



**PRINCE GEORGE'S COUNTY  
BOARD OF HEALTH**

# **Update on the Opioid Restitution Funds:** *Additional Information*

*November 12, 2024*

# Settlement Overview

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- Maryland expects to receive a substantial amount of funds from prescription opioid-related legal settlements in the coming years. Maryland's Opioid Restitution Fund (ORF) was established in 2019 to receive any funds received at the state level, whether designated for use at the state's discretion or to be distributed to local subdivisions.
- The Opioid Restitution Fund, settlement agreements, and additional agreements between the State of Maryland (such as the Janssen State Subdivision Agreement) place restrictions on the use of settlement funds in Maryland. *The allocation of funds between the State of Maryland and local subdivisions varies by settlement.*

# Maryland Finalized Settlements

(as of the 2024 fiscal year)

**McKinsey & Company Settlement**

**Janssen Settlement** (Johnson & Johnson and three prescription opioid distributors: McKesson, Cencora and Cardinal Health)

**Walmart**

**Walgreens**

**Allergan**

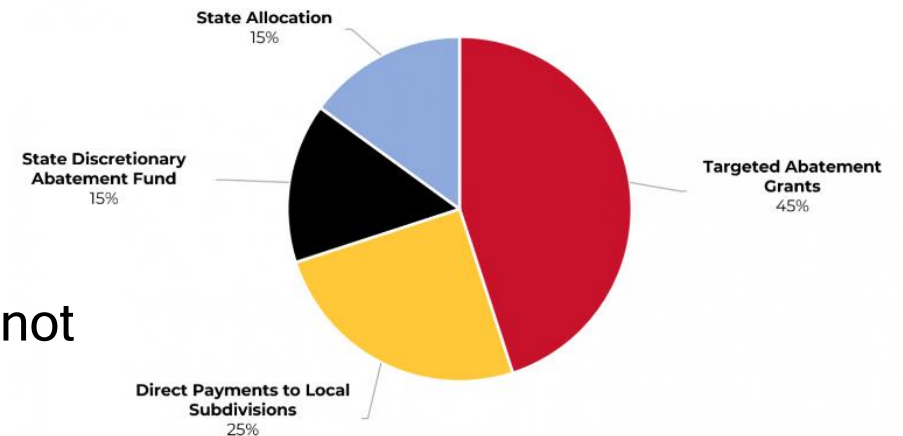
**Teva**

**Publicis Health**

*Funding from these settlements is already underway to the State: some settlement amounts have been paid fully, some partially; some funds have been allocated, others have not been.*

# Allocation of Janssen Settlement and Walmart/Walgreens/Allergan/Teva Settlements' Funds

- An agreement between the State of Maryland and local subdivisions participating in the Janssen as well as Walmart, Walgreens, Allergan, and Teva settlements (known as the “State-Subdivision Agreement”) describes how funding from this settlement will be distributed among Maryland subdivisions through the ORF. Funding under this agreement must comport with Exhibit E of the Janssen national settlement.
- These funds will be distributed into four streams:
  - State Allocation (15%): allocated at state discretion
  - Targeted Abatement (15%): formula based
  - State Discretionary Abatement Fund (45%): competitively distributed
  - Direct payments to local subdivisions (25%): funds not allocated through the ORF



# Allocation and Use of Janssen Settlement and Walmart/Walgreens/Allergan/Teva Settlements' Funds Cont.

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- State Allocation (15% of Janssen and Walmart/Walgreens/Allergan/Teva settlements funding): *Funds that may be used at the discretion of the state for opioid abatement purposes.*
  - Subject to ORF Advisory Council recommendations.
- Targeted Abatement Fund (45% of Janssen and Walmart/Walgreens/Allergan/Teva settlements funding): *State-administered funding that is distributed to local subdivisions on a formula basis.*
  - Eight “Qualifying Charter Counties” are eligible to receive funding within 30 days of the deposit of annual installments in the Targeted Abatement Subfund, including Prince George’s County. The remaining 51 subdivisions must submit “Local Abatement Plans” and participate in a block grant program administered by the Maryland Department of Health to receive their portion of these funds.
  - Not subject to ORF Advisory Council recommendations.
- State Discretionary Abatement Fund (15% of Janssen and Walmart/Walgreens/Allergan/Teva settlements funding): *Funds that may be used at the discretion of the state for opioid abatement purposes after considering grant applications from local subdivisions with a population of less than 10,000 people.*
  - Subject to ORF Advisory Council recommendations.
- Direct Payments to Local Subdivisions (25% of Janssen and Walmart/Walgreens/Allergan/Teva settlements funding): *These funds are provided directly to local subdivisions.*
  - Direct payments are not allocated through the ORF.
  - Not subject to ORF Advisory Council recommendations.

