisted therapy to treat a
13 substance use ~~disorder~~ *disorder, including opioid use disorder and*
14 *alcohol use disorder*; and that, whenever possible, is provided
15 through a program licensed or certified by the State Department
16 of Health Care Services.

17 6047.1. (a) The Medication-Assisted Treatment (MAT) Grant
18 Program is hereby created and shall be administered by the Board
19 of State and Community Corrections.

20 (b) The board shall award grants, on a competitive basis, to
21 counties, as authorized by this article. The board shall establish
22 minimum standards, funding schedules, and procedures for
23 awarding grants.

24 (c) MAT Grant Program funds may be used by recipient counties
25 for one or more of the following activities:

1 (1) Salaries and related costs for the placement of substance use
2 disorder counselors in county jails that provide medication-assisted
3 treatment to inmates with a substance use disorder.

4 (2) Doses of medication related to substance use disorder for
5 inmates to take home upon release from county jail.

6 (3) Funding for services provided pursuant to contracts between
7 county jail health providers and narcotic treatment providers.

8 (4) Mobile crisis teams of behavioral health professionals that
9 can respond with law enforcement to mental health or other health
10 crisis calls in order to connect individuals under criminal justice
11 supervision with medication-assisted treatment resources. *calls.*
12 *Mobile response activities funded pursuant to this section shall*
13 *include referrals for substance use disorder treatment and*
14 *medication-assisted treatment for individuals under criminal justice*
15 *supervision when clinically appropriate.*

16 (5) Salary and related costs for providing medication-assisted
17 treatment for persons who are under criminal justice supervision.

18 (6) *Funding to increase capacity for community-based,*
19 *medication-assisted treatment and substance use disorder treatment*
20 *services for justice-involved individuals, or to improve care*
21 *coordination and connections to medication-assisted treatment*
22 *services upon release from correctional facilities. Activities may*
23 *include, but are not limited to, capital expenditures or operating*
24 *costs to establish new reentry centers or treatment programs that*
25 *will serve justice-involved populations, expansion of existing*
26 *community-based, medication-assisted treatment services to better*
27 *meet the needs of justice-involved individuals, and other strategies*
28 *to ensure timely and appropriate access to medication-assisted*
29 *treatment upon release.*

30 (d) *MAT Grant Program funds shall not be used to supplant*
31 *existing resources for medication-assisted treatment services*
32 *delivered in county jails or in the community.*

33 ~~(d)~~

34 (e) (1) Counties that receive grants pursuant to this article shall
35 collect and maintain data pertaining to the effectiveness of the
36 program, as indicated by the board in the request for proposals,
37 including data on drug overdoses of, and the rate of recidivism
38 for, inmates and persons under criminal justice supervision who
39 receive ~~services funded by grant moneys.~~ *county-administered,*
40 *medication-assisted treatment services.*

1 (2) (A) Information relating to the rate of recidivism that shall
2 be collected and maintained pursuant to this subdivision includes
3 all of the following, as they relate to inmates or persons under
4 criminal justice supervision who receive services funded pursuant
5 to this article:

6 (i) The number and percentage who were sentenced to jail or
7 prison within three years after being released from a jail sentence
8 in which they were provided services funded pursuant to this
9 article, or for persons under criminal justice supervision, after
10 having been provided with services that were funded pursuant to
11 this article.

12 (ii) The number and percentage who were convicted of a
13 misdemeanor or a felony within three years after being released
14 from a jail sentence in which they were provided services funded
15 pursuant to this article, or for persons under criminal justice
16 supervision, after having been provided with services that were
17 funded pursuant to this article.

18 (iii) The number and percentage who were arrested for a crime
19 or who have had their parole, probation, mandatory supervision,
20 or postrelease community supervision revoked within three years
21 after being released from a jail sentence in which they were
22 provided services funded pursuant to this article, or for persons
23 under criminal justice supervision, after having been provided with
24 services that were funded pursuant to this article.

25 (B) A county that receives a grant pursuant to this article shall
26 include recidivism data for persons released from jail, or under
27 criminal justice supervision, who received services pursuant to
28 this article less than three years prior to any reporting period
29 established by the board pursuant to paragraph (4).

30 (3) A county that receives a grant pursuant to this article may
31 use state summary criminal history information, as defined in
32 Section 11105, or local summary criminal history information, as
33 defined in Section 13300, to collect data as required by the board.

34 (4) The board may establish a deadline by which counties that
35 receive grants pursuant to this article are required to submit data
36 collected and maintained pursuant to this subdivision to the board
37 to enable the board to comply with the reporting requirement in
38 Section 6047.2.

39 6047.2. On or before July 1, 2025, the board shall compile a
40 report describing the activities funded pursuant to this article, and

1 the success of those activities in reducing drug overdoses and
2 recidivism by jail inmates and persons under criminal justice
3 supervision. The report shall be submitted to the Legislature
4 pursuant to Section 9795 of the Government Code.

5 6047.3. This article shall be operative only to the extent that
6 funding is provided, by express reference, in the annual Budget
7 Act or another statute for the purposes of this article.

8 6047.4. This article shall remain in effect only until January
9 1, 2026, and as of that date is repealed.

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