

To: Board of County Commissioners
Penny Postoak Ferguson, County Manager
From: Julie Karins, Deputy County Manager
Date: June 29, 2023
Re: Spending Authorization for Opioid Settlement Funds

Issue: (Added Per BOCC at COW 6/22/2023) Consider authorizing the allocation of Opioid Settlement Funds received from the Kansas Municipalities Fights Addiction Fund in the amount of \$200,000, distributed evenly, among UCS of Johnson County and the Johnson County Prevention and Recovery Coalition for the purposes of combating and educating the community about the opioid epidemic.

Suggested Motion: I move the Board to authorize the allocation of Opioid Settlement Funds received from the Kansas Municipalities Fights Addiction Fund in the amount of \$200,000, distributed evenly, among UCS of Johnson County and the Johnson County Prevention and Recovery Coalition for the purposes of combating and educating the community about the opioid epidemic.

Background: On June 13, 2019, the BOCC authorized the retention of a special counsel to file a lawsuit to recover damages sustained by Johnson County related to the opioid epidemic, including claims related to the manufacturing, marketing, promotion, distribution, dispensing, and prescription of opioids.

In 2021, the Kansas Legislature enacted the Kansas Fights Addiction Act, which authorizes litigating municipalities such as Johnson County to access opioid litigation settlement funds and become eligible for certain state grants by entering into an agreement releasing Johnson County's opioid claim to the Kansas Attorney General.

On December 16, 2021, the Board approved Resolution No. 109-21, Joining the Kansas Opioids MOU. Under the MOU, monies are equally allocated between cities and counties.

On July 21, 2022, the Board approved Resolution No. 048-22, Establishing a fund for receiving opioid allocations.

On April 6, 2023, Chairman's Note for the Record that he will be signing the opt-in participation documentation for an additional five (5) settlements in the nationwide opioid litigation involving pharmacies CVS, Walgreens, and Walmart, and manufacturers Teva and Allergan.

It is anticipated Johnson County will receive approximately \$10.1 million over 17 years, resulting in \$600,000 annually for programming. Johnson County has received a total amount of \$1,385,092.15 to date.

On June 22, 2023, the Board convened during a Committee of the Whole where the Board discussed the proposed recommendations for allocating the Opioid Settlement Funds for its initial use to combat and educate the Johnson County community, targeting investments in UCS of Johnson County and the Johnson County Prevention and Recovery Coalition. Additionally, it was proposed to open a special budgeting process for the allocation of the existing remaining funds for FY 2023/2024, and for all future opioid settlement funds to be allocated via the normal budgeting procedure.

Analysis:

Johnson County Prevention and Recovery Coalition:

In March of 2022, a group of community stakeholders came together to tackle the concerning trend of opioid and fentanyl misuse and death in our community. The coalition has grown to include members of diverse sectors including healthcare providers, school professionals, first responders, community advocates, treatment, and recovery community, along with many more.

Through the leadership of Johnson County Mental Health Center, the coalition is utilizing the Strategic Prevention Framework, an evidence-based process, to plan, implement and evaluate prevention efforts. Within the first year of establishment, the coalition has developed a leadership team, identified the mission and vision, and created workgroups to carry out the priorities. 140 members on the mailing list. Monthly participation averages around 25 individuals.

United Community Services of Johnson County:

Since 1967, UCS has been the catalyst and resource to ensure that the human service system meets the needs of Johnson County, Kansas residents. UCS is a planning partner with United Way of Greater Kansas City and provides information, trends analysis, and documentation to enhance community-wide planning and decision-making.

The UCS is the administrator of the Substance Use Continuum of Care Fund (SUF), formerly known as the Alcohol Tax Fund (ATF). SUF is an annual, competitive grant review process awarding alcohol tax and opioid settlement funds to agencies that provide evidence-based and best practice programs in substance use education, prevention, intervention, treatment, recovery, and reintegration for Johnson County residents.

Funding Overview: Funding of the \$200,000 will come from the Opioid Settlement Fund.

Alternatives:

1. Authorize the allocation of the Opioid Settlement Funds in the amount of \$200,000, distributed evenly, among UCS of Johnson County and the Johnson County Prevention and Recovery Coalition.
2. Do not authorize the allocation of the Opioid Settlement Funds in the amount of \$200,000, distributed evenly, among UCS of Johnson County and the Johnson County Prevention and Recovery Coalition.

Recommendation: Staff recommends the Board authorize the allocation of Opioid Settlement funds received from the Kansas Municipalities Fights Addiction Fund in the amount of \$200,000, distributed evenly, among UCS of Johnson County and the Johnson County Prevention and Recovery Coalition for the purposes of combating and educating the community about the opioid epidemic.

Purchasing Review: This item does not require Purchasing approval.

Budget Review: Budget and Financial Planning staff have reviewed and approve this item.

Legal Review: The Legal Department has reviewed and approve this item.