

**Senate Bill 5476 – Blake Fix
Summary Points and SGC Positions**

SGC Position	Summary Points of SB 5476
SGC opposed recriminalization. SGC supported diversions.	A person who is guilty of possession of a controlled substance or counterfeit substance is guilty of a misdemeanor. Unlawful possession of a legend drug remains a misdemeanor. When a case involving possession is legally sufficient, the prosecutor is encouraged to divert cases for assessment, treatment, or other services.
SGC opposed recriminalization. SGC supported diversions.	The statutory provisions addressing possession of controlled substances, counterfeit substances, and legend drugs expire July 1, 2023, at which time the statutes revert to the current language. Using or manufacturing drug paraphernalia is not illegal to the extent the drug paraphernalia is for personal use. A person who would otherwise be subject to arrest for possession of a controlled substance, counterfeit substance, legend drug, or 40 grams or less of marijuana shall be offered referral for assessment and services by law enforcement in lieu of jail booking and referral to a prosecutor. If a person has been diverted on two previous occasions, law enforcement is not required to make additional diversion efforts.
	The Health Care Authority (Authority) is required to establish a substance use recovery services advisory committee. The Authority must appoint members to the committee who have relevant background related to the needs of persons with substance use disorders and be reflective of the community of individuals living with substance use disorders. The committee shall include four legislative members representing each of the two largest caucuses of the House of Representatives and the Senate.
SGC supported increasing treatment resources and targeting communities most impacted by drug laws.	The committee shall establish a substance use recovery services plan with a preliminary report due on December 1, 2021, and the final report due on December 1, 2022. The plan shall be implemented by December 1, 2023. Subject to appropriation, the Authority shall create a grant program to provide treatment services to low-income individuals, establish an expanded recovery support services program to increase access to services for individuals in recovery from substance use disorder, and establish a homeless outreach stabilization transition program.
SGC supported having navigators based in behavioral health system and not taken away from original funded purpose.	Each Behavioral Health Administrative Services Organization (BHASO) must establish a recovery navigator program that provides community-based outreach, intake, assessment, and connection to services to youth and adults with substance use disorders. The Authority must provide funding to each BHASO for the recovery navigator programs, subject to appropriation.
SGC supported resources for Blake ‘clean up’.	Court commissioners may be appointed by presiding judges of superior courts to assist the court in adult criminal cases including resentencing hearings and to vacate convictions pursuant to State v. Blake

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<p>SGC supported resources for Blake ‘clean up’.</p>	<p>Persons confined in correctional facilities entitled to vacation of a conviction or recalculation of an offender score pursuant to State v. Blake may be released from confinement pursuant to a court order. The State v. Blake reimbursement account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures must be used for state and local government costs resulting from the Supreme Court's decision in State v. Blake.</p>
<p>SGC supported diversions.</p>	<p>All law enforcement personnel required to complete basic law enforcement training must receive training on interaction with persons with substance use disorders including persons with co-occurring substance use and mental health conditions. The training must include referral to treatment and recovery services for adults and juveniles.</p>
<p>SGC supported increasing treatment resources and targeting communities most impacted by drug laws.</p>	<p>Appropriations are made to the Health Care Authority Community Behavioral Health Program, the Administrative Office of the Courts, the Department of Commerce, and the Criminal Justice Training Commission.</p> <ul style="list-style-type: none"> • The following sums, or so much thereof as may be necessary, are each appropriated: \$500,000 from the state general fund for the fiscal year ending June 30, 2022; and \$1,000,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the department of commerce to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence. • The following sums, or so much thereof as may be necessary, are each appropriated: \$2,250,000 from the state general fund for the fiscal year ending June 30, 2022; and \$2,250,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely to fund grants for therapeutic courts operated by municipalities and district courts. The administrative office of the courts must allocate grant funding based upon a formula established by the administrative office of the courts. The formula must distribute the grant funding equitably between those therapeutic courts located east of the crest of the Cascade mountains and those therapeutic courts located west of the crest of the Cascade mountains. Multiple jurisdictions served by a single municipal court or district court may apply for funds as a single entity. Local jurisdictions receiving grant funding for therapeutic courts must use funding to identify individuals before the courts with substance use disorders or other behavioral health needs and engage those individuals with community-based therapeutic interventions. • The following sums, or so much thereof as may be necessary, are each appropriated: \$25,000,000 from the state general fund for the fiscal year ending June 30, 2022; and \$20,000,000 from the state general fund for the fiscal year ending June 30, 2023. The

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amounts in this subsection are provided solely for the **health care authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in section 2 of this act and for related technical assistance to support this implementation.** This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau.

- The following sums, or so much thereof as may be necessary, are each appropriated: \$1,400,000 from the state general fund for the fiscal year ending June 30, 2022; and \$1,400,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for **behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to section 2 of this act and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.**
- The following sums, or so much thereof as may be necessary, are each appropriated: \$250,000 from the state general fund for the fiscal year ending June 30, 2022; and \$250,000 from the state general fund for the fiscal year ending June 30, 2023. **The amounts in this subsection are provided solely for the health care authority to issue grants for substance use disorder family navigator services.**