

# Rock County Opioid Settlement Funds

## *Update and Implementation Plan*



Presented to the Rock County  
Board of Supervisors

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## BACKGROUND INFORMATION

The National Opioid Settlement is a legal agreement first reached in February 2022 to resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen as well as manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson. These settlements will provide substantial funds to states and subdivisions for abatement of the opioid epidemic across the country. Wisconsin will receive over \$400 million from the settlements. Under 2021 Wisconsin Act 57, 30% of the payments are allocated to the State and the remaining 70% is allocated to communities that joined this litigation.

Rock County is an entity that joined the litigation and started receiving funds from the settlement in late 2022. It is anticipated that Rock County will receive approximately \$6.6 million from the initial settlement; however, the total amount is subject to change.

In February 2022, an Opioid Settlement Workgroup was formed for Rock County with representatives from the Public Health Department, the Human Services Department, County Administration, Corporation Counsel, and the Sheriff's Office. This group met every other week from February 28th through June 20th to gather information, collect feedback, and discuss options for the use of the settlement funds. The workgroup developed a report, [Rock County Opioid Settlement Funds: Report of Recommendations](#), which was presented to the Rock County Board of Supervisors in September of 2022.

The Report of Recommendations included a list of priority areas, identified by the community, where needs and gaps could be addressed with settlement funds. These areas include: 1) Increase Access to Sober Living, 2) Increase Access to Higher Level Treatment Options Located in Rock County, 3) Provide Evidence-Based Youth Substance Use Prevention and/or Intervention, 4) Provide Substance Use Disorder (SUD) and Mental Health Assessment with Rapid Access to Treatment in the Criminal Justice System, 5) Increase Case Managers/Navigators with Access to Flex Funds, and 6) Increase access to Certified Peer Support Specialists.

Rock County was one of two inaugural winners of the [Excellence in the Application of the Opioid Litigation Principles Awards](#). These awards are designated by a coalition led by faculty at the Johns Hopkins Bloomberg School of Public Health that developed a set of evidence-based guidelines, known as the Principles, to help policymakers use settlement funds effectively and equitably. This award reflects the workgroup's efforts to focus on evidence, equity and transparency in the planning process.

The Report of Recommendations was further discussed with the Rock County Human Services Board on February 22, 2023, the Rock County Board of Health on March 1, 2023, and the Rock County Public Safety & Justice Committee on March 6, 2023. All three committees voted to endorse the recommendations listed in the report as priorities for the use of opioid settlement

funds. This endorsement provided the guidance needed for the workgroup to develop specific objectives related to the priority areas. This report outlines those specific objectives.

## SETTLEMENT UPDATE

### **New settlements**

In December 2022, it was announced that CVS and Walgreens have finalized opioid abatement agreements. The Rock County Board of Supervisors [voted to authorize Rock County](#) to enter into settlement agreements with Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Walgreen Co., Walmart, Inc., CVS Health Corporation and CVS Pharmacy, Inc. on March 9, 2023. The terms of these settlements are still pending. It is not known exactly how much Rock County will receive from these settlements; however, a rough estimate is around \$5 million. The County was also notified that it will receive \$55,000 from the Mallinckrodt, PLC bankruptcy in the coming months.

### **State of Wisconsin settlement updates**

Since the Report of Recommendations was finalized, there have been changes to the State’s plan for how they are and will continue to use their portion of the settlement.

UPDATED July 2023: Wisconsin Department of Health Services Approved Plan for SFY 2023

Increase the availability of Narcan® statewide via the DHS Narcan® Direct Program	\$3 million
Creation of a statewide distribution system for <a href="#">fentanyl test strips</a>	\$2 million
Support community-based prevention programs- for a community organization that serves after-school youth to work with local law enforcement agencies to reduce opioid use.	\$750,000
Allocation to support capital projects that expand prevention, harm reduction, treatment, and recovery services statewide	\$10 million
Funding for Tribal Nations	\$6 million
Enhancement of the DHS overdose central alert system & PDMP (Prescription Drug Monitoring Program)	\$500,000
K-12 evidence-based substance use prevention curriculums or programs	\$250,000
Expansion of Medication Assisted Treatment (MAT)	\$2 million
Funding for room and board costs for residential substance use disorder treatment	\$2.5 million
Expand the hub-and-spoke health home pilot program.	\$1 million
Support law enforcement agencies-drug disposal, diversion, jail treatment, medication-assisted treatment education and awareness training	\$3 million
<b>Total</b>	<b>\$31 million</b>

