

**24:21-17  
LEGISLATIVE HISTORY CHECKLIST**

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**LAWS OF:** 2019                      **CHAPTER:** 162

**NJSA:** 24:21-17 (Requires prescription opioid medications include warning sticker advising patients of risk of addiction and overdose.)

**BILL NO:** A3292                    (Substituted for S2244)

**SPONSOR(S)** John Armato and others

**DATE INTRODUCED:** 2/12/2018

**COMMITTEE:**                    **ASSEMBLY:** Health & Senior Services

**SENATE:** Budget & Appropriations

**AMENDED DURING PASSAGE:**        Yes

**DATE OF PASSAGE:**               **ASSEMBLY:** 5/23/2019

**SENATE:** 3/25/2019

**DATE OF APPROVAL:**                7/15/2019

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Introduced version of bill enacted)                                    Yes

**A3292**

**SPONSOR'S STATEMENT:** (Begins on page 3 of introduced bill)                                Yes

**COMMITTEE STATEMENT:**    **ASSEMBLY:**                Yes

**SENATE:**                Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**   No

**LEGISLATIVE FISCAL ESTIMATE:**   No

**S2244**

**SPONSOR'S STATEMENT:** (Begins on page 3 of introduced bill)                                Yes

**COMMITTEE STATEMENT:**    **ASSEMBLY:**                No

**SENATE:**                Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**   No

**LEGISLATIVE FISCAL ESTIMATE:**   No

(continued)

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

RWH/CL

P.L. 2019, CHAPTER 162, *approved July 15, 2019*  
Assembly, No. 3292 (*First Reprint*)

1 AN ACT concerning prescription medications and amending  
2 P.L.1970, c.226.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 17 of P.L.1970, c.226 (C.24:21-17) is amended to  
8 read as follows:

9 17. Form of label to be used by pharmacists; altering or  
10 removing label. Whenever a pharmacist sells or dispenses any  
11 controlled dangerous substance on a prescription issued by a  
12 practitioner, **[he]** the pharmacist shall affix to the container in  
13 which such drug is sold or dispensed, a label showing **[his]** the  
14 pharmacist's own name, address, and registry number, or the name,  
15 address, and registry number of the pharmacist or pharmacy owner  
16 for whom **[he]** the pharmacist is lawfully acting; the name of the  
17 patient or, if the patient is an animal, the name of the owner of the  
18 animal and the species of the animal; the name of the practitioner  
19 by whom the prescription was issued; the brand name or generic  
20 name of the drug dispensed unless the prescriber states otherwise on  
21 the prescription, such directions as may be stated on the  
22 prescription and such directions as may be required by rules or  
23 regulations promulgated by the director. In addition, whenever a  
24 pharmacist<sup>1</sup>, other than a pharmacist dispensing medication in an  
25 institutional pharmacy, as that term is defined in N.J.A.C.13:39-  
26 9.2,<sup>1</sup> dispenses an opioid medication on a prescription issued by a  
27 practitioner, the pharmacist shall affix to the container in which  
28 such opioid medication is sold or dispensed a warning<sup>1</sup> label or<sup>1</sup>  
29 sticker describing the risks associated with opioid medications. The  
30 <sup>1</sup>[director, in consultation with the Department of Health,] New  
31 Jersey State Board of Pharmacy<sup>1</sup> shall specify by rule or regulation  
32 the location on the medication container where the warning<sup>1</sup> label  
33 or<sup>1</sup> sticker shall be affixed<sup>1</sup>, the font and format of any language to  
34 be included on the warning label or sticker,<sup>1</sup> and the specific  
35 language to be included on the warning<sup>1</sup> label or<sup>1</sup> sticker, which, at  
36 a minimum, shall indicate that the medication in the container is an  
37 opioid and that opioid medications carry a risk of addiction and  
38 overdose. Unless otherwise provided by rules or regulations  
39 promulgated by the<sup>1</sup> [director] New Jersey State Board of

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted March 18, 2019.

1 Pharmacy<sup>1</sup> , the label or<sup>1</sup> sticker shall be red in color with the<sup>1</sup>  
2 text printed in [a white font large enough to be easily and clearly  
3 readable] black<sup>1</sup> .

