

The Opioid Settlement: Assessing State's Response Using Guiding Principles

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Shatterproof

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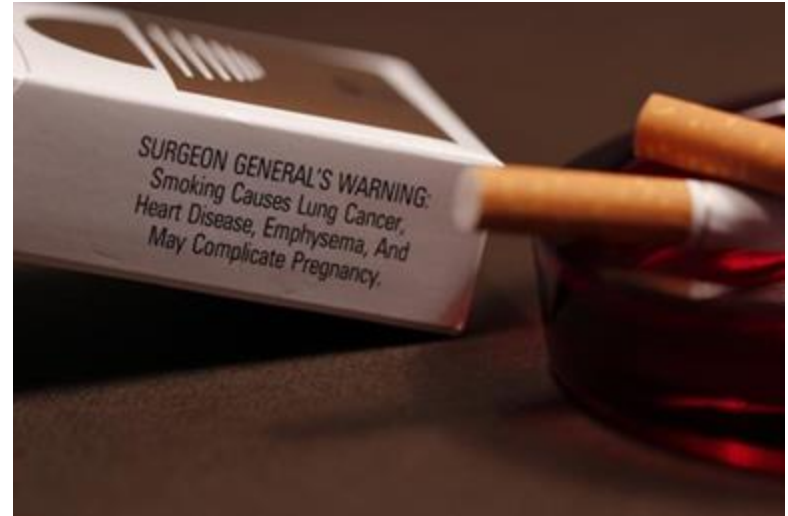
Johns Hopkins Bloomberg School of Public Health

