

NATIONAL PRESCRIPTION OPIATE LITIGATION

Motion:

Move to approve the allocation of \$31.0 million the state expects to receive in calendar year 2022 under the National Prescription Opiate Litigation, Case MDL 2804, as follows.

1. *Expand Narcan Direct Program.* Allocate \$3.0 million to expand the Narcan Direct program and broaden the list of eligible community agencies. In addition, require that, of the \$3.0 million in additional funding that would be supported by settlement funds, DHS expand program eligibility and prioritize distributions to law enforcement agencies and first responders.
2. *Establish and Fund Program to Distribute Fentanyl Testing Strips.* Allocate \$2.0 million to establish and fund a program to distribute fentanyl testing strips. In addition, direct DHS to make available and prioritize distributions to law enforcement agencies and first responders.
3. *Capital Projects.* Allocate \$10.0 million to fund capital projects that would expand prevention, harm reduction, treatment, and recovery services through the construction of new facilities, and to renovate existing facilities to improve services. In addition, require DHS to allocate funding for a capital project to support the expansion of bed capacity for inpatient treatment and, in particular, support the expansion of available beds for treatment of pregnant and post-partum women in a family-centered treatment environment. Require DHS to distribute at least 30% of the remaining funds for projects in counties with fewer than 500,000 residents.
4. *Funding for Tribal Nations.* Allocate \$6.0 million in settlement funds to federally-recognized tribes in Wisconsin, with the requirement that tribes identify strategies across the continuum of prevention, harm reduction, treatment and recovery for which they plan to use the funds, including culturally-relevant strategies to prevent opioid use, promote health, and community practices.
5. *Central Alert System.* Allocate \$500,000 to improve the central alert system, creating a near real-time overdose surveillance and alert system for use by counties, tribes and other providers statewide. In addition, authorize DHS to use this funding to upgrade the prescription drug monitoring program (PDMP) administered by the Department of Safety and Professional Services.
6. *K-12 Evidence-Based Substance Use Prevention Curriculum or Programs.* Allocate \$250,000 to school districts, independent charter schools, and private choice schools to implement evidence-based substance use prevention programming. Require that funds be distributed to eligible entities in the same manner as under the current Alcohol and Other Drug Abuse (AODA) grants program. In addition, specify that no settlement funds may be expended to support state operations

costs of administering the program.

7. *Medication Assisted Treatment.* Allocate \$2.0 million to increase medication assisted treatment services.

8. *Room and Board Costs for Residential Substance Use Disorder Treatment.* Allocate \$2.5 million to fund room and board costs for Medicaid recipients who receive services under Medicaid's residential substance use disorder treatment program.

9. *Law Enforcement Agencies -- Grant Program.* Allocate \$3.0 million for DHS to distribute to law enforcement agencies, under a competitive grant program, for the following purposes: (a) medication-assisted treatment education and awareness training; (b) community drug disposal programs; (c) treatment of jail inmates with opioid use disorder (OUD); (d) supporting pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring substance use disorder or mental health conditions; and (e) any other permissible uses under the settlement agreements. In addition, specify that at least \$1.0 million be reserved for grants to law enforcement agencies in counties or municipalities with 70,000 or fewer residents.

10. *Grant to a Statewide Community-Based Organization.* Allocate \$750,000 for DHS to provide as a grant to a community-based organization that serves after-school youth for the purpose of implementing and expanding opioid prevention programs. Specify that the organization must use local law enforcement partnerships in its effort to reduce opioid abuse.

11. *"Hub and Spoke" Substance Abuse Pilot Program.* Allocate \$1.0 million for DHS to expand the "Hub and Spoke" Health Home Pilot Project to facilitate the creation of additional lead agencies ("hubs") that provide specialized substance use disorder (SUD) treatment and support services ("integrated recovery support services"), including assessments, medication-assisted treatment, behavioral health care, and other services to medical assistance beneficiaries with SUD and at least one other health condition.

12. *Reporting Requirement.* Require DHS to submit a report to the Joint Committee on Finance by December 31, 2022, and on a quarterly basis thereafter, that includes the following information regarding the opioid settlement funds received from proceedings under the National Prescription Opiate Litigation, Case MDL 2804:

- (a) The amount of opioid settlement funds received by the state, during the quarter for which the report is prepared and cumulatively for the settlement agreements;
- (b) The amount of that funding that has been awarded or allocated by the Department during the quarter and cumulatively, by category of use;
- (c) The amount of funding that has been expended by recipients during the quarter and cumulatively, by category;
- (d) A listing of individual recipients of awarded funds and the amount awarded to each

recipient; and

- (e) An account of program accomplishments or other relevant metrics resulting from the awarded funds.

Note:

This motion would approve a plan to allocate opioid settlement funds the state expects to receive in calendar year 2022 under the National Prescription Opiate Litigation, Case MDL 2804.

The following table (\$ in millions) compares each component of the Department's plan with the plan under this motion.

<u>Component</u>	<u>DHS Plan</u>	<u>Motion</u>	<u>Motion Change from DHS Plan</u>
Expand Narcan Direct Program	\$3.00	\$3.00	\$0.00
Distribution of Fentanyl Testing Strips	2.00	2.00	0.00
Prevention Services	1.00	0.00	-1.00
Capital Projects	11.00	10.00	-1.00
Allocation for Tribal Nations	6.00	6.00	0.00
Central Alert System	0.50	0.50	0.00
K-12 Evidence-Based Substance Use Prevention Curriculum or Programs	2.00	0.25	-1.75
Medication Assisted Treatment	1.00	2.00	1.00
Room and Board Costs for Residential Substance Use Disorder Treatment	2.50	2.50	0.00
Family Support Centers	2.00	0.00	-2.00
Law Enforcement Agencies -- Grant Program	0.00	3.00	3.00
Grant to A Statewide Community-Based Organization	0.00	0.75	0.75
"Hub and Spoke" Substance Abuse Pilot Program	0.00	1.00	1.00
Reporting Requirement	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Total	\$31.00	\$31.00	\$0.00