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# APPROVED STRATEGIES FOR USE OF OPIOID SETTLEMENT FUNDS

PUBLIC MEETING: JULY 25, 2023

# AGENDA

- Brief summary of opioid lawsuit settlements
- Presentation from the City's Finance Director regarding the funding amounts and timing of payment
- Presentation by the City Attorney regarding the allowed uses and approved strategies under the settlement agreement
- Presentation from Senior Assistant City Attorney/City Prosecutor regarding one proposed strategy to use some or all of the settlement funding
- Public comment
- Council discussion

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# OPIOID LAWSUITS AND SETTLEMENT

## BRIEF SUMMARY

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In 2022 and 2023, the State of Washington, through Attorney General Ferguson, settled multiple lawsuits with opioid manufacturers and distributors for damages caused to the State, and its municipalities, due to the over prescription and over distribution of opioids to the public.

The settlements were part of national opioids settlements against manufacturers and distributors. The settling parties were: Allergan, CVS, Walgreens, Walmart, Johnson & Johnson, Teva, AmerisourceBergen, Cardinal Health and McKesson.

Settlement amounts are paid out over the course of a number of years (it differs from agreement to agreement). In other cases, the State can choose to either take settlement amounts in monetary amounts or in Narcan/equivalent product.

Washington State jurisdictions who signed onto the settlement agreements entered into a Memorandum of Understanding as to how the settlement proceeds would be spent. That MOU dictates how the City Council can utilize the settlement proceeds allocated and distributed to the City. The MOU provides that the City must use the funding under one of three broad categories—treatment, prevention, or other strategies. These will be discussed more later in the presentation.

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# SETTLEMENT FUNDS

JENNIFER FERRER-SANTA INES, FINANCE DIRECTOR

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## OPIOID FUNDS UPDATE

- Yakima expected total distribution = \$1,302,988
- Payable to City over 17 years
- YTD receipt total \$97,093.51
- Annual distributions in July

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# ALLOWED USES AND APPROVED STRATEGIES

HOW THE CITY CAN USE THE SETTLEMENT FUNDS PURSUANT TO THE MOU

# STRATEGY #1:TREATMENT

## TREAT OPIOID USE DISORDER

- Support treatment and any co-occurring substance use disorder or mental health conditions
- Support mental health trauma resulting from traumatic experiences of the opioid user
- Support detox and withdrawal management services
- Support continuum of care services, which include medication-assisted treatment, recovery services, evidence-informed residential service programs
- Support mobile intervention, treatment and recovery services, including co-occurring substance use disorders or mental health conditions.

## SUPPORT PEOPLE IN TREATMENT AND RECOVERY

- Support continuum of care of recovery services and any co-occurring substance use disorder or mental health conditions
- Providing counseling, peer support and treatment with access to medications
- Provide community support services
- Support or expand peer-recovery centers
- Provide support to successful recovery programs to increase their capacity



# STRATEGY #1:TREATMENT

## CONNECTIONS TO CARE

- Connect people who need help to the help that they need
- Provide connections to care to people who have opioid use disorders or are at risk of developing such a disorder, including co-occurring conditions
- Support screening, brief intervention and referral to treatment programs
- Support training for ER personnel on post-discharge planning and community service referrals
- Support mobile intervention, treatment and recovery services, including co-occurring substance use disorders or mental health conditions.
- Support services and needs of pregnant or parenting women with opioid use disorders and their families

## ADDRESS THE NEEDS OF CRIMINAL- JUSTICE INVOLVED PERSONS

- Support pre-trial services that connect individuals with opioid use disorders and co-occurring conditions to treatment and related services
- Provide evidence-informed treatment to those who are incarcerated in jail, those who are leaving jail, persons on probation, or those who have recently left jail
- Provide training on best practices for addressing the needs of criminal-justice involved persons with opioid use disorders and co-occurring conditions
- Support pre-arrest and/or post-arrest diversion and deflection strategies

## STRATEGY #2: PREVENTION

### PREVENT OVER-PRESCRIBING AND MISUSE OF OPIOIDS

- Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids
- Support efforts to discourage or prevent misuse of opioids
- Support training for health care providers regarding safe and responsible prescribing, dosing and tapering
- Support non-opioid pain treatment alternatives through training
- Public education campaigns and drug take-back program funding
- Support education or intervention services in the community