Wisconsin Department of Health Services is expecting \$8 million in 2023 payments and has proposed the following allocation for SFY 2024.

### **[DHS Approved Strategies for SFY 2024](#)**

- \$2,900,000 for the distribution of fentanyl test strips and NARCAN® through the Fentanyl Test Strip Direct Program and NARCAN® Direct Program, as well as leave behind programs operated by emergency medical services agencies.
- \$2,500,000 to cover room and board costs for Medicaid members receiving residential substance use disorder treatment.
- \$2,000,000 to support the cost of medication-assisted treatment.
- \$300,000 for a substance use disorder treatment directory known as Atlas, which is managed by Shatterproof.
- \$300,000 for training surgeons on practices to prevent opioid misuse following surgery through a program operated by the Surgical Collaborative of Wisconsin.

### **Narcan®**

Initially, it was anticipated that the statewide DHS Narcan® Direct Program would be adequate to meet the demand for Narcan® in Rock County. Therefore, the recommendations in the initial report did not include spending local settlement funds for the purchase of Narcan®. Statewide demand for Narcan® was more than anticipated and at this time allotments from the Narcan® Direct Program have been greatly reduced. Due to this change, it may become necessary to utilize some local settlement funds to purchase Narcan® in the future. The FDA recently approved Narcan® for purchase over-the-counter. It is not known how this will affect the pricing or availability of Narcan® in the future.

### **New Grant-funded Initiatives**

In November 2022, the Rock County Public Health Department was awarded a grant from the National Association of County and City Health Officials (NACCHO) called Implementing Overdose Prevention Strategies at the Local Level (IOPSSL). This grant supported the purchase of supplies for an overdose leave behind program (excluding the purchase of the Narcan® and fentanyl test strips), an updated opioid data dashboard, several awareness campaigns and anti-stigma training for professionals. The awareness campaigns address recommendations from the Report of Recommendations that did not rise to priority, specifically 8b (a messaging campaign focused on drug-related stigma) and 8d (public education about topics such as addiction, treatment, and Good Samaritan laws). Although it allows for the implementation of these recommendations, the grant funding is only available until January 2024.

In March 2023, Wisconsin Department of Health Services released two grant applications allowing the purchase of Narcan® and fentanyl test strips. The Town of Beloit Fire Department was awarded funds to purchase Narcan® and fentanyl test strips to sustain the leave behind program, mentioned above, that will serve all of Rock County. Rock County Public Health Department was awarded funds for a public health vending machine which includes funds for Narcan® and fentanyl test strips. The vending machine will be

located at the Beloit Public Library. Rock County Human Services was awarded funds for a public health vending machine that will contain Narcan® and will be located at the Dr. Daniel Hale Williams Resource Center.

### **Regional Collaboration**

Since March of 2023, Rock County representatives have been meeting with neighboring counties to discuss possible partnerships regarding settlement funds received. These conversations will be ongoing to explore partnership opportunities to address shared areas of need. The Gap Analysis, outlined below, in the implementation plan will be part of a regional project with Walworth and Jefferson Counties.

## IMPLEMENTATION PLAN

This update and implementation plan recognizes the need to move forward with the investment of the funds while recognizing that there are still details to be determined. The exact amount of funds to be received and the timing of those deposits are unknown at this time. Regardless of the unknowns, there are ways to move forward with the funds on-hand.

Due to the uncertainty surrounding the amount of funds Rock County will receive each year, it is proposed that we implement a flexible, short-term budget with funds that have already been secured to ensure the County is able to begin recovery efforts. Additional funds would then be budgeted on an annual basis.

