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# Legislation and policy reform to combat drug addiction

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**Abstract**---Drug addiction is a major public health crisis that affects individuals, families, and communities around the world. The negative impacts of drug abuse are far-reaching, including increased rates of crime, health problems, economic hardship, and social discord. Addressing the drug addiction epidemic requires a multi-faceted approach that combines prevention, treatment, and policy interventions. One key component of an effective strategy to combat drug addiction is legislation and policy reform. Lawmakers and policymakers play a crucial role in shaping the legal and regulatory environments that influence patterns of drug use and access to addiction treatment. This study examines how legislation and policy can be leveraged to reduce drug addiction and its associated harms.

**Keywords**---drug addiction, legislation and policy, negative impacts of drug.

## **The Scope of the Drug Addiction Crisis**

Drug addiction is a chronic and relapsing brain disease characterized by compulsive drug seeking and use, despite harmful consequences. Addiction involves fundamental changes in brain structure and function that drive intense cravings and a loss of control over drug use (National Institute on Drug Abuse, 2018).

Substance use disorders, which include drug addiction, affect an estimated 20.3 million Americans aged 12 and older, or about 7.4% of the population (Substance Abuse and Mental Health Services Administration, 2022). The most commonly misused addictive substances are alcohol, marijuana, prescription painkillers, cocaine, and methamphetamine. Opioid addiction, in particular, has emerged as a major public health crisis in recent years, contributing to skyrocketing rates of overdose deaths.

Beyond the personal toll on those struggling with addiction, drug abuse also has significant societal costs. The economic burden of substance use disorders in the United States is estimated at over \$600 billion annually, stemming from costs related to healthcare, lost productivity, crime, and incarceration (National Institute on Drug Abuse, 2020). Drug addiction also exacerbates poverty, family instability, and other social problems that perpetuate cycles of disadvantage.

Given the scale and severity of the drug addiction crisis, comprehensive policy solutions are essential. Legislation can be leveraged to reshape the legal and regulatory landscape in ways that prevent drug abuse, improve access to treatment, and reduce the harmful consequences of addiction.

## **The Role of Legislation in Addressing Drug Addiction**

Lawmakers and policymakers have a variety of policy levers at their disposal to combat drug addiction, including:

- 1) Drug criminalization and sentencing reform
- 2) Harm reduction policies
- 3) Regulation of the pharmaceutical industry
- 4) Expanding access to addiction treatment
- 5) Prevention and education initiatives

These legislative and policy approaches are explored in greater detail below.

### **Drug Criminalization and Sentencing Reform**

For decades, the primary legislative response to drug addiction in the United States and many other countries has been criminalization - treating drug use and possession as criminal offenses punishable by fines and incarceration. The "War on Drugs" launched in the 1970s led to harsh mandatory minimum sentences, aggressive law enforcement tactics, and the mass incarceration of individuals with substance use disorders.

However, a growing body of evidence suggests that a punitive, criminal justice-oriented approach to drug addiction is counterproductive and often exacerbates the problem. Criminalization creates barriers to treatment, perpetuates stigma, and fails to address the root causes of addiction (Csete et al., 2016). Incarceration, in particular, has been shown to increase the risk of fatal overdose upon release, as individuals lose their tolerance for drugs (Binswanger et al., 2013).

In recognition of these shortcomings, many jurisdictions have pursued drug policy reforms that emphasize a public health-oriented, harm reduction approach. Some key reforms include:

- Decriminalizing the possession of small amounts of drugs for personal use
- Eliminating mandatory minimum sentences and expanding the use of diversion programs that redirect people with substance use disorders into treatment instead of jail
- Expanding access to evidence-based harm reduction services, such as syringe exchange programs and safe consumption sites
- Implementing "good Samaritan" laws that protect individuals from criminal penalties when seeking medical assistance for an overdose

Portugal, for example, decriminalized the possession of all drugs for personal use in 2001 and saw dramatic reductions in overdose deaths, HIV/AIDS transmission, and other drug-related harms in the following years (Murkin, 2014). Similarly, several U.S. states have taken steps to decriminalize or legalize marijuana, which has been associated with decreased opioid overdose mortality (Chu, 2015).

While there is still debate around the appropriate legal and regulatory frameworks for drugs, a growing consensus suggests that a public health-oriented, harm reduction approach is more effective than a punitive criminal justice model in addressing drug addiction.

### **Harm Reduction Policies**

Harm reduction is a pragmatic, evidence-based approach to drug policy that prioritizes minimizing the negative consequences of drug use, rather than achieving abstinence. Harm reduction strategies recognize that many individuals with substance use disorders will continue to use drugs despite the risks, and aim to mitigate those risks through a variety of interventions.

#### **Key harm reduction policies include:**

- Syringe exchange programs that provide sterile injection equipment to prevent the spread of infectious diseases like HIV and hepatitis C
- Safe consumption sites that allow individuals to use pre-obtained drugs under medical supervision, with the goal of preventing overdose deaths and linking people to treatment
- Medication-assisted treatment (MAT) using FDA-approved medications like methadone, buprenorphine, and naltrexone to manage opioid addiction

- Distributing the overdose-reversing drug naloxone to first responders, healthcare providers, and the general public
- Good Samaritan laws that protect individuals from criminal penalties when seeking medical help for an overdose

Research has consistently demonstrated the effectiveness of harm reduction strategies in improving health outcomes and reducing the societal costs of drug addiction (Marshall et al., 2018; Potier et al., 2014). Harm reduction approaches are increasingly being incorporated into national and local drug policies, though they remain controversial in some contexts.