# Total Maryland Funding (as of FY 2024)

<b>Prescription Opioid-Related Settlement Funds Received in Maryland</b>			
<b>Settlement</b>	<b>FY 2023 Amount Received</b>	<b>FY 2024 Amount Received</b>	<b>FY 2023 and FY 2024 Cumulative Total</b>
<b>Settlement Payments received through the Opioid Restitution Fund</b>			
McKinsey & Company	\$11,050,093.00	\$517,018.21	\$11,567,111.21
Janssen (Johnson & Johnson, McKesson, AmerisourceBergen, & Cardinal Health)	\$46,889,761.23	\$34,600,417.84	\$81,490,179.07
<i>State Allocation (15%)</i>	\$11,258,774.86	\$18,252,236.18	\$29,511,011.04
<i>State Discretionary Abatement Fund (15%)</i>	\$11,258,774.86	\$8,174,090.83	\$19,432,865.69
<i>Targeted Abatement Fund (45%)</i>	\$24,372,221.51	\$8,174,090.83	\$32,546,312.34
Walmart, Walgreens, Allergan, and Teva	<i>none</i>	\$58,084,896.03	\$58,084,896.03
<i>State Allocation (15%)</i>	<i>none</i>	\$34,437,417.08	\$34,437,417.08
<i>State Discretionary Abatement Fund (15%)</i>	<i>none</i>	\$11,823,739.49	\$11,823,739.49
<i>Targeted Abatement Fund (45%)</i>	<i>none</i>	\$11,823,739.49	\$11,823,739.49
Publicis Health	<i>none</i>	\$7,239,389.04	\$7,239,389.04
<b>Total Opioid Restitution Fund</b>	<b>\$57,939,854.23</b>	<b>\$100,441,721.12</b>	<b>\$158,381,575.35</b>
<b>Settlement Payments not deposited in the Opioid Restitution Fund</b>			
Total Local Distribution (Non Opioid Restitution Fund): Direct payments to local qualifying subdivisions*	<b>\$13,540,117.51</b>	<b>\$29,272,029.61</b>	<b>\$42,812,147.12</b>
<b>Prescription Opioid-Related Settlement Funds</b>	<b>\$71,479,971.74</b>	<b>\$129,713,750.73</b>	<b>\$201,193,722.47</b>

\* Janssen Settlement funds, which are distributed directly to local qualifying subdivisions in Maryland (including Prince George's County) by the settlement administrator, Brown Greer PLC. Direct payments to local qualifying subdivisions are not deposited into the Opioid Restitution Fund

# State Opioid Restitution Funds Allocated and Expended to Date (as of FY 2024)

<b>Opioid Restitution Funds Received, Allocated, &amp; Expended As of the 2024 Fiscal Year</b>			
<i>Settlement</i>	<i>Amount Received</i>	<i>Amount Allocated, Distributed</i>	<i>Amount Expended</i>
<b>McKinsey &amp; Company</b>	<b>\$11,567,111.21</b>	<b>\$10,007,084.39</b>	<b>\$5,892,506.01</b>
<b>State-Subdivision Agreement Funds (Janssen, Walmart, Walgreens, Teva, and Allergan Settlements)</b>	<b>\$139,575,075.10</b>	<b>\$58,707,649.09</b>	<b>\$3,344,591.26</b>
<i>State Allocation</i>	<i>\$31,256,605.16</i>	—	—
<i>State Discretionary Abatement Fund</i>	<i>\$31,256,605.16</i>	—	—
<i>Targeted Abatement Fund</i>	<i>\$77,061,864.78</i>	<i>\$58,707,649.09</i>	<i>\$3,344,591.26</i>
<b>Publicis Health</b>	<b>\$7,239,389.04</b>	—	—
<b>FY 2024 Total</b>	<b>\$158,381,575.35</b>	<b>\$68,714,733.48</b>	<b>\$9,237,097.27</b>

