

LAC 2020 Policy Recommendations: Promoting Access to Care, Health and Justice, Equity and Opportunity

Americans are ready for sweeping reforms to our nation's drug and criminal justice policies, according to [polling](#) released by Legal Action Center (LAC). In advance of the 2020 elections, most Americans (71%) believe that treatment for addiction to opioids and other drugs should be readily available and affordable for all who need it, according to polling conducted by LAC. Most Americans (67%) also believe we should treat addiction to opioids and other drugs more as a health problem rather than a criminal problem. And Nearly two-thirds Americans (62%) believe that we should provide legal protections that help individuals leaving prison reenter society and find employment, housing and educational opportunities,

Now is the time to take bold action and make the additional investments necessary to ensure that addiction treatment is readily available and affordable to all who need it. And now is the time to help defend the dignity of formerly incarcerated people, enable them to lead productive lives and contribute to our communities.

LAC has outlined a number of policy reforms that promote health and justice, equity and opportunity. We look forward to working with policymakers to make the change Americans want.

Access to Care - Ensure that treatment for addiction to opioids and other drugs is readily available and affordable for everyone who needs it

- Make available the full continuum of evidence-based services and medications for all Substance Use Disorders (SUDs) in all communities; this includes early prevention efforts, treatment services and medications, and recovery supports to help people become and remain well
- Ensure all public –including Medicaid and Medicare – and private insurance programs cover addiction treatment at levels that are equal to coverage for other health conditions such as cancer or diabetes. Strongly enforce consumer protections, including the Mental Health Parity and Addiction Equity Act and those in the Affordable Care Act. Require that all public and private insurance programs cover all FDA-approved opioid and other substance use disorder medications.
- Require Medicaid in every state to cover substance use disorder services, increase safety net funds and make permanent and increase discretionary funding streams to help states and localities better address the overdose crisis. Expand Medicaid in every state.
- Through significant investment, strengthen the capacity of the SUD specialty care workforce and ensure that the broader health workforce develops greater competency to respond to addiction

Health & Justice - Invest in federal and state strategies that promote health-focused responses to addiction rather than punitive ones

- Expand harm reduction strategies (including syringe exchanges and the piloting of safe consumption sites) to improve health and reduce the risk of spreading HIV, hepatitis and other diseases.
- Discontinue use of mandatory minimum sentences, which are ineffective and cause significantly greater harm to people who need care and support
- Reject state initiatives to impose work or drug testing requirements on Medicaid, nutrition assistance and other safety net services, which create harmful obstacles to care, particularly for those with SUD and/or mental health care needs
- Train all law enforcement personnel on addiction and effective treatment and recovery services that reflect an understanding of the diseases of addiction and mental illness and are not overly punitive
- Restore communities that have been severely and disproportionately harmed by overly punitive drug policies, particularly the Black and Latinx communities

Equity - Address SUD and MH care needs in the community as part of a larger strategy to reverse mass incarceration and systemic racism

- Implement, expand and bring to scale diversion programs and other alternatives to incarceration to ensure that people in the criminal legal system are engaged in community-based SUD and MH care as early as possible, preferably pre-booking or pre-trial
- Routinely screen people in the criminal legal system for SUD and MH conditions and provide clinically appropriate interventions; increase funding to support provision of high quality-care
- Make available the full range of evidence-based SUD care, including medication-assisted treatment, at all stages of the criminal legal system
- Allow Medicaid to finance services, including SUD and MH care, provided by community-based health care providers to people preparing to return home from prisons and jails

Opportunity - Help people leaving prison and jail be more successful in their reentry by eliminating barriers to employment, education, housing, voting and public benefits

- Reduce and/or eliminate criminal record barriers to housing, education, employment, public benefits and voting
- Expand access to recovery, transitional and supportive housing programs that prioritize housing first
- Restore voting rights to people with criminal convictions, including people on probation and parole
- Restore Pell grant eligibility to incarcerated people
- Expand and automate processes to eventually seal or expunge criminal records for those people who have completed their sentence
- Fully adopt fair chance hiring policies, including the elimination of unnecessary legal restrictions on employment, expansion of use of ban-the-box, and the adoption of anti-discrimination protections

- Adopt compassionate release laws that enable incarcerated people who are elderly, seriously ill, and/or incapacitated to obtain parole in order to receive the care they need the community.

To access more information on the polling and LAC's 2020 policy recommendations, visit lac.org/2019polling.

Established in 1973, the Legal Action Center is the only non-profit law and policy organization in the United States whose sole mission is to fight discrimination against people with histories of addiction, HIV/AIDS, or criminal records, and to advocate for sound public policies in these areas