Setting the Scene

Background

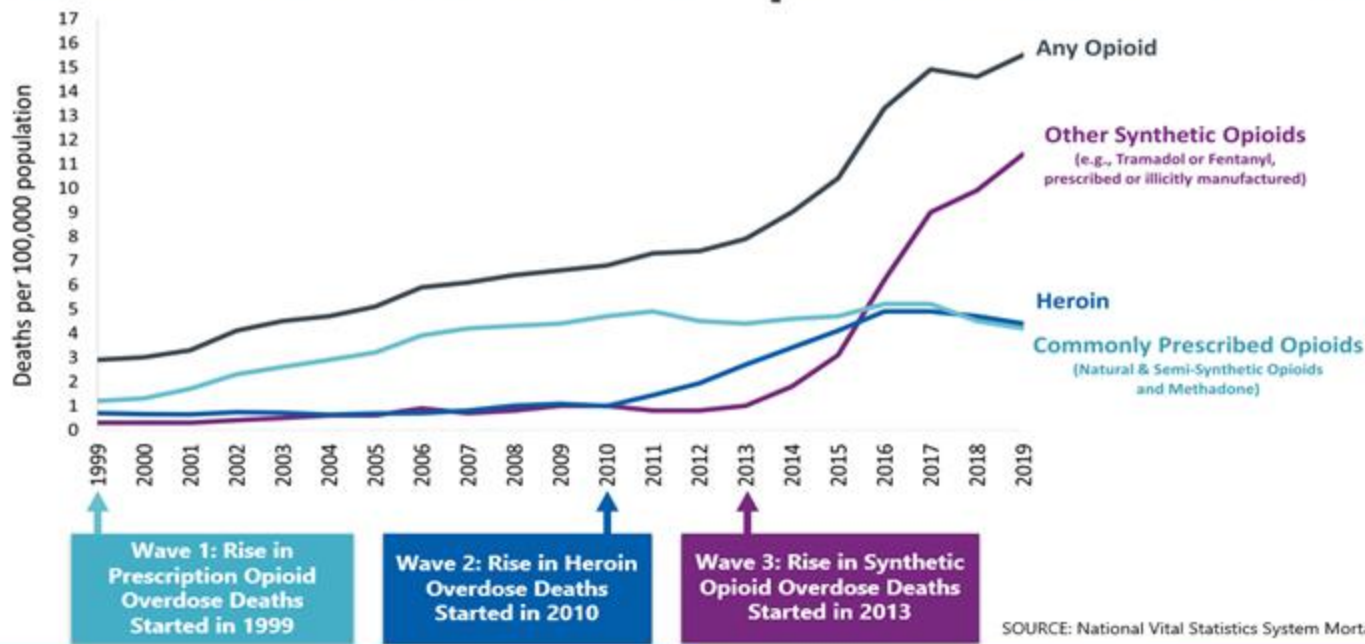
The Tobacco Settlements

\$246 billion over 25 years



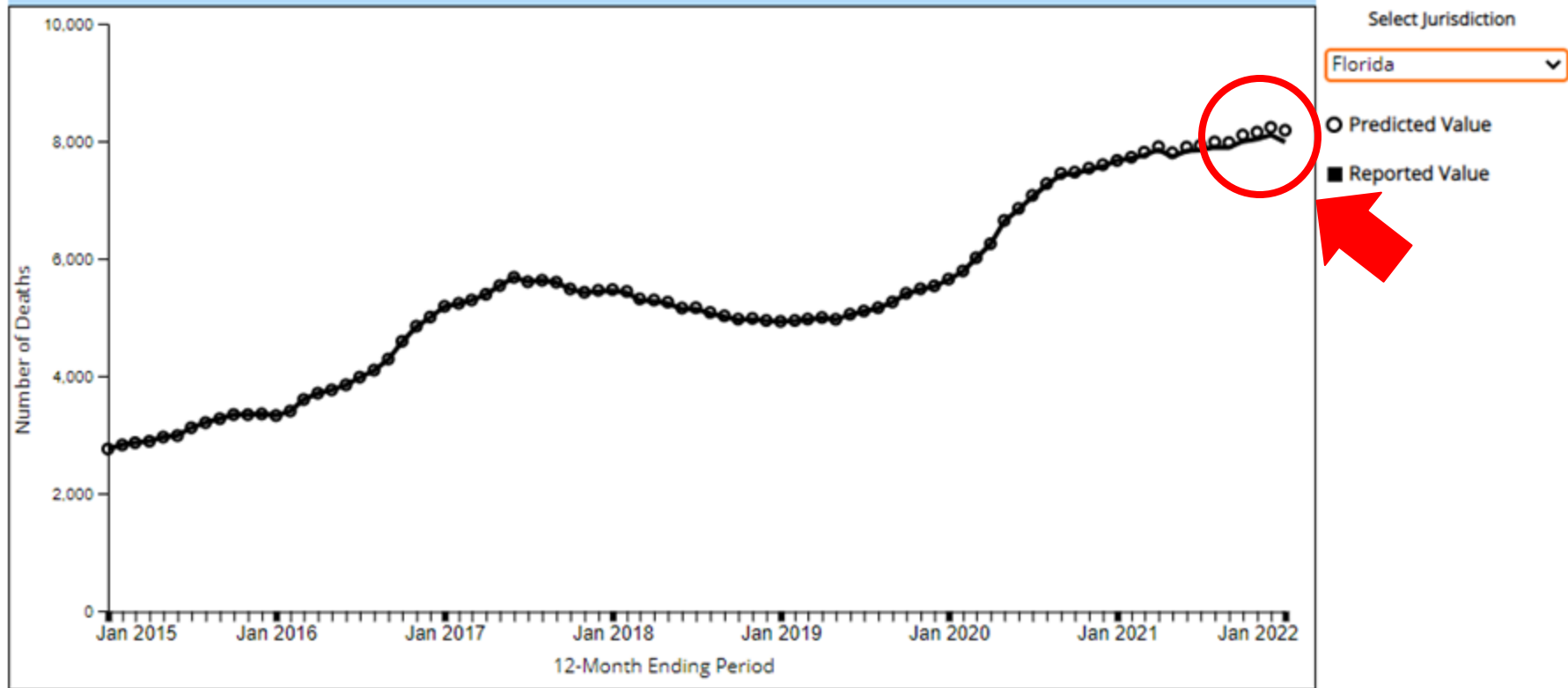
The Opioid Epidemic

Three Waves of the Rise in Opioid Overdose Deaths



Based on data available for analysis on: June 05, 2022

Figure 1a. 12 Month-ending Provisional Counts of Drug Overdose Deaths: Florida



Based on data available for analysis on: June 05, 2022

After opening the **drug class dropdown**, click the top of the dropdown menu again to make the checkboxes disappear.