### **Regulation of the Pharmaceutical Industry**

The rise in opioid addiction in many countries has placed a spotlight on the role of the pharmaceutical industry in fueling the drug crisis. Aggressive marketing, downplaying of addiction risks, and other irresponsible practices by opioid manufacturers have been major contributors to the epidemic (Quinones, 2015).

In response, lawmakers have pursued a variety of regulatory approaches to rein in the pharmaceutical industry and mitigate the harms of prescription opioids, including:

- Implementing stricter prescribing guidelines and limits on opioid prescriptions
- Requiring pharmaceutical companies to fund public education campaigns and treatment programs
- Holding companies legally liable for the harms caused by their products through lawsuits and financial penalties
- Restricting the marketing and promotion of opioids, particularly to healthcare providers
- Enhancing prescription drug monitoring programs to identify and address problematic prescribing patterns

For example, in 2018, the state of Ohio filed a landmark lawsuit against several major opioid manufacturers, alleging that their deceptive marketing practices fueled the opioid crisis in the state. The case resulted in a \$808 million settlement, with funds earmarked for addiction treatment and prevention efforts (Ohio Attorney General's Office, 2022).

While regulating the pharmaceutical industry is a complex and often contentious issue, such policies are crucial for addressing the root causes of the opioid epidemic and preventing similar crises from emerging in the future.

### **Expanding Access to Addiction Treatment**

A key component of an effective legislative response to drug addiction is improving access to high-quality, evidence-based addiction treatment services. Despite the chronic and relapsing nature of substance use disorders, treatment remains inaccessible or unaffordable for many individuals who need it.

**Policymakers can help expand access to addiction treatment through measures such as:**

- Requiring health insurance plans to provide coverage for substance use disorder treatment, including inpatient, outpatient, and medication-assisted treatment
- Increasing Medicaid reimbursement rates for addiction treatment providers to incentivize greater participation
- Investing in the addiction treatment workforce through loan forgiveness programs, training initiatives, and other support
- Eliminating restrictive regulations, such as limits on the number of patients a provider can treat with medications like buprenorphine
- Expanding the availability of treatment services in underserved communities, including rural areas and low-income neighborhoods

Importantly, treatment expansion efforts should prioritize the use of evidence-based, patient-centered approaches that have been shown to be effective, such as cognitive-behavioral therapy, contingency management, and medication-assisted treatment. Legislation can help ensure that addiction treatment meets high standards of quality and effectiveness.

**Prevention and Education Initiatives**

In addition to expanding access to treatment, policymakers can also play a crucial role in drug addiction prevention and education. Prevention efforts aim to reduce the risk of substance use disorders by addressing underlying social, economic, and environmental factors that contribute to drug abuse.

**Examples of legislative approaches to drug addiction prevention include:**

- Implementing comprehensive school-based drug education and life skills programs
- Funding community-based prevention initiatives that target high-risk populations and address the social determinants of health
- Restricting the marketing and availability of addictive substances, such as limiting the number of alcohol outlets in a given area
- Increasing taxes on alcohol, tobacco, and other addictive products to discourage consumption
- Supporting research into the neurobiology of addiction and the development of more effective prevention strategies

Education campaigns can also be a vital component of a comprehensive legislative approach to drug addiction. Policy-driven public awareness efforts can help reduce stigma, promote harm reduction strategies, and encourage individuals to seek treatment. For example, several states have launched public education campaigns to combat the opioid crisis by educating the public on overdose prevention, naloxone access, and treatment resources.

By investing in a range of prevention and education initiatives, policymakers can play a proactive role in addressing the root causes of drug addiction and reducing the burden on the healthcare system and criminal justice system.

## Conclusion

Drug addiction is a complex, multi-faceted public health crisis that requires a comprehensive, evidence-based policy response. Legislation and policymaking play a crucial role in shaping the legal and regulatory environments that influence patterns of drug use, access to treatment, and the societal consequences of addiction.

### Key legislative approaches to addressing drug addiction include:

- 1) Reforming drug criminalization and sentencing policies to emphasize a public health-oriented, harm reduction approach
- 2) Implementing harm reduction strategies, such as syringe exchange programs and safe consumption sites, to minimize the negative impacts of drug use
- 3) Regulating the pharmaceutical industry to address irresponsible marketing and prescribing practices that have fueled the opioid epidemic
- 4) Expanding access to high-quality, evidence-based addiction treatment services through insurance coverage mandates, Medicaid reimbursement, and workforce development initiatives
- 5) Investing in prevention and education efforts to address the underlying social, economic, and environmental factors that contribute to drug abuse

By leveraging these legislative and policy levers, policymakers can play a critical role in reducing the individual and societal harms of drug addiction. Ultimately, a comprehensive, multi-pronged approach that combines legislation, treatment, and prevention is essential for addressing this complex and pervasive public health challenge.

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