



Kentucky Association of Counties

Opioid Settlement Funds

Session overview



Brief overview of current settlement dollars »

Opioid settlement position at KACo

Settlement uses and reporting requirements

Next steps

Q & A

Lauren's story



- Care, treatment, and other programs and expenditures (including reimbursement for past such programs or expenditures except where this Agreement restricts the use of funds solely to future Opioid Remediation) designed to:
 