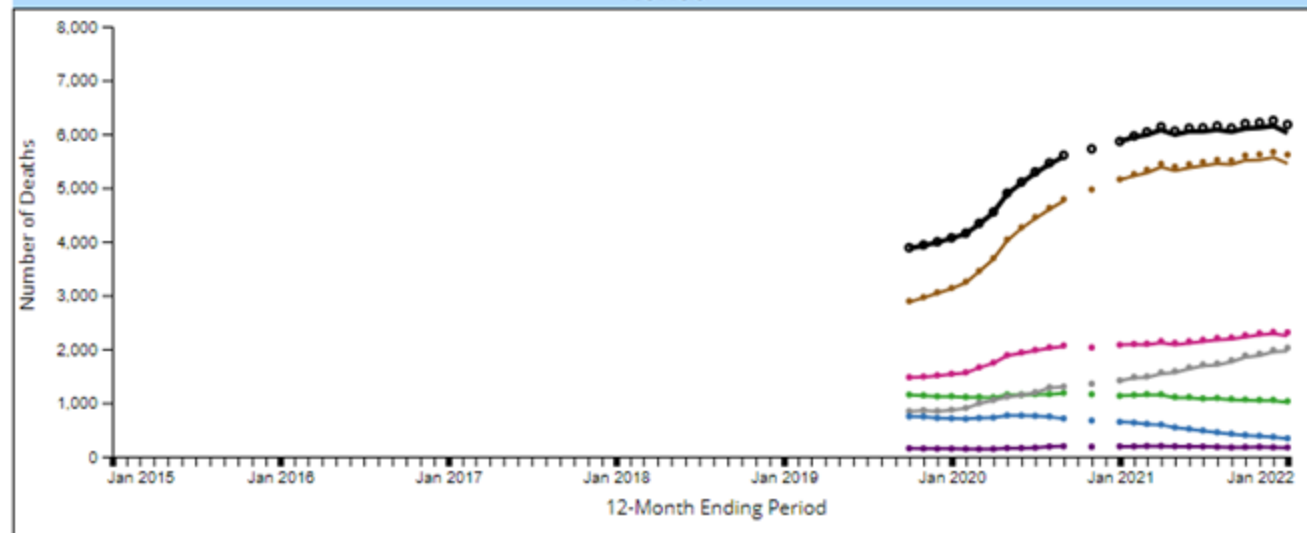
Select Jurisdiction

Florida

Select specific drugs or drug classes

Select drug class

Figure 2. 12 Month-ending Provisional Number of Drug Overdose Deaths by Drug or Drug Class:
Florida



Legend for Drug or Drug Class

Cocaine (T40.5)

Heroin (T40.1)

Methadone (T40.3)

Natural & semi-synthetic opioids (T40.2)

Opioids (T40.0-T40.4, T40.6)

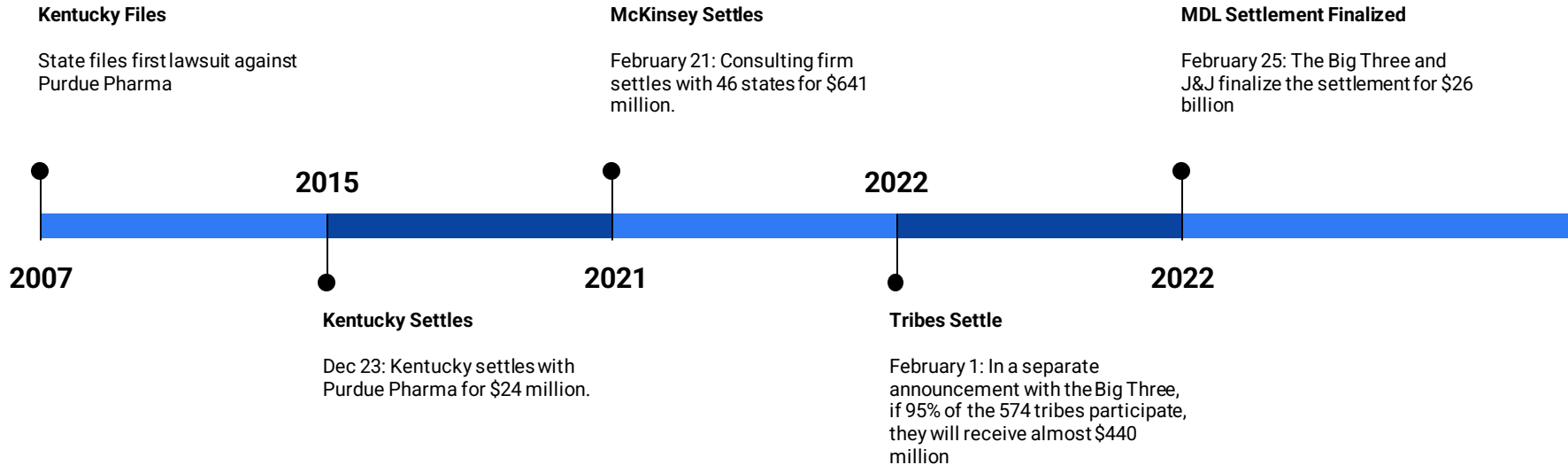
Psychostimulants with abuse potential (T43.6)

Synthetic opioids, excl. methadone (T40.4)

---- Reported Value

○ Predicted Value

The Opioid Litigation



The Opioid Litigation

Over \$32 billion



Florida



- Over \$1.7 billion over 18 years
- 6 separate settlement agreements

Florida



Florida Opioid Settlements Portal

The purpose of this site is to be a resource to counties, municipalities, and the public about the settlements and participation in the settlements.

* The data provided in this portal are estimates and subject to change based on the percentage of participation by Florida subdivisions.

Informational Links

- 🔗 Florida's Opioid Lawsuit
- 🔗 National Opioids Settlement
- 🔗 Florida Proposed MOU
- 🔗 Settlement FAQ's
- 🔗 -> **Form Submission**

As of January 31, 2022, the Distributors and Janssen settlements are finalized. The agreements totaling \$26 billion will help bring desperately needed relief to Americans and Floridians who are struggling with opioid addiction. The total funding distributed will be determined by the overall degree of participation by both litigating and non-litigating state and local governments.

