



Law and Policy Pathways to Addressing the Epidemic of Drug-Related Harm

The United States continues to experience an epidemic of drug-related harm, most of which could be prevented by expanding existing interventions, removing barriers to effective care, and making legal changes to eliminate the criminalization of drug use. Medications for opioid use disorder are highly effective in reducing overdose and other negative effects of opioid use disorder. Naloxone, an extremely effective antidote to opioid overdose, is associated with reductions in overdose deaths, and the provision of sterile syringes to people who inject drugs reduces bloodborne disease transmission. Unfortunately, laws at the federal, state, and local levels often act as structural barriers to these evidence-based preventions and treatments, and in many cases perpetuate and amplify stigma-driven responses to people with OUD. This is particularly true for individuals made vulnerable by economic deprivation, structural racism, and other social determinants of health. Removing harmful legal provisions and enacting those that treat substance use disorder as a public health concern and address its root causes have the opportunity to greatly reduce the epidemic of drug-related harm in the U.S.

Public Health Issues:

How law and policy can help:

Promote evidence-based prescribing practices

- ➔ **Encourage dissemination of evidence** regarding relative efficacy of opioid vs. non-opioid therapy
- ➔ **Require insurance coverage** of non-opioid therapy, including physical therapy and related modalities
- ➔ **Require and pay for academic detailing** of prescribers prescribing in ways that do not appear evidence-based

Expand access to naloxone

- ➔ **Authorize at least one formulation** of naloxone for OTC marketing
- ➔ **Remove legal and regulatory barriers** to the distribution of naloxone by laypeople

Encourage help-seeking in overdose emergencies

- ➔ **Provide legal protection** for those who assist a person who is overdosing through enactment and enforcement of comprehensive overdose Good Samaritan laws

Utilize data to track and respond to overdoses

- ➔ **Establish bodies that specifically review overdose deaths** to provide additional data regarding overdose decedents and make recommendations for policy improvements
- ➔ **Require that non-fatal overdoses be timely reported** to the health department, and that the health department or similar actors respond with evidence-based and promising practices

Expand access to evidence-based prevention and treatment.

- ➔ **Opioid agonist treatment (OAT)** is the most effective therapy for opioid use disorder (OUD), which combines FDA-approved medications and, in some cases, behavioral therapies such as counseling. States can increase access to OAT through and mandating coverage of OAT, including in jails and prisons
- ➔ **Access to new syringes** reduces bloodborne disease infection among people who inject drugs. States should remove barriers to syringe access.

Network law and policy experts are available to consult on this and other public health issues.