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January 10, 2018

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Governor Wolf Declares Heroin and Opioid Epidemic a Statewide Disaster Emergency

First-ever public health disaster declaration will enhance state response, increase treatment access and save lives

Harrisburg, PA – Today, Governor Tom Wolf took another step forward in bolstering the fight against heroin and opioid addiction by signing a statewide disaster declaration to enhance state response, increase access to treatment, and save lives. The declaration is the first-of-its-kind for a public health emergency in Pennsylvania and will utilize a command center at the Pennsylvania Emergency Management Agency to track progress and enhance coordination of health and public safety agencies.

“While we have made progress in combatting the heroin and opioid abuse crisis and drastically expanded Pennsylvania’s response, we are still losing far too many Pennsylvanians,” Governor Wolf said. “I am taking this step to protect Pennsylvanians from this looming public health crisis, and I am using every tool at my disposal to get those suffering from substance use disorders into treatment, save more lives, and improve response coordination.”

Among the declaration’s specifics are 13 key initiatives that are the culmination of a collaboration between all state agencies, with focus on the departments of Health, Drug and Alcohol Programs, the Pennsylvania Emergency Management Agency, the Pennsylvania Commission on Crime and Delinquency, and the Pennsylvania State Police.

“I routinely challenge all commonwealth agencies to think innovatively about how they continue to address the opioid epidemic and seek solutions that last long beyond our tenure in this building,” Governor Wolf said. “One such solution is to use the executive authority granted to me as the governor of this commonwealth to waive statutory regulations that create barriers to treatment and prevention, prevent first responders and others from saving lives, and reduce efficiency of our response.”

The 13 initial initiatives are organized by three areas of focus and include:

Enhancing Coordination and Data Collection to Bolster State and Local Response

- **Establishes an Opioid Command Center located at the Pennsylvania Emergency Management Agency (PEMA)**, which will house the Unified Opioid Coordination Group that will meet weekly during the disaster declaration to monitor implementation and progress of the initiatives in the declaration.
- **Expands Access to Prescription Drug Monitoring Program (PDMP) to Other Commonwealth Entities for Clinical Decision-Making Purposes** to improve treatment outcomes and better monitor compliance among prescribers.

Since 2016, 90,000 physicians have conducted more than 1 million searches on the PDMP.

- **Adds Overdoses and Neonatal Abstinence Syndrome (NAS) as Reportable Conditions in Title 28, Chapter 27** to the DOH in order to increase data collection and improve outcomes in both areas.
- **Authorizes Emergency Purchase Under Procurement Code for Hotline Contract with Current Vendor**, giving DDAP further emergency purchase authorization to allow the department to enter into a contract with the current drug and alcohol hotline vendor to ensure uninterrupted services.

To date, the 24/7 helpline, 1-800-662-HELP, has received more than 18,000 calls to connect those suffering from substance use disorder with treatment.

Improving Tools for Families, First Responders, and Others to Save Lives

- **Enables Emergency Medical Services providers to leave behind naloxone** by amending the current Standing Order to include dispensing by first responders, including Emergency Medical Technicians (EMTs)

The existing naloxone standing order and funding for naloxone to first responders has allowed for more than 5,000 lives to be saved so sufferers can be linked to treatment for substance use disorder.

- **Allows Pharmacists to Partner with Other Organizations to Increase Access to Naloxone** by waiving regulations to allow pharmacists to partner with other organizations, including prisons and treatment programs to make naloxone available to at-risk individuals upon discharge from these facilities.
- **Allows for the immediate temporary rescheduling of all fentanyl derivatives to align with the federal DEA schedule** while working toward permanent rescheduling.
- **Authorizes emergency purchasing under Section 516 of the Procurement Code** to allow for an emergency contract to expand the advanced body scanner

pilot program currently in place at Wernersville that is used on re-entrants returning to the facility. This would prevent the program from lapsing.

Speeding Up and Expanding Access to Treatment

- **Waive the face-to-face physician requirement for Narcotic Treatment Program (NTP) admissions** to allow initial intake review by a Certified Registered Nurse Practitioner (CRNP) or Physician Assistant (PA) to expedite initial intakes and streamline coordination of care when an individual is most in need of immediate attention.
- **Expand access to medication-assisted treatment (MAT)** by waiving the regulatory provision to permit dosing at satellite facilities even though counseling remains at the base NTP.

This allows more people to receive necessary treatments at the same location, increasing their access to all the care and chances for recovery.

- **Waive annual licensing requirements for high-performing drug and alcohol treatment facilities** to allow for bi-annual licensure process which streamlines licensing functions and better allocates staff time. DDAP will request that facilities seek a waiver by filing exception requests to the annual licensing requirement.
- **Waive the fee provided for in statute for birth certificates for individuals who request a good-cause waiver by attesting that they are affected by OUD.** This is of particular importance to individuals experiencing homelessness and other vulnerable populations who often cannot obtain copies of their birth certificates in order to access treatment and other benefits due to the financial requirements.
- **Waive separate licensing requirements for hospitals and emergency departments to expand access to drug and alcohol treatment** to allow physicians to administer short-term MAT consistent with DEA regulations without requiring separate notice to DDAP.

Governor Wolf was joined at the declaration signing by PEMA Director Rick Flinn, Acting Secretary of the Department of Drug and Alcohol Programs Jennifer Smith, and the Acting Secretary of Health and Physician General Dr. Rachel Levine, who today signed the revised first responders “leave behind” standing order for naloxone.

For a one-page summary of the declaration, [visit governor.pa.gov](https://www.governor.pa.gov). Full text of the declaration is included here:

**GOVERNOR'S OFFICE
PROCLAMATION OF DISASTER EMERGENCY**

January 10, 2018

WHEREAS, the opioid crisis is of such magnitude or severity that emergency action is necessary to protect the health, safety and welfare of affected citizens in Pennsylvania;

WHEREAS, the opioid crisis is a public health emergency in Pennsylvania contributing to addiction, overdose emergencies and deaths; and

WHEREAS, the opioid crisis includes heroin and prescription pain medications, such as morphine, codeine, methadone, oxycodone, hydrocodone, fentanyl, and hydromorphone; and

WHEREAS, Pennsylvania's opioid crisis impacts all areas of the state - including urban, suburban and rural communities and all ages including both young people and older Pennsylvanians - and is unprejudiced in its reach and devastation; and

WHEREAS, the deaths because of overdose are preventable and the effective treatment of opioid use disorders can reduce the risk of overdose; and

WHEREAS, the Drug Enforcement Agency reports the total number of fatal drug overdoses in Pennsylvania in 2016 was 4,642, a 37% increase from 2015 and those deaths increasingly are the result of fentanyl and other synthetic opioid compounds; and

WHEREAS, Pennsylvania's rate of drug overdose is 36.5 per 100,000 which is significantly higher than the national average of 16.3 per 100,000; and

WHEREAS, the Prescription Drug Monitoring Program reports the number of emergency department visits related to an opioid overdose have increased by 82% from the third quarter of 2016 to the third quarter of 2017;

WHEREAS, the Governor and the Acting Secretary of Health have reasonable cause to believe that disease, illness, and health conditions, including death, are being caused by the opioid crisis;

WHEREAS, it is necessary to make Naloxone more widely available to treat narcotic overdose in emergency situations;

WHEREAS, it is necessary to expand access to treatment facilities, as well as treatment options across the commonwealth; and

WHEREAS, it is necessary to temporarily reduce regulatory burdens, in accordance with federal and state law, to ensure that individuals receive needed treatment without delay.

NOW THEREFORE, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code, 35 Pa. C.S. § 7101 *et seq.*, I do hereby proclaim the existence of a disaster emergency in the Commonwealth of Pennsylvania.

FURTHER, I direct the establishment of an Opioid Unified Coordination Group that shall utilize the National Incident Management System (NIMS) to provide a consistent framework and approach to enable government to work together to prepare for, prevent, respond to, recover from, and mitigate the effects of the opioid crisis in Pennsylvania. The Opioid Unified Coordination Group shall consist of the heads of the following Commonwealth agencies, or their designee, and such other executive branch agencies as the Governor may designate:

- a. The Department of Health
- b. The Department of Human Services
- c. The Department of Drug and Alcohol Programs
- d. The Pennsylvania Emergency Management Agency
- e. The Pennsylvania Commission on Crime and Delinquency
- f. The Pennsylvania State Police

FURTHER, the Opioid Unified Coordination Group shall establish a Public Health Emergency Command Center (Command Center) that will operate within the Commonwealth Response Coordination Center (CRCC) located at the Pennsylvania Emergency Management Agency.

FURTHER, during the period of this emergency, recognizing the need for urgent and expeditious action, pursuant to 35 Pa.C.S. § 7301(f), I do hereby authorize the suspension of relevant regulatory statutes that agencies under my jurisdiction are authorized by law to administer or enforce as may be necessary to respond to the opioid crisis. Any regulatory statute that agencies under my jurisdiction desire to be suspended must be reviewed by the Governor's Office of General Counsel, and filed with the Opioid Unified Coordination Group.

IN ADDITION, if any administrative order, rule or regulation relating to the opioid crisis is inconsistent with the requirements of this Proclamation, or any rule, regulation, plan or administrative order issued pursuant hereto, or if strict compliance with such provisions would prevent, hinder or delay necessary action to cope with the emergency, then such provision is hereby rescinded for the duration of this Proclamation.

STILL FURTHER, pursuant to 35 Pa.C.S. § 7301(b), all agencies under my jurisdiction are authorized, ordered and directed to issue, amend and rescind such rules, regulations, orders and plans as necessary to carry out their respective responsibilities and functions pursuant to this Proclamation, to issue, amend and rescind such rules and regulations or orders under their respective statutory authorities as may be reasonably necessary to assist in responding to this opioid crisis.

FURTHER, all Commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in section 516

of the Commonwealth Procurement Code, 62 Pa. C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under section 516.

STILL FURTHER, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency event to act as necessary to meet the current exigencies as legally authorized under this proclamation.

GIVEN under my hand and the Seal of the Governor,
this day of January in the year of our Lord two
thousand eighteen, and of the Commonwealth the
two hundred and forty second.

TOM WOLF
Governor

MEDIA CONTACTS: J.J. Abbott, 717-783-1116

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