Please [Click Here](#) to see an estimate of the maximum amount that each city and county can expect to receive for abatement related activities under the proposed settlements. The final amount will depend on the number of sign-ons received and fees and costs incurred that need to be paid under the settlement agreements and the statewide agreement. **CLICK** on a County to see the amounts attributable to a county and cities in that County. The amount for the abatement fund (in **GREEN**) is the amount that a county will receive directly if it is a qualified county under the combined settlement or will be indirectly spent regionally in the Managing Entity region where that county is located if counties are not qualified counties. The amount for the city/county fund (in **BLUE**) is an amount that a county or city will receive separately from any abatement fund amount if a city or county joins the settlement. By terms of the settlement agreement, cities less than 10,000 people in population (2019 Census estimate) that are not litigating against the settling defendants do not count in the sign-on calculations. Florida is allowing those cities to participate and receive funds if they sign a participation agreement and release its claims. If a city with a population less than 10,000 people that is not litigating against the settling defendants does not sign-on, those amounts will roll-up to the County where the city is located. Cities and counties may assign or transfer their shares to another city, county, or the state.

Florida Subdivisions

Litigating 97
Non-Litigating 145
Over 10K

Qualified Counties

16

Florida Plan

Signed-On
239

Distributors & Janssen

Signed-On
250

Settlement Documents

- 📄 FL Opioids Allocation + SW Resp Agreement...
- 📄 FL.PA.Distributor (11.15.21).pdf
- 📄 FL.PA.Janssen(11.15.21).pdf
- 📄 Executed - Janssen Florida State-wide Opioid...
- 📄 Executed - Distributors Florida State-wide ...
- 📄 Final Distributor Settlement Agreement - Di...
- 📄 Final Janssen Settlement Term Sheet.pdf

Preparing for Settlement Dollars

The Principles for the Use of Funds from the Opioid Litigation

The Principles for the Use of Funds from the Opioid Litigation

- 1 Spend Money to Save Lives
- 2 Use Evidence to Guide Spending
- 3 Invest in Youth Prevention
- 4 Focus on Racial Equity
- 5 Develop a Fair and Transparent Process

The Coalition

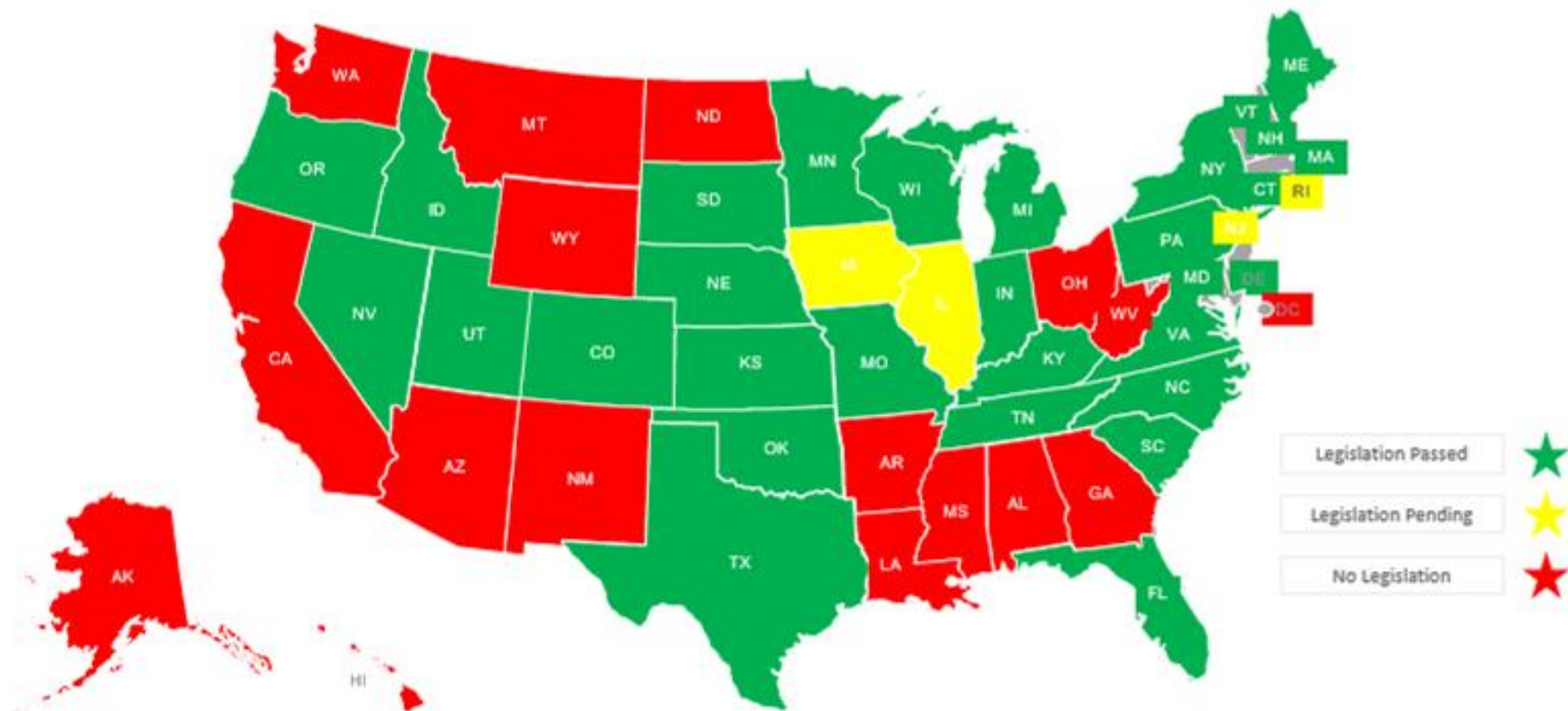


Principle 1

1 Spend Money to Save Lives

- ✓ Establish a dedicated fund
- ✓ Supplement > Supplant
- ✓ Spend money over time
- ✓ Public reporting