4 No person shall alter, deface, or remove any label or sticker so  
5 affixed as long as any of the original contents remain.  
6 (cf: P.L.2007, c.244, s.15)

7  
8 2. This act shall take effect on<sup>1</sup> the first day of the [fourth]  
9 seventh<sup>1</sup> month next following the date of enactment.

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14 Requires prescription opioid medications include warning sticker  
15 advising patients of risk of addiction and overdose.

# ASSEMBLY, No. 3292

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 12, 2018

**Sponsored by:**

**Assemblyman JOHN ARMATO**

**District 2 (Atlantic)**

**Assemblyman VINCENT MAZZEO**

**District 2 (Atlantic)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblywoman Murphy, Assemblymen Danielsen, Benson, Gusciora,**

**Assemblywoman McKnight, Assemblymen Rooney, Chiaravalloti,**

**Assemblywoman Mosquera, Assemblymen Space, Harold J. Wirths and**

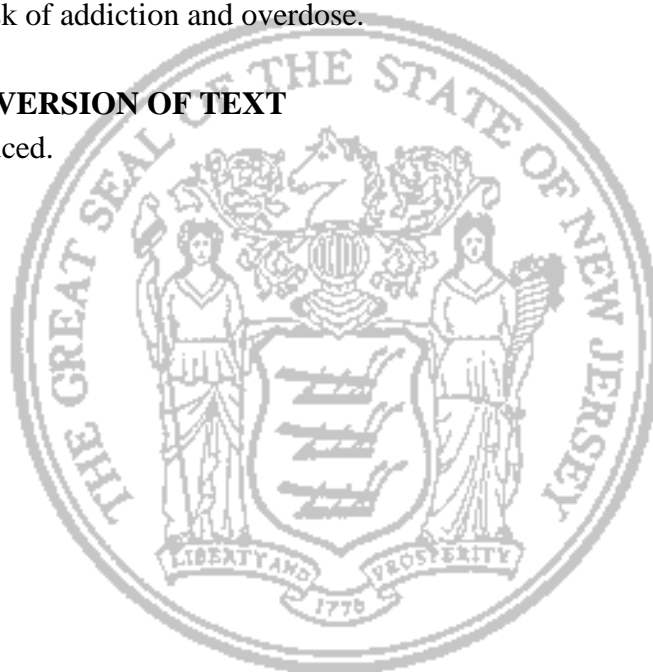
**Assemblywoman Pinkin**

**SYNOPSIS**

Requires prescription opioid medications include warning sticker advising patients of risk of addiction and overdose.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 3/27/2018)

1 AN ACT concerning prescription medications and amending  
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3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 17 of P.L.1970, c.226 (C.24:21-17) is amended to  
8 read as follows:

9 17. Form of label to be used by pharmacists; altering or  
10 removing label. Whenever a pharmacist sells or dispenses any  
11 controlled dangerous substance on a prescription issued by a  
12 practitioner, **[he]** the pharmacist shall affix to the container in  
13 which such drug is sold or dispensed, a label showing **[his]** the  
14 pharmacist's own name, address, and registry number, or the name,  
15 address, and registry number of the pharmacist or pharmacy owner  
16 for whom **[he]** the pharmacist is lawfully acting; the name of the  
17 patient or, if the patient is an animal, the name of the owner of the  
18 animal and the species of the animal; the name of the practitioner  
19 by whom the prescription was issued; the brand name or generic  
20 name of the drug dispensed unless the prescriber states otherwise on  
21 the prescription, such directions as may be stated on the  
22 prescription and such directions as may be required by rules or  
23 regulations promulgated by the director. In addition, whenever a  
24 pharmacist dispenses an opioid medication on a prescription issued  
25 by a practitioner, the pharmacist shall affix to the container in  
26 which such opioid medication is sold or dispensed a warning sticker  
27 describing the risks associated with opioid medications. The  
28 director, in consultation with the Department of Health, shall  
29 specify by rule or regulation the location on the medication  
30 container where the warning sticker shall be affixed and the specific  
31 language to be included on the warning sticker, which, at a  
32 minimum, shall indicate that the medication in the container is an  
33 opioid and that opioid medications carry a risk of addiction and  
34 overdose. Unless otherwise provided by rules or regulations  
35 promulgated by the director, the sticker shall be red in color with  
36 text printed in a white font large enough to be easily and clearly  
37 readable.

38 No person shall alter, deface, or remove any label or sticker so  
39 affixed as long as any of the original contents remain.

