
OPIOID SETTLEMENT PLANNING PROCESS

 COUNTY – DATE – MAC TEMPLATE

OVERVIEW

BACKGROUND

In 2021, a \$26 billion nationwide settlement was reached to resolve all Opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen (“Distributors”), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, “J&J”). In 2022, additional settlements with pharmacies and manufacturers were announced, including CVS, Walmart, Walgreens, Allergan and Teva. In 2023, a settlement with Kroger was also reached. Fifty percent (50%) of the settlement amounts will be sent directly to county and local governments. Payments for all settlements will be received separately. Eighty-five percent (85%) of funds must be used for opioid remediation, with seventy percent (70%) being used for future opioid remediation. Exhibit E of the settlements provides a non-exhaustive list of expenditures that qualify as being paid for Opioid Remediation.

County is currently receiving funds from the following settlements: Distributors, J&J, CVS, Teva, Allergan, Walmart, Walgreens and Kroger. The first of the settlement payments was received on January 31, 2023. The county will have approximately dollars available for allocation annually. Annual settlement payments will differ. The county may receive additional funds through companies Purdue Pharma, Mallinckrodt PLC and Endo in the future, as these companies are pursuing bankruptcy plans that include funding opioid abatement trusts.

GOALS

County aims to utilize opioid settlement funds for the purposes of reducing the adverse impacts of the drug overdose crisis, preventing initiation of substance use and supporting treatment and recovery for those most profoundly impacted by the crisis.

OVERARCHING ACTION PLAN

Step	
1	Develop separate fund for opioid settlement dollars
2	Steering committee creation
3	Stakeholder engagement
4	Gather stakeholder data and information
5	Community needs assessment
6	Multi-sector strategic planning
7	Community forums with experts
8	Strategy/activity selection
9	Spending plan development



10	Community comment period
11	Ongoing monitoring and accountability
12	Ensure equity and inclusion throughout all steps

INITIAL STEPS

DEVELOPMENT OF STEERING COMMITTEE

Step	
1	Create a separate fund for opioid settlement dollars
2	Determine average annual amount of funding available
3	Create engagement strategy associated with community stakeholders
4	Determine process by which strategies/activities will be identified and and funded
6	Determine goals for public-facing information and materials

STAKEHOLDER ENGAGEMENT

UNDERSTANDING THE CURRENT LANDSCAPE

Step	
1	Determine a neutral convener for stakeholder group meetings
2	Identify stakeholder groups to include, ensure inclusion of those most profoundly impacted
3	Have current stakeholders determine which stakeholders are missing from the conversation
4	Identify data, reports, strategic plans, and other information to be shared by stakeholders
5	Create opportunities for stakeholders to share their expertise
6	Create process for assessing current community needs and gaps in the substance use space
7	Create process for prioritizing strategies/activities
8	Conduct multi-sector strategic planning process



PROPOSALS FOR FUNDING

Step	
1	Create request for proposals (RFP) for departments and organizations to request funding
2	Share RFP with stakeholders already engaged, additional stakeholders and the general public
3	Determine which proposals include collaborative with other organizations or institutions
4	Determine which proposals address immediate needs, gaps and priorities
5	Determine which proposals use funds to supplement, rather than supplant, existing funds
6	Award funding, requiring specific metrics be determined to identify impacts of funds
7	Finalize spending plan

TRANSPARENCY

MONITORING & ACCOUNTABILITY

Step	
1	Determine website/platform for public-facing materials and information
2	Share plans or hold meetings for public comment period and incorporate public comments
3	Create and share annual reports highlighting the impact of funds

CURRENT RESOURCES

Step	
1	County/Organization website – LINK
2	Michigan Association of Counties – https://micounties.org/opioid-settlement-resource-center/
3	Michigan Opioid Advisory Commission – http://council.legislature.mi.gov/Council/OAC
4	Michigan Department of Health and Human Services – https://www.michigan.gov/opioids
5	National Association of Counties – https://www.naco.org/resources/opioid-solutions-center
6	National Opioid Settlement – https://nationalopioidsettlement.com/
7	Opioid Settlement Tracker – https://www.opioidsettlementtracker.com/