Opioid Settlement Legislation



Principle 2

2

Use Evidence to Guide Spending

- ✓ **Programs supported by evidence**
- ✓ **Remove policies that block programs**
- ✓ **Build data capacity**

Florida Dashboard



Principle 3

3 Invest in Youth Prevention

- ✓ Evidence based youth programs
- ✓ Avoid programs shown not to work
- ✓ Evaluate programs for desired outcomes

What Programs Work?



PROGRAM OUTCOMES	
<input type="checkbox"/> Child Maltreatment	
<input type="checkbox"/> Conduct Problems	
<input type="checkbox"/> Delinquency and Criminal Behavior	
<input type="checkbox"/> Externalizing	
<input type="checkbox"/> Gang Involvement	
<input type="checkbox"/> HIV/AIDS	
<input checked="" type="checkbox"/> Illicit Drugs	
<input type="checkbox"/> Intimate Partner Violence	
<input type="checkbox"/> Marijuana/Cannabis	
<input type="checkbox"/> Positive Social/Prosocial Behavior	
<input type="checkbox"/> STIs	
<input type="checkbox"/> Sexual Risk Behaviors	
TARGET POPULATION	
PROGRAM SPECIFICS	
RISK AND PROTECTIVE FACTORS	

Program Search

This interactive search enables you to identify Blueprints-certified interventions based on specific criteria and then browse through a wide range of interventions that match those criteria. Select only a few criteria of importance, as the number of interventions may be reduced by selecting multiple items ACROSS categories, or increased by selecting multiple items WITHIN categories.

Model and Model Plus programs are listed separately from Promising programs. This is because only Model and Model Plus programs have demonstrated efficacy for changing outcomes over time and are recommended for large-scale implementation. Promising programs show promise of efficacy, but require follow-up research before being recommended for large-scale adoption.

24 Programs

[Export to Excel](#) [Copy Search URL](#)

Model & Model Plus: 8		Promising: 16
> PROGRAM	▼ RATING	SUMMARY
Functional Family Therapy (FFT)		 <p>A short-term family therapy intervention and juvenile diversion program helping at risk children and delinquent youth to overcome adolescent behavior problems, conduct disorder, substance abuse, and delinquency.</p>
Target Population		
Outcomes		
Fact Sheet		