When the original recommendations were made, there was a possibility to securitize the settlement which would have established a set amount of up-front funds. However, the option to securitize was deemed to be no longer feasible due to the portion of funding that would be available for abatement of the opioid epidemic. With the present lack of predictability in the full amount of funding the County will receive, hiring for positions may not be feasible and therefore, specific positions originally included in the Report of Recommendations have been omitted from this update and implementation plan. The positions, and other priority areas originally included in the Report of Recommendations should continue to be considered for future planning.

The following proposals for spending were submitted by various stakeholders and Rock County staff members during the process of creating this implementation plan. The priority areas are listed below in no particular order.

### **Priority Areas 1 & 2: Increase Access to Sober Living & Increase Access to Higher Level Treatment Options Located in Rock County**

While the county-wide opioid settlement survey and listening sessions indicated that there is a need for additional sober living and higher levels of treatment in Rock County, the specifics of how to meet those needs must be further refined. A gap analysis study would increase

understanding of potential gaps in accessibility to behavioral health services and the current and projected demand for these services. An interest survey would guide the scope of a Request for Proposals to provide sober living and higher-level treatment services.

<b>Objectives</b>	<b>Funding Allocation</b>
Contract for a <b>gap analysis</b> to further define service gaps and long-term service needs	\$60,000 (one time)
Solicit interest from providers and organizations regarding the feasibility of adding or expanding <b>sober living facilities</b> .  The information received from the interest survey would be used to inform the development of a Request for Proposals (RFP) for sober living facilities.  Sober living facilities that receive funding would be required to meet requirements set forth in the Recovery Residence Registry and options for transitional-age youth and/or families should be prioritized. The funding allocation listed could be divided among multiple sober living facilities, depending on the RFP process.	\$200,000 (one-time grants)
Solicit interest from providers and organizations regarding the feasibility of adding or expanding <b>higher-level treatment</b> .  The information received from the interest survey would be used to inform the development of a Request for Proposals (RFP) for higher-level treatment.  The anticipated funding would span a two-year timeframe, with \$400,000 being available in the first year and \$200,000 being available in the second year. A panel of experts in the field of treatment would be needed to review the applications.	\$600,000 (two-year grant)
<b>Total Funding Allocation</b>	<b>\$860,000 (over 3 years)</b>

**Priority Area 3: Provide Evidence-Based, Youth Substance Use Prevention and/or Intervention.**

Preventing the onset of Opioid Use Disorder is a priority area in the recommendations for the use of Opioid Settlement funds. By investing in prevention, the costs of the opioid epidemic can be reduced in the long-term.

<b>Objectives</b>	<b>Funding Allocation</b>
Sustain the work of established <b>youth substance misuse prevention coalitions</b> in Rock County.	\$100,000/year

There are currently four youth substance misuse coalitions, BASE (Evansville), JM4C (Janesville), MYC (Milton) and Y2Y (Beloit). Funds would be distributed based on an RFP process.	
Reduce the diversion of prescription opioids by offering <b>disposal packets</b> to people obtaining opioids after outpatient surgery.  The initiative would be based on a current pilot program administrated by Rock County Human Services -Prevention.	\$10,000/year
<b>Total Funding Allocation</b>	<b>\$110,000/year</b>

**Priority Area 4: Provide Substance Use Disorder (SUD) and Mental Health Assessment with Rapid Access to Treatment in the Criminal Justice System**