40 (cf: P.L.2007, c.244, s.15)

41

42 2. This act shall take effect the first day of the fourth month  
43 next following the date of enactment.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

STATEMENT

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This bill requires that the container for any prescription opioid medication dispensed in the State is to include a warning sticker describing the risks of opioid medications. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the Department of Health, will specify by rule or regulation the location on the medication container where the warning sticker is to be affixed and the specific language to be included on the warning sticker, which, at a minimum, is to indicate that the medication is an opioid and that opioid medications carry a risk of addiction and overdose. Unless otherwise provided by rules or regulations promulgated by the director, the sticker is to be red in color with text printed in a white font large enough to be easily and clearly readable.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3292**

**STATE OF NEW JERSEY**

DATED: MARCH 5, 2018

The Assembly Health and Senior Services Committee reports favorably Assembly Bill No. 3292.

This bill requires that the container for any prescription opioid medication dispensed in the State is to include a warning sticker describing the risks of opioid medications. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the Department of Health, will specify by rule or regulation the location on the medication container where the warning sticker is to be affixed and the specific language to be included on the warning sticker, which, at a minimum, is to indicate that the medication is an opioid and that opioid medications carry a risk of addiction and overdose. Unless otherwise provided by rules or regulations promulgated by the director, the sticker is to be red in color with text printed in a white font large enough to be easily and clearly readable.



# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3292**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 18, 2019

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 3292, with committee amendments.

Assembly Bill No. 3292, as amended, requires that the container for any prescription opioid medication dispensed in the State include a warning sticker describing the risks of opioid medications. The New Jersey State Board of Pharmacy will specify by rule or regulation the location on the medication container where the warning sticker or label is to be affixed and the specific language to be included on the warning sticker or label, which, at a minimum, is to indicate that the medication is an opioid and that opioid medications carry a risk of addiction and overdose. Unless otherwise provided by rules or regulations promulgated by the board, the sticker or label is to be red in color with text printed in black.

As amended and reported, this bill is identical to Senate Bill No. 2244, as also amended and reported by the committee.

#### COMMITTEE AMENDMENTS:

The committee amendments provide that the warning on the container may be a label, or a sticker and that the New Jersey State Board of Pharmacy, instead of the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, is to specify by rule the location on the container where the label or sticker is to be affixed and the font and format of any language included on the warning sticker or label. The amendments also exempt pharmacists dispensing medication in an institutional pharmacy from the requirements of the bill and provide that the text on the warning label or sticker, unless otherwise provided by rule of the board, is to be printed in black, instead of white. The amendments provide that the bill take effect on the seventh month next following enactment, instead of the fourth month.

#### FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

# SENATE, No. 2244

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 8, 2018

**Sponsored by:**

**Senator KRISTIN M. CORRADO**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Senator JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senators Cruz-Perez and Diegnan**

**SYNOPSIS**

Requires prescription opioid medications include warning sticker advising patients of risk of addiction and overdose.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/19/2019)**

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# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 2244**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 18, 2019

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2244, with committee amendments.

Senate Bill No. 2244, as amended, requires that the container for any prescription opioid medication dispensed in the State include a warning sticker describing the risks of opioid medications. The New Jersey State Board of Pharmacy will specify by rule or regulation the location on the medication container where the warning sticker or label is to be affixed and the specific language to be included on the warning sticker or label, which, at a minimum, is to indicate that the medication is an opioid and that opioid medications carry a risk of addiction and overdose. Unless otherwise provided by rules or regulations promulgated by the board, the sticker or label is to be red in color with text printed in black.

As amended and reported, this bill is identical to Assembly Bill No. 3292, as also amended and reported by the committee.

#### COMMITTEE AMENDMENTS:

The committee amendments provide that the warning on the container may be a label, or a sticker and that the New Jersey State Board of Pharmacy, instead of the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, is to specify by rule the location on the container where the label or sticker is to be affixed and the font and format of any language included on the warning sticker or label. The amendments also exempt pharmacists dispensing medication in an institutional pharmacy from the requirements of the bill and provide that the text on the warning label or sticker, unless otherwise provided by rule of the board, is to be printed in black, instead of white. The amendments provide that the bill take effect on the seventh month next following enactment, instead of the fourth month.

#### FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

# Governor Murphy Signs Legislation to Combat Opioid Crisis

07/15/2019

**TRENTON** – Governor Phil Murphy today signed three pieces of legislation addressing the opioid crisis. A3292, A4744, and SJR35 will strengthen opioid prescription label requirements, ensure greater access to Medicated-Assisted Treatment (MAT) benefits for Medicaid recipients, and spread awareness of opioid abuse through the designation of October 6<sup>th</sup> as “Knock Out Opioid Abuse Day”.

“The opioid crisis has had a devastating impact on our communities, robbing us of too many of our friends, family members, and loved ones,” **said Governor Phil Murphy**. “This legislation continues our work to combat the opioid crisis by ensuring that there are warning labels outlining the risk of opioid medications, expanding access to the treatment that so many need, and raising awareness of just how easy it is to become addicted to opioids.”

“The key to knocking out opioid abuse in our communities and saving lives often starts in the medicine cabinet, which is why education and clear warnings about the risks associated with opioid-based drugs are paramount to winning this battle. But people also need fair access to treatment when they fall victim to addiction,” **said Lt. Governor Sheila Oliver**. “These new laws will help to ensure that people are aware of the risks while helping break down the systemic barriers associated with accessing treatment.”

Under A3292, containers for prescription opioid medications dispensed in New Jersey will be required to have a warning label or sticker describing the risk of opioid medications. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, working with the Department of Health, will specify by rule or regulation where the warning sticker or label is to be affixed and the specific language to be included on the warning sticker.

Primary sponsors of the bill include Assemblymembers John Armato, Vincent Mazzeo, and Valerie Vainieri Huttie; and Senators Kristin Corrado and Joseph Lagana.

A4744 requires the Department of Human Services to ensure that the provision of benefits for certain types of medication assisted treatment to eligible persons under the Medicaid program are provided without the imposition of any prior authorization, providing that the treatments are prescribed or administered by licensed medical practitioners.

Primary sponsors of the bill include Assemblymembers Louis D. Greenwald, John Armato, and Valerie Vainieri Huttie; and Senators Joe Vitale and Joe Cryan.

SJR35 designates October 6<sup>th</sup> of each year as “Knock Out Opioid Abuse Day” in order to raise awareness about the dangers of – and the link between – opioid abuse and heroin addiction.

Primary sponsors of the bill include Senators Loretta Weinberg and Kristin Corrado; and Assemblymembers Valerie Vainieri Huttie, John Armato, and Vincent Mazzeo.

“I am delighted that the Governor and Legislature continue to provide us important tools to combat the opioid epidemic. Today’s action builds on the work NJ Human Services did earlier this year to lift Medicaid prior authorization requirements for opioid addiction treatment medication by codifying our policy in state law. We are glad to see this smart step to help ensure that our actions cannot readily be reversed by future administrations,” **said Department of Human Services Commissioner Carole Johnson**. “Removing barriers to opioid addiction treatment, increasing knowledge of the risks of addiction and overdoses, and focusing attention on the need to combat this epidemic represent important tools in our shared fight to save lives.”

“These measures are pivotal for New Jersey to get ahead of its opioid epidemic,” **said Department of Health Commissioner Dr. Shereef Elnahal**. “At a basic level, folks need to know if their medications have opioids in them and need access—without barriers—to get the treatment they need. I am also excited about a day to collectively come together to address this epidemic, which has stolen too many lives from our communities and families.”

“Medically assisted treatment has proven to be one of the most effective ways of treating addiction. It is important that the treatment is provided as quickly as possible so patients can get the drugs removed from their systems and get on the road to recovery. Doing away with the preauthorization requirement will help break down the barriers to timely treatment for Medicaid recipients so they can escape from the destructive grip of addiction,” **said Senator Joe Cryan**. “We are fighting an opioid epidemic that is ruining lives, destroying families and causing an alarming number of overdose deaths and this is one of the actions we can take.”

“Research and experience have shown that medication assisted treatment is an effective treatment for substance abuse disorders, including opioid addiction,” **said Senator Joe Vitale**. “It can make the difference in the early, critical stages of breaking addiction and allowing those in treatment to enter recovery. It can ease suffering and save lives and I am glad to see this signed into law today.”

“The opioid crisis effects every person in this state and must be faced head-on,” **said Senator Loretta Weinberg**. “We have to address the crisis at every level and on all fronts if we are going to genuinely see opioid abuse be reduced. I am glad we, as a state, are taking this issue on with the seriousness and attention it demands.”