### PREVENT OVERDOSE DEATHS AND OTHER HARMS

- Support efforts to prevent or reduce overdose deaths
- Increase availability and distribution of naloxone and/or other drugs that treat overdoses
- Provide training and education regarding naloxone and other drugs that treat overdoses
- Support mobile units that offer or provide referrals to treatment
- Expand access to testing and treatment for infectious diseases resulting from intravenous opioid use
- Support screening for fentanyl in routine clinical toxicology testing

# STRATEGY #3: OTHER STRATEGIES

## FIRST RESPONDERS

- Fund current and future law enforcement expenditures relating to the opioid epidemic (in addition to the strategies in other categories)
- Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs

## LEADERSHIP, PLANNING AND COORDINATION

- Support efforts to provide leadership, planning, and coordination to abate the opioid epidemic through specified activities, programs and strategies
- Support community regional planning to identify goals for reducing harms related to the opioid epidemic and identify areas of greatest need
- Create a government dashboard to track opioid indicators and supports
- Invest in infrastructure and staffing of organizations supporting collaborative prevention, treatment and recovery strategies

## STRATEGY #3: OTHER STRATEGIES

### TRAINING

- Support training to abate the opioid epidemic through activities and programs (in addition to those trainings specifically outlined in other strategies)
- Provide funding for staff training or networking programs to improve the capability of government and community entities to abate the opioid crisis
- Invest in cross-collaborative team training to include treatment providers, ER physicians and team members, pharmacies, non-profits, community groups and the government

### RESEARCH

- Support opioid abatement research
- Support research regarding the evaluation of programs and strategies allowed for under the settlement agreement
- Research non-opioid treatment of chronic pain
- Research on various models regarding treatment, and results achieved
- Expand research on models to reduce and deter opioid misuse within criminal justice populations

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# PROPOSED STRATEGY FOR SETTLEMENT FUND USE

CITY PROSECUTOR/SENIOR ASSISTANT CITY ATTORNEY CYNTHIA MARTINEZ

## ENHANCE - CITY OF YAKIMA COMMUNITY DIVERSION PROGRAM

- The Community Diversion Program utilizes a collaborative, problem solving approach to crime designed to address root causes of low level crime that is of concern to the community. Participants are assessed to determine needs and programming is tailored to meet the needs of the individual. Participants complete:
  - Chemical dependency assessment and treatment
  - Mental health assessment and treatment
  - Life skills programming
  - Community service hours

# CITY OF YAKIMA COMMUNITY DIVERSION PROGRAM

## NUMBERS:

- 2016 - funded by a private citizen grant
- 2017 - Council funded program
- 27 participants have enrolled this year
- 63 people have successfully completed the program since inception
- 77% of graduates remain crime-free



## FUND A FULL TIME COMMUNITY DIVERSION CASE MANAGER

**Strategy D2.** ADDRESS THE NEEDS OF CRIMINAL JUSTICE INVOLVED PERSONS – Address the needs of persons with OUD and any co-occurring SUD/MH conditions, co-usage, and or co-addiction who are involved or are at risk of becoming involved in the criminal justice system through evidence-based, evidence-informed or promising programs or strategies that may include...

Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions, co-usage, and/or co-addiction to evidence -informed treatment including MAT, and related services.

- The city currently contracts with People for People to provide a part time case manager. With the anticipated increase in participants due to newly adopted RCW's, a full-time case manager may be warranted. Involvement with the recovery navigator program will add new duties to our case manager.



## PROVIDE TREATMENT FUNDING GRANTS FOR THOSE WHO ARE DO NOT BENEFIT TO COVER TREATMENT

**Strategy A1.** TREAT OPIOID USE DISORDER - support treatment of Opioid Use Disorder (OUD) and any co-occurring SUD or Mental Health conditions, co usage, and/or co-addiction through evidence -based, evidence informed or promising programs or strategies that may include...

Expand the availability of treatment for OUD and any co-occurring SUD/MH conditions co-usage and or co-addiction, including all forms of Medication Assisted Treatment (MAT) approved by the US. Food and Drug Administration.

- A certain percentage of CDP participants are on Medicare, which does not cover mental health treatment. Depending on the financial situation of the defendant, which is typically not adequate, the lack of coverage makes it difficult for the individual to complete the CDP program. It would be helpful to be able to grant participants the money for mental health treatment, which is almost always implicated with substance abuse issues.

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# PUBLIC COMMENT

THE MEETING IS NOW OPEN FOR PUBLIC COMMENT REGARDING USE OF THE SETTLEMENT FUNDS IN  
LIGHT OF THE APPROVED STRATEGIES

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# COUNCIL DISCUSSION

NO DECISIONS ARE REQUIRED TO BE MADE THIS EVENING