



**California  
Behavioral Health  
Planning Council**

ADVOCACY • EVALUATION • INCLUSION

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**MS 2706**

June 27, 2025

The Honorable Senator Caroline Menjivar

Chair, Senate Health Committee

1021 O Street, Suite 6630

Sacramento, CA 95814

**RE: Support for AB 1037 – The Substance Use Disorder Care  
Modernization Act**

Dear Senator Menjivar,

On behalf of the California Behavioral Health Planning Council (CBHPC), I am writing to express our support for Assembly Bill (AB) 1037 (Elhawary).

The CBHPC serves as an advisory body to the Legislature and the Administration on behavioral health policies and priorities, as outlined in Welfare and Institutions Code §§ 5771 and 5772. Our diverse membership includes individuals with lived experience of serious mental illness and substance use disorders, family members, service providers, professionals, and representatives from state departments whose work intersects with California's behavioral health system. Their perspectives are essential to our view on the challenges and successes of behavioral health services and best practices in California.

AB 1037 encompasses several provisions to update outdated requirements for substance use disorder treatment and align existing statutes with current best practices to support increased access to services, including removing the requirement that individuals be abstinent, not intoxicated, or otherwise "drug free" to receive care for a substance use disorder or to continue treatment within a licensed alcohol or other drug recovery or treatment facility. Removing this requirement helps reduce barriers to accessing treatment for individuals who already experience a multitude of challenges in receiving care, thereby ensuring more equitable access. It also promotes person-centered services to effectively support individuals in their recovery, acknowledging the complex, non-linear nature of the recovery process that often involves



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navigating both successes and roadblocks. Although the bill removes this requirement, treatment providers still retain discretion to appropriately admit new patients and terminate treatment, when necessary, in accordance with established protocols and guidelines.

AB 1037 additionally clarifies that anyone can obtain and carry over-the-counter naloxone and extends Good Samaritan protections to persons, who in good faith, administer the medication to someone at risk of an overdose. An overdose can become fatal within minutes or hours depending on various factors such as type of substance, dosage, route of administration, and any medical conditions. Due to these variables, accurately predicting how long the affected person has before fatality is often not possible, underscoring the critical need for timely intervention. Expanding these protections will empower more individuals who are able to act promptly and provide life-saving aid during critical moments, as opposed to waiting for emergency services whose response time may exceed the critical window, thereby preventing additional overdose deaths.

For these reasons, the Council proudly supports AB 1037. If you have any questions, please contact Jenny Bayardo, Executive Officer, at (916) 750-3778 or via e-mail at [Jenny.Bayardo@cbhpc.dhcs.ca.gov](mailto:Jenny.Bayardo@cbhpc.dhcs.ca.gov).

Sincerely,

Tony Vartan  
Chairperson

cc: Assemblymember Sade Elhawary  
Senator Thomas Umberg, Chair, Senate Judiciary Committee  
Members, Senate Committee on Health  
Members, Senate Standing Committee on Judiciary  
Sean Porter, Legislative Director  
County of Los Angeles