“The opioid epidemic is a scourge, killing countless people and hurting families all across the country,” **said Senator Joseph Lagana**. “We will now be able to warn people of the horrible dangers of taking opioids on the prescription bottles. People have a right to know if they ingest a potentially dangerous substance.”

“Raising awareness is an important step that will help us to battle the crisis of opioid abuse that’s plaguing New Jersey and save lives,” **said Senator Kristin Corrado**. “We’re ensuring that individual patients who are prescribed opioids are warned of the potential danger of addiction. On a larger scale, we’re going to highlight the vast scope of this disease to reduce the stigma of talking about it or seeking help. These efforts will work in tandem to educate patients and the general public about this growing problem.”

#### **Regarding A3292:**

“We have warning labels on just about all medications these days,” **said Assemblyman John Armato**. “In the middle of this epidemic, we need to utilize every tool in our arsenal to increase awareness and education about the effects of opioid abuse. Adding a warning sticker to all opioid medications is an easy, cost-effective concept that can save lives. In 2019 in New Jersey, it’s sadly an oddity to know someone who hasn’t in some way been touched by the ongoing epidemic.”

“Opioids are highly addictive, and overdoses are often fatal,” **said Assemblyman Vince Mazzeo**. “We have an obligation to ensure patients and their families are advised of the risks associated with them, so we can continue to battle this epidemic in New Jersey. Overdoses are killing more people than ever before, and this is a step toward preventing more tragedies.”

This new law is plain common sense as we fight this epidemic,” **said Assemblywoman Valerie Vainieri Huttle**. “We have warning labels on so many products, many of which are far less dangerous than opioids. The more information and warning we can give people, the better.”

#### **Regarding A4744:**

“When it comes to the treatment of people suffering from opioid addiction, every moment matters,” **said Assembly Majority Leader Lou Greenwald**. “Like any disease, it must be treated in order for a patient to recover. With this new law, we’re confirming via statute that Medicaid recipients will be able to receive critical treatment when needed and begin their road to recovery. To truly fight this opioid epidemic, we must break down treatment and access barriers for everyone.”

“Research has increasingly shown that medication assisted treatment can be the most effective treatment for substance abuse disorders like opioid addiction,” **said Assemblyman John Armato**. “It helps to ease withdrawal symptoms and prevents patients from feeling the effects of any opioids taken during withdrawal. In this way, the treatment helps patients overcome what can otherwise be tremendous challenges in the process. We have to make sure people who desperately need this treatment have access to it in a timely manner, which is exactly what this bill does.”

“If someone suffering from substance abuse decides to get help, it’s critically important that they are treated as soon as possible. By getting prior preauthorization it can delay treatment for several days, which may not be enough time to save someone’s life,” **said Assemblywoman Valerie Vainieri Huttle**. “If we can provide a simpler avenue towards effective treatment, we open doors to recovery for people whose lives are greatly at risk.”

#### **Regarding SJR35/AJR95:**

“By nature, prescription opioids, like Oxycodone and Percocet, are addictive. Unfortunately, for many the addiction doesn’t stop when the prescription ends,” **said Assemblywoman Valerie Vainieri Huttle**. “Being a cheaper and more easily obtained alternative, many turn to heroin. About half of the New Jerseyans in drug treatment centers suffer from heroin or opioid addictions making it an alarming epidemic. That is what makes this resolution imperative. It’s the best preemptive approach to combating severe rises in opioid and heroin abuse.”

“The permanent designation of October 6th as “Knock Out Opioid Abuse Day” will spur more educational, community-based awareness programs” **said Assemblyman John Armato**. “The legislation stresses the need to educate more than our health care professionals and community leaders. It seeks to impress greater need for grassroots programs

that inform families, friends and neighbors. Tackling this problem starts with understanding it better at all levels within our community.”

“Allowing the short-term medical benefits of opioids to overshadow their long-term effects has impacted the well-being of people throughout New Jersey,” **said Assemblyman Vince Mazzeo.** “It is necessary, now more than ever, to impress the urgency of this opioid crisis we are facing. Despite a significant amount of legislative work being done to tackle the problem, people and communities remain at the heart of the solution. With this resolution we are taking the right steps toward raising the needed awareness.”