Principle 4

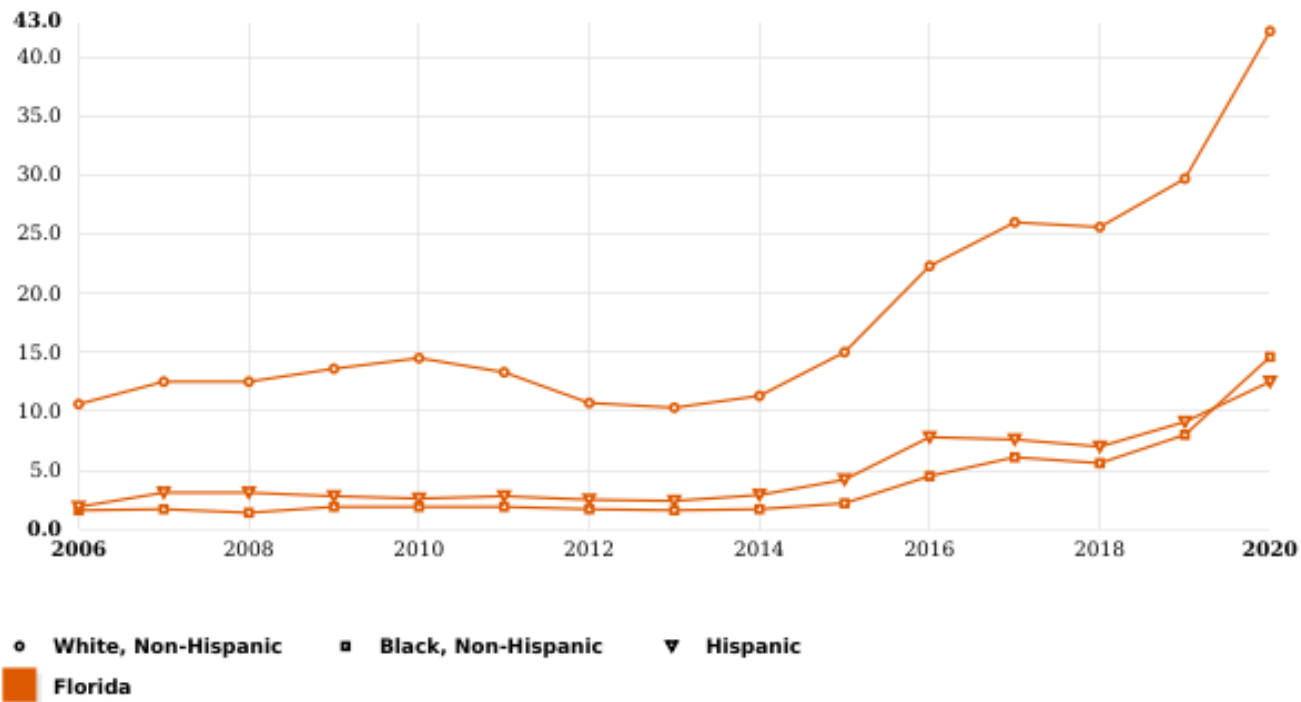
4

Focus on Racial Equity

- ✓ Invest in communities disproportionately impacted
- ✓ Support diversion from arrest and incarceration
- ✓ Fund anti-stigma campaigns
- ✓ Involve community members

Florida Opioid Overdose Deaths by Race/Ethnicity

Opioid Overdose Deaths by Race/Ethnicity: White, Non-Hispanic & Black, Non-Hispanic & Hispanic, 2006 - 2020



SOURCE: Kaiser Family Foundation's State Health Facts.

Principle 5

5 Develop a Fair and Transparent Process

- ✓ **Do a needs assessment**
- ✓ **Get diverse input**
- ✓ **Representation should reflect
the community**



CHAPTER 2022-161

House Bill No. 5013

An act relating to the Opioid Settlement Clearing Trust Fund; creating s. 17.42, F.S.; creating the Opioid Settlement Clearing Trust within the Department of Financial Services; providing sources of funds; providing that the funds are exempt from specified service charges; providing for subdivisions of the funds; authorizing uses of the funds; specifying the purpose of the funds; exempting the trust fund from termination provisions; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 17.42, Florida Statutes, is created to read:

17.42 Opioid Settlement Clearing Trust Fund.—

(1) The Opioid Settlement Clearing Trust Fund is created within the department.

Accountability

Indicators to Assess the Readiness of Governments to Receive Funds

Series of simple questions that can be used by governments or advocates

- ✓ **Spending Money to Address Substance Use**
- ✓ **Establishing an Effective Process**
- ✓ **Informing Evidence-Based Decision-Making**
- ✓ **Promoting Transparency**



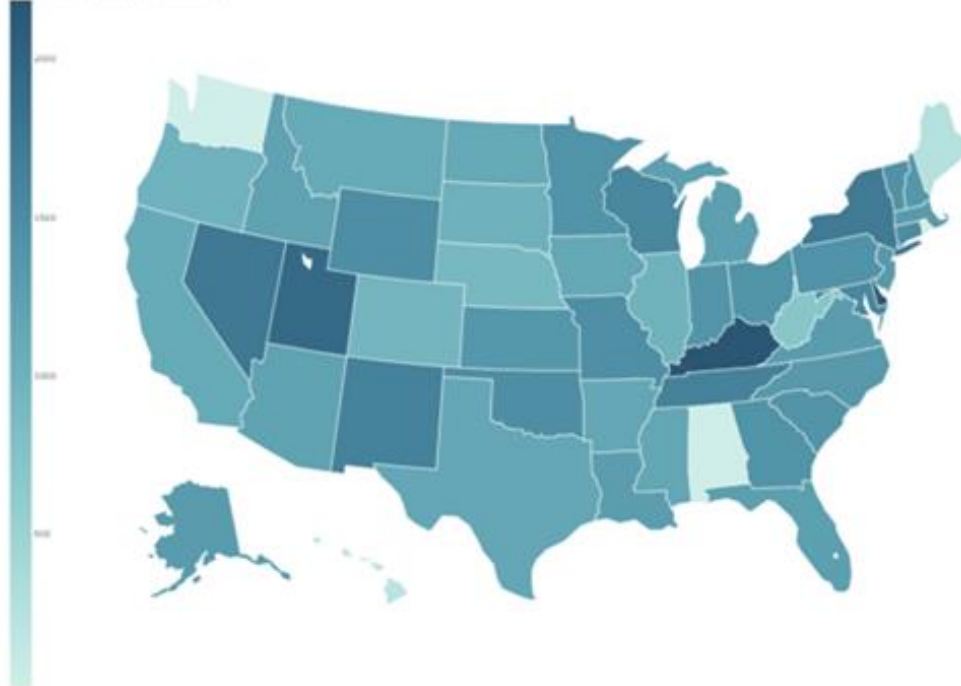
Shatterproof Map

National Allocation of Opioid Settlement Funds by State (2021)

Hover on the map to view sources of allocated opioid litigation funds. You can also select a state name below to learn more about what processes have been enacted and what more needs to be done.

Select...