Rock County’s criminal justice system participated in the Evidence-Based Decision-Making Initiative (EBDM), sponsored by the National Institute of Corrections. The EBDM Policy Team, a collaborative group of major justice stakeholders (including the Rock County judges, Sheriff, police chiefs, District Attorney, Public Defender, Department of Corrections, Human Services Director, County Administrator, etc.) has systematically evaluated Rock County’s justice system and collectively prioritized justice system improvement efforts. After working with national experts and following evidence-based practices, advanced screening processes have been developed to assess the criminogenic risks and needs of individuals in the justice system. The advanced screenings will provide opportunities to be placed in alternative interventions that can better address specific needs of those in the justice system, including those with substance use disorder (SUD). This funding will allow an expansion of this assessment to identify those with SUD, particularly opiate use disorders, and provide them the possible opportunity to receive treatment and other interventions to address their underlying needs. Funding would allow Rock County to expand its contract with Justice Point, who is primed to increase its assessment capability of this population, both in the jail and in the community. This expansion would have continued oversight by the multidisciplinary EBDM Policy Team. This would be funded for 2 years after which it would be reassessed.

In order to provide treatment access for people residing in the Rock County Jail, \$50,000 per year would be used to begin a pilot medication for opiate use disorder (MOUD) program. This money will allow the purchase of medications such as Buprenorphine (Suboxone), as those who are in custody lose their insurance coverage once in custody.

In 2022 jail staff began talking with Addiction Medical Services (AMS) about partnering to have them come to the jail to provide MOUD services. The jail currently has an MOU agreement in place with AMS that states they will provide a prescriber and nurse. Their staff would come into the jail and see clients to prescribe the medication and nursing staff to help dispense the medication due to limited manpower at the jail. As they’ve tried to move this program forward



the biggest barrier has been not having the necessary funding to pay for the medication. These settlement dollars will help get this program off the ground.

These funds are planned to be dispensed in 2024. This would allow time to begin all necessary planning to get the program up and running.

<b>Objectives</b>	<b>Funding Allocation</b>
Provide funding to expand the current contract with Justice Point to include <b>Substance Misuse Assessment</b> and connection to treatment options as needed.	\$100,000/year
Provide funding to purchase <b>medication for residents of the jail</b> with Opioid Use Disorder.	\$50,000/year
<b>Total Funding Allocation</b>	<b>\$300,000 over 2 years</b>

**Priority Area 5: Increase Case Managers/Navigators with Access to Flex Funds**

A lack of help with coordination and navigation of the system was identified as a barrier to recovery and/or staying sober. Additionally, help with linkages to support was identified as a need to prevent overdose deaths. By adding recovery case managers, there could be additional support in overcoming these barriers and access to flex funds could also make a significant difference in overcoming the barriers to seeking treatment and staying in recovery for some individuals.

Due to the uncertainties with the settlement funding, it is recommended to wait on this priority area until a later date when the gap analysis is complete and funding is more predictable

**Priority Area 6: Increase Certified Peer Support Specialists**

Rock County Human Services has a contract with WisHope to provide peer support. They are not being fully utilized at this time, so no funding would be going to this priority area at this time.

Proposed 2023-2025 Budget

<b>Proposal</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>Total</b>
Behavioral Health Gap Analysis Contract	\$0	\$60,000		\$60,000
Sober living RFP	\$0	\$200,000	TBD	\$200,000
Treatment RFP	\$0	\$400,000	\$200,000	\$600,000
Youth Prevention RFP	\$100,000	\$100,000	TBD	\$200,000
Prevention Opioid Disposal packet program	\$0	\$10,000	\$10,000	\$20,000
Criminal Justice Contract	\$100,000	\$100,000	TBD	\$200,000

Medication for Opioid Use Disorder for people residing in the jail	\$0	\$50,000	\$50,000	\$100,000
Case Management	\$0	\$0	TBD	
<b>Total</b>	\$200,000	\$860,000	\$200,000	\$1,380,000

## PROGRESS MONITORING & REPORTING

In order to be transparent and accountable to the community, the Opioid Settlement funds spending should be openly tracked with regular reporting and oversight. It is suggested that annually, the planned budget along with a report on how the previous year's funds were spent, be shared with the community on a county website and in a press release.

Entities that receive funding through the settlement will have contracts in place that outline any specific objectives or deliverables to be met with the funding. Contracted entities will be expected to report their progress on meeting grant deliverables to the County department/County Board Committee responsible for administering the contract.