\* Note: \$158 million is a cumulative total (FY 2023 and FY 2024)

# How much funding did Prince George's County receive?

Tree of Hope Association that serves Montgomery and Prince George's County received \$25,000 to support transportation assistance for individuals accessing recovery services through the *Access to Recovery Emergency Gap Funds Grant Program*.

Through Targeted Abatement Fund Distributions, FY through 2024, Prince George's County received a \$7,382,007 allocation.

*Note that additional opioid settlement funds, as shown on slide 6, are provided as direct payments (not through the Opioid Restitution Fund) to local qualifying subdivisions, which include Prince George's County. This amount was not identified in time to be included in this presentation.*

Opioid Restitution Funds Received, Allocated, & Expended As of the 2024 Fiscal Year			
Settlement	Amount Received	Amount Allocated, Distributed	Amount Expended
McKinsey & Company	\$11,567,111.21	\$10,007,084.39	\$5,892,506.01
State-Subdivision Agreement Funds (Janssen, Walmart, Walgreens, Teva, and Allergan Settlements)	\$139,575,075.10	\$58,707,649.09	\$3,344,591.26
State Allocation	\$31,256,605.16	—	—
State Discretionary Abatement Fund	\$31,256,605.16	—	—
Targeted Abatement Fund	\$77,061,864.78	\$58,707,649.09	\$3,344,591.26
Publicis Health	\$7,239,389.04	—	—
<b>FY 2024 Total</b>	<b>\$158,381,575.35</b>	<b>\$68,714,733.48</b>	<b>\$9,237,097.27</b>



# Additional Settlement Details

<i>Prescription Opioid-Related Settlement Funds Received in Maryland: Details</i>					
<b>Settlement</b>	<b>FY 2023 and FY 2024 Cumulative Total</b>	<b>National Settlement</b>	<b>Total Anticipated Maryland Share</b>	<b>Duration</b>	<b>Status</b>
McKinsey & Company	\$11,567,111.21	\$573 million	\$12,084,129.00	July 2021 - July 2024	<i>Received, disbursed and final allocation for the remaining funds will be made in FY 2025</i>
Janssen (Johnson & Johnson, McKesson, AmerisourceBergen, & Cardinal Health)	\$124,302,326.19	~\$21 billion	\$395,000,000.00	18 years	<i>Partially received, allocations have been made only for Targeted Abatement Fund and Direct Payments to Local Subdivisions</i>
Walmart, Walgreens, Allergan, and Teva	\$58,084,896.03	\$13.7 billion	\$238,685,753.37	<i>Varies, 6-15 years depending on specific settlement</i>	<i>Partially received, allocations have been made only for Targeted Abatement Fund and Direct Payments to Local Subdivisions</i>
Publicis Health	\$7,239,389.04	\$7 million	\$7,239,389.04	<i>One-time payment in FY 2024</i>	<i>Received, allocations have not been made</i>
<b>Total Funds</b>	<b>\$201,193,722.47</b>		<b>\$653,009,271.41</b>		

*\* Prescription Opioid-Related Settlement Funds total includes both funds from the Opioid Restitution Fund and funds, which are distributed directly to local qualifying subdivisions in Maryland (including Prince George's County) by the settlement administrator, and are not deposited into the Opioid Restitution Fund.*

# Use of Opioid Restitution Funds

## McKinsey & Company Settlement

- Examination and Treatment Act Grant Program (focused on screening, recovery and re-entry services for incarcerated)
- Access to Recovery Emergency Gap Funds Grant Program (focused on transportation to/from recovery services and extended stays in recovery housing)
- Data-Informed Overdose Risk Mitigation (used to fund MD THINK for data collection and analysis to inform policy)