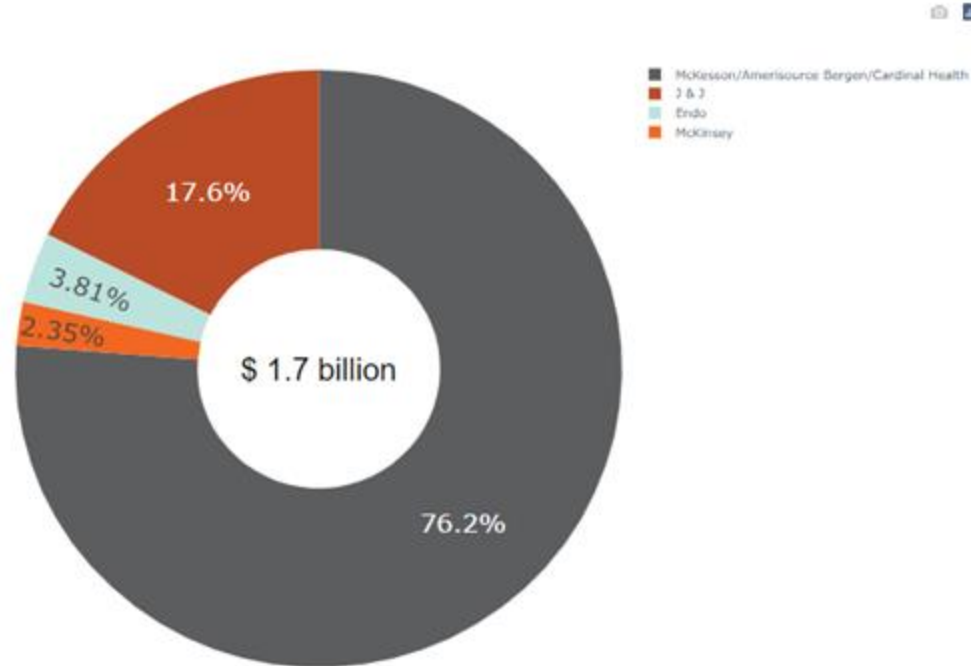
Funds allocated per drug use disorder (\$)



Florida

Florida: Total Distributions by Settlement Fund

While prescription opioid dispensing rates may be declining in U.S. states, the age-adjusted drug death rates (per 100,000 population) has not been affected and, in many cases, is experiencing an increase due to the COVID-19 pandemic and the rise in the use of fentanyl/synthetic opioids. Overall, these key rate trendlines demonstrate the need to ensure settlement funds are flowing directly to needed treatment and recovery support services within states.



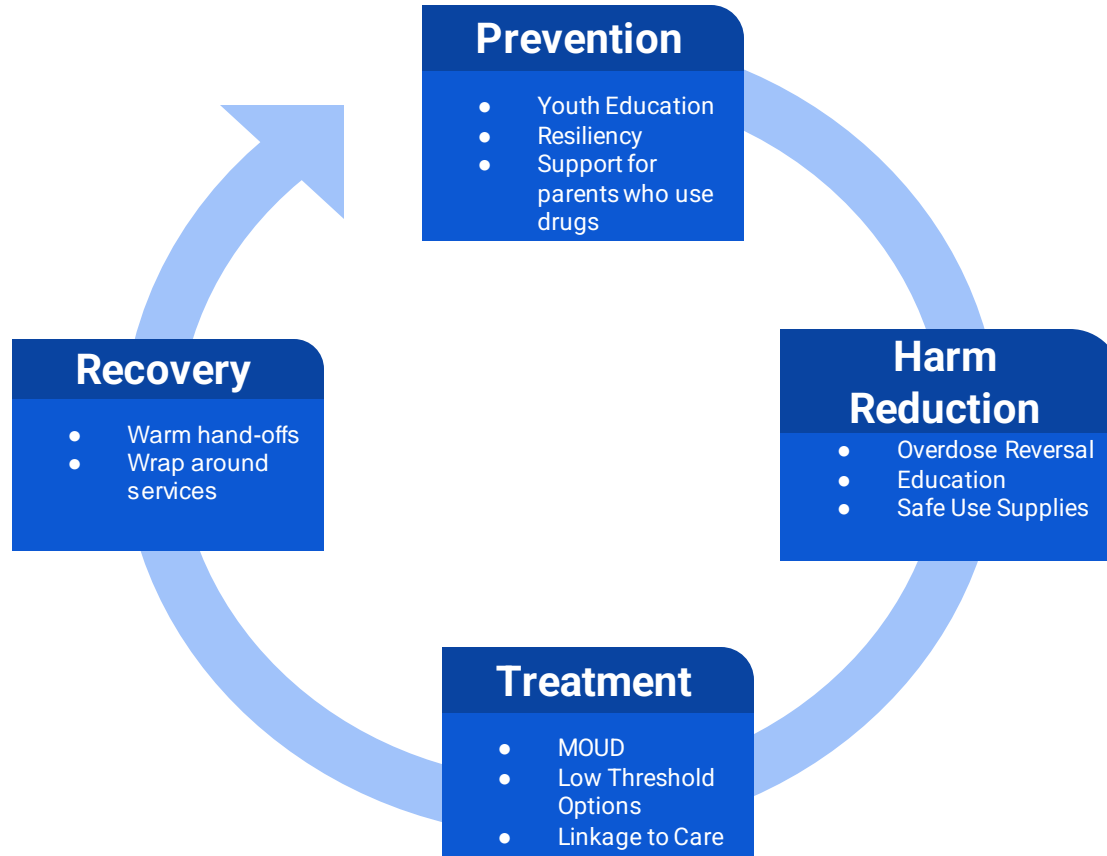
Public Accountability

- Advisory Councils
- Dashboards
- Legislative Process



Resources

Evidence Based Solutions



Evidence VS Reality



Prevention Programs and Policies

Between 2009 and 2019, substance use prevention funding has been cut by 34%

Evidence VS Reality

SSPs save lives by lowering the likelihood of deaths from overdose.



