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February 21, 2019

The Honorable Christopher B. Quinn  
Pennsylvania House of Representatives  
405 Irvis Office Building  
PO Box 202168  
Harrisburg, PA 17120-2168

Dear Representative Quinn:

We are writing to you on behalf of the Pennsylvania College of Emergency Physicians (PACEP) and the over 1,700 emergency physicians across the Commonwealth that we represent. We appreciate your intent to help patients with opioid use disorder through HB 137. However, in its current form, we believe that HB 137 requires modification in order to achieve its goals.

HB 137 intends to limit immunity from prosecution to persons who experience a drug overdose if, within 10 days of the event, the person obtains a medical screening and receives a referral to treatment from an addiction services provider or other trained medical professional. Given the shortage of addiction services and barriers to access, such as insurance status and geographic location, PACEP is concerned that these individuals will choose to go to emergency departments expecting to see “a properly accredited addiction services provider, including a certified recovery specialist *or other trained medical professional*” [emphasis added] in order to avoid prosecution. Although concerted efforts by governmental agencies, private facilities, county agencies, community providers, and emergency departments have led to significant progress in addressing the need for improved treatment access through warm handoff programs in Pennsylvania, we still have challenges in connecting willing patients with treatment because of the limited capacity of inpatient treatment facilities and Medically Assisted Treatment (MAT) providers.

Emergency department resources are stretched thin and limited to those which are needed to manage acute medical emergencies and provide appropriate transitions of care. The addition of a group of individuals using the emergency department as a non-emergent entry point to substance use disorder treatment in order to avoid criminal prosecution and without immediate medical needs will burden the system and add unnecessary healthcare utilization and cost. Coordination between law enforcement

and county-based drug and alcohol services (Single County Authorities) to connect individuals seeking to pursue the treatment alternative to criminal prosecution with appropriate level of care assessment and referral may provide a more consistent mechanism to both perform and monitor therapeutic engagement.

Emergency Physicians across the Commonwealth have taken a leadership role in addressing the opioid epidemic. PACEP members are developing warm handoff programs, leading Department of Drug and Alcohol Regional Warm Handoff Summits, creating non-opioid treatment algorithms, and instituting innovative programs to initiate MAT in the Emergency Department. Therefore, PACEP is eager to work with you to improve and expand access to care for patients suffering from opioid use disorder. We recommend the following:

1. Increase support for Warm Handoffs for patients who voluntarily seek treatment. Warm Handoffs are most effective if there are treatment programs available to accept patients 24/7. Enhancing resources for Single County Authorities so that they are capable of accepting patients into treatment 24/7 will improve the success of our current warm handoff programs.
2. Both public and private insurance payers must be mandated to reimburse for all services provided related to substance abuse treatment and warm handoffs.
3. Establishing a central continuously available tracking system of available substance use disorder treatment programs including up to date availability of services and resources throughout the state as well as warm handoff contact information would support efficient connection of patients with available and appropriate treatment programs prior to ED discharge.

Thank you for your interest in addressing the opioid epidemic. The Pennsylvania College of Emergency Physicians stands ready to assist your office to ensure that HB 137 improves access to treatment in the most efficient and effective way possible. Please do not hesitate to contact our organization regarding further discussion of proposed legislation and solutions.

Sincerely,



Ankur A. Doshi MD, FACEP  
President – Pennsylvania College of Emergency Physicians