↳ *Nearly all funds are allocated for this settlement*

## Remaining Funds:

Janssen Settlement  
Walmart  
Walgreens  
Allergan  
Teva  
Publicis Health

*Subject to  
guidance  
provided in:*

1

Opioid Restitution Fund governed by the State Finance and Procurement Article §7-331

2

Subdivision Agreement

3

Settlement Agreement

# Opioid Restitution Fund use of funds: State Finance and Procurement Article §7-331

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1. **Naloxone Access:** Improving access to naloxone medications proven to prevent or reverse an overdose.
2. **Peer Support and Referrals:** Supporting peer support specialists and screening, brief intervention, and referral to treatment services for hospitals, correctional facilities, and other high-risk populations.
3. **Access to Medication:** Increasing access to medications that support recovery from substance use disorders.
4. **Heroin Coordinator Expansion:** Expanding the heroin coordinator program, including administrative expenses.
5. **Crisis Bed/Residential Expansion:** Expanding access to crisis beds and residential treatment services.
6. **Safe Stations, Mobile Crisis, Crisis Stabilization:** Expanding and establishing safe stations, mobile crisis response systems, and crisis stabilization centers.
7. **Crisis Hotline:** Supporting the behavioral health crisis hotline.

# Opioid Restitution Fund use of funds: State Finance and Procurement Article §7-331

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8. **School Education:** Organizing primary and secondary school education campaigns to prevent opioid use, including administrative expenses.
9. **Enforcement:** Enforcing the laws regarding opioid prescriptions and sales, including administrative expenses.
10. **Research:** Researching and training for substance use treatment and overdose prevention, including administrative expenses.
11. **Other Evidence-Based Treatment:** Supporting and expanding other evidence-based interventions for overdose prevention and substance use treatment.
12. **Pilot Programs:** Evidence-informed substance use disorder prevention, treatment recovery, or harm reduction pilot programs or demonstration studies that are not evidence-based if approved by the Opioid Restitution Fund Advisory Council.
13. **Evaluations:** Evaluations of the effectiveness and outcomes reporting for substance use disorder abatement infrastructure, programs, services, supports, and resources for which money from the fund was used, including evaluations of the impact on access to harm reduction services or treatment for substance use disorders and the reduction in drug-related mortality.

# Opioid Restitution Fund Advisory Council

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- In 2022, Maryland established the **Opioid Restitution Fund Advisory Council** through **House Bill (HB) 794** to provide recommendations regarding the use of prescription opioid-related settlement funds received through the Opioid Restitution Fund. The mandate for the ORF Advisory Council was updated in 2024 through **Senate Bill 751**.
- As specified by HB 794, by November 1 of each year, the Advisory Council must provide recommendations to the Governor and Secretary of Health regarding the allocations of money from the Opioid Restitution Fund. In addition to adhering to the allowable uses of the Opioid Restitution Fund, the Advisory Council's recommendations must also consider the following criteria:
  - 1. the number of people per capita with a substance use disorder in a jurisdiction;*
  - 2. disparities in access to care in a jurisdiction that may preclude persons;*
  - 3. the number of overdose deaths per capita in a jurisdiction;*
  - 4. the programs, services, supports, or other resources currently available to individuals with substance use disorders in a jurisdiction; and*
  - 5. disparities in access to care and health outcomes in a jurisdiction.*



# Maryland Opioid Restitution Fund Expenditure Report

Fiscal Year 2024

Submitted by Maryland's Office of Overdose Response

Released: November 1, 2024

Pursuant to State Finance and Procurement Article § 7-331 (Chapter 537 of the Acts of 2019) and in accordance with § 2-1257 of the State Government Article, Copies of this report have been delivered to the Maryland Department of Legislative Services Library pursuant to Maryland State Education Code § 23-301(e).

- This presentation is based primarily on the information from the [Maryland Opioid Restitution Fund Expenditure Report for FY 2024](#)
- Additional information is available at [Maryland's Office of Overdose Response](#) website
- Thank you to Michael Coury, the Director of Communications of the Maryland's Office of Overdose Response, for additional guidance
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