Needle exchanges are a proven tool to fight HIV, but officials still want to shut them down

Indiana Needle Exchange That Helped Contain A Historic HIV Outbreak To Be Shut Down

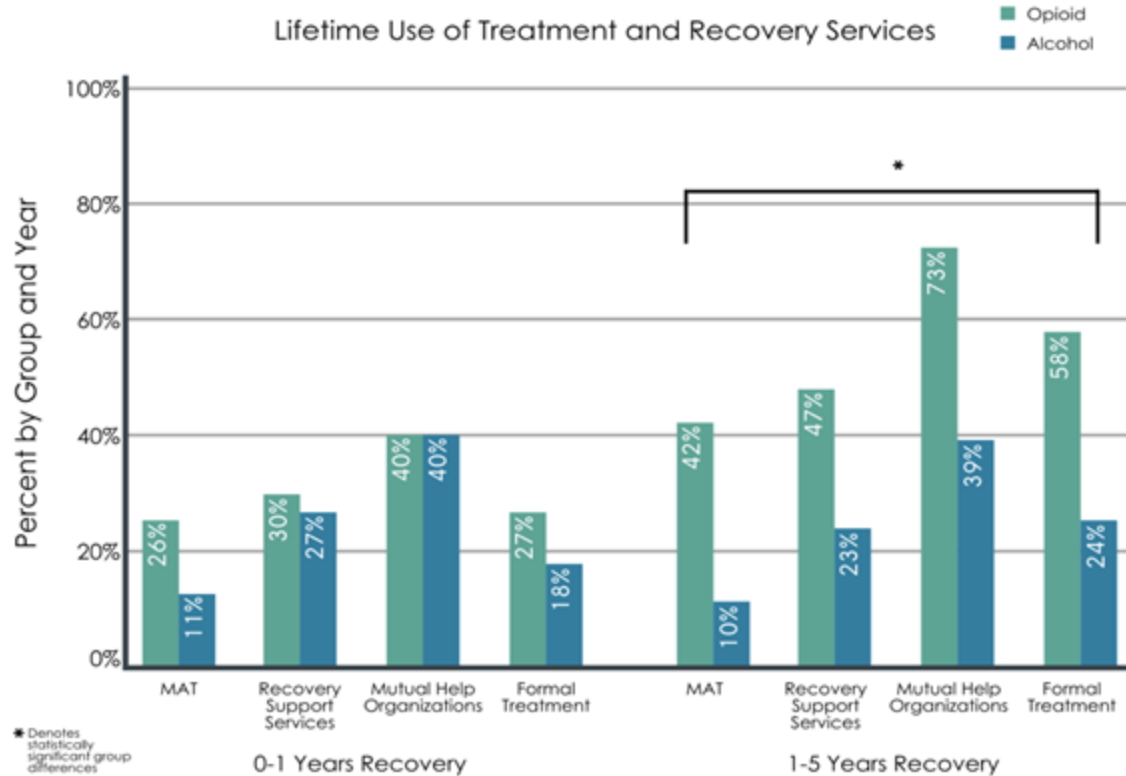
Atlantic City is poised to shut down its syringe exchange — amid warnings of dire public health consequences

Evidence VS Reality



In 2016, just 36% of substance use treatment facilities offered any form of medication treatment for opioid use disorder

Implications for Saving Lives



Resources



FHB Center
for Health & Human Rights
at Harvard University

FROM THE WAR ON DRUGS TO HARM REDUCTION: IMAGINING A JUST OVERDOSE CRISIS RESPONSE

Expert Recommendations for the
Use of Opioid Settlement Funds for
Policy Makers and Advocates

December 2020

Evidence Based Strategies for Abatement of Harms

FROM THE OPIOID
EPIDEMIC

THE OPIOID
EPIDEMIC



CLOUD

Curated Library about Opioid Use
for Decision-makers

Primer on Spending Funds from the Opioid Litigation

A Guide for State and Local
Decision Makers



JOHNS HOPKINS
BLOOMBERG SCHOOL
of PUBLIC HEALTH

Coming Soon

- National Association of Counties
- The Pew Charitable Trusts
- Others



Next Steps

Next Steps

Short Term:

- Coalition
 - Continued collaboration
 - New issues
- Legislation
 - New States
 - Refinement

Long Term:

- Tracking
 - Spending
 - Evidence
- Accountability
 - Stakeholders
 - Public

Questions?

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