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January 18, 2024

The Honorable Sherrod Brown  
Chairman  
Committee on Banking, Housing, and Urban  
Affairs  
United States Senate  
534 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Tim Scott  
Ranking Member  
Committee on Banking, Housing, and Urban  
Affairs  
United States Senate  
534 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Brown and Ranking Member Scott:

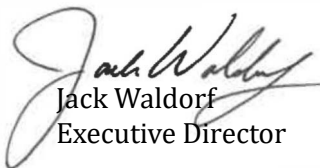
In light of the Committee's January 11, 2024, hearing, Stopping the Flow of Fentanyl: Public Awareness and Legislative Solutions, attached please find Western Governors' Association (WGA) Policy Resolution 2024-04, Combating the Opioid Crisis.

In the resolution, Western Governors highlight strategies to stem the supply of illegally produced opioids and limit inappropriate and nonmedical uses of prescription opioids. Western Governors urge the federal government to provide support for state interdiction activities and to utilize available tools, including sanctions, against individuals and groups involved in the illicit production and distribution of fentanyl and other drugs. The Governors also note the importance of education and awareness campaigns at the national and local levels.

I request that you include this document in the permanent record of the hearing, as it articulates Western Governors' collective and bipartisan policy positions and recommendations on this important issue.

Thank you for your consideration of this request. Please contact me if you have any questions or require further information.

Sincerely,



Jack Waldorf  
Executive Director

Attachment



## Policy Resolution 2024-04

### Combating the Opioid Crisis

#### A. **BACKGROUND**

The opioid epidemic, initiated by the precipitous rise of potent prescription opioids classified as painkillers in the 1990s, has become one of the nation's most devastating and lethal public health and safety crises. While federal investment to address this crisis has increased drastically in recent years, so have rates of substance use disorders (SUDs), overdoses, and deaths. Currently, the leading driver of opioid-related overdose deaths is illicit fentanyl, a drug that is 30 to 50 times more powerful than heroin. Combating the opioid crisis requires a comprehensive approach that reflects the complexity of the problem – from the potency and availability of these drugs to the social and economic damage that they impose – across all levels of government and the continuum of care.

#### B. **GOVERNORS' POLICY STATEMENT**

1. Reducing the impact of the opioid crisis involves stemming the supply of illegally produced opioids and limiting inappropriate and nonmedical uses of prescription opioids. Western Governors urge the federal government to provide financial support and reimbursement to states for interdiction activities – including through the High Intensity Drug Trafficking Areas Program – and work closely with Governors to combat over-prescribing of opioids for inappropriate uses and durations, illicit drug trafficking, and the manufacturing and distribution of counterfeit medications.
2. Western Governors recognize that social and economic factors are key drivers of substance use disorder (SUD). While SUD funding focused on these upstream drivers has expanded, it has not kept pace with the need. We advocate for increased federal support for population-level public health strategies at the Centers for Disease Control and Prevention (CDC) to address the causes and long-term prevention of SUD more fully. Western Governors are especially interested in support for Overdose Data to Action in States and Overdose Data to Action: Limiting Overdose through Collaborative Actions in Localities (LOCAL) Grants, supportive housing, and prevention and treatment for other diseases or health issues that may arise from SUDs, such as hepatitis and sexually transmitted infections.
3. The State Opioid Response (SOR) Program and the Tribal Opioid Response (TOR) Program provide critical resources to states and tribes to support the continuum of prevention, harm reduction, treatment, and recovery services for opioid use disorder and other concurrent SUDs. In addition, despite suffering disproportionately from high overdose rates, some tribes offer free treatment services not only to their members but to surrounding non-tribal communities as well. Western Governors request that Congress continue to appropriate needed funding to the SOR and TOR Programs and include ongoing support for polysubstance programming and initiatives.

4. Emerging threats, such as the combination of fentanyl with xylazine, have changed the nature of the opioid crisis over the years. States and the federal government must stay apprised of these threats to develop effective policy and programs to mitigate the crisis. Western Governors urge the Administration and federal agencies to coordinate more effectively with states and Fusion Centers and improve the dissemination of information about emerging threats across all levels of government.
5. Western Governors encourage the Drug Enforcement Administration (DEA) or Congress to prohibit the distribution and use of xylazine for human purposes while protecting its important applications in the veterinary and livestock sectors. We recommend that the federal government consider the perspectives of veterinary and livestock stakeholders in the development and implementation of such legislation or regulation.
6. Western Governors advise the Administration and Congress to utilize available tools, including sanctions, against individuals and groups involved in the illicit production and distribution of fentanyl and other drugs.
7. Western Governors urge the Department of Health and Human Services to expand state Medicaid waivers for opioid use disorder, especially waivers that would increase access to new models to address prevention, harm reduction, treatment, and recovery for incarcerated people and other populations.
8. Education and awareness campaigns are necessary tools to foster public dialogue and mobilize action across communities. Western Governors encourage the federal government, in partnership with states, to further develop a comprehensive, evidence-based, and culturally competent national education and awareness campaign about the opioid crisis, highlighting issues such as fentanyl and counterfeit medication, and incorporating best practices from state campaigns. Agencies should continue to target susceptible populations, including youth. Western Governors also urge Congress to dedicate resources directly to states to develop and disseminate targeted and culturally specific opioid awareness and education campaigns that meet the unique needs of our populaces, as such efforts are complementary to those at the national level.
9. Teen overdoses involving fentanyl are a tragic problem that continues to grow at an alarming rate. Western Governors request that the federal government focus on strategies, funding, and other resources to increase the use of naloxone among youth and relay accurate information to teens who are experimenting with substances about the dangers of fentanyl and the importance of only taking pills prescribed to them and dispensed by a licensed pharmacy. More efforts are also needed to increase the use of medications for opioid use disorder (OUD) for teens with OUD, including messaging focused on teens, parents, educators, and prescribers. In addition, federal efforts should incorporate expanded upstream approaches for young kids, such as social supports and coaching for parents, particularly for those with at-risk kids, and prosocial activities in schools, communities, and tribes.
10. The federal government should allocate more resources and release updated guidance for treatment medications that reflect the challenges raised by fentanyl. Western Governors support increasing access to the full slate of treatment options that address patient needs and ensure that they are not subject to outdated limits.

11. Western Governors acknowledge that recovery from SUD is a process – one impacted by a number of conditions and context, including economic status, geographical location, access to treatment, and suitable support systems. We recognize the importance of all stages of the recovery process, including harm reduction, outpatient and inpatient treatment, and more. Effective treatment is not a one-size-fits-all approach, and needs a diversity of voices, experiences, and ideas to address the changing landscape of both the epidemic that we are facing and the recovery options. We believe that the federal government should design flexible programs and grant opportunities and consider innovative strategies that reflect the multiplicity of recovery approaches and increase public understanding about recovery.
12. Western Governors recommend creating and adequately investing in federal programs and policies that enhance access to harm reduction strategies at low costs, including opioid antagonists such as naloxone, and provide training on the administration and use of these strategies.
13. The federal government should also ensure that permanent regulations enacted by the DEA to govern the use of telemedicine for medication-assisted treatment prescribing and monitoring – now that the extension of COVID-19 flexibilities has expired – continue to permit the use of telemedicine for both buprenorphine inductions and ongoing medication management.
14. Western Governors emphasize the importance of treating and preventing behavioral health conditions and increasing access to services to reduce dependence on opioids. We have highlighted substantive policy recommendations on behavioral health, including SUD, in WGA's health care resolution.

**C. GOVERNORS' MANAGEMENT DIRECTIVE**

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

*This resolution will expire in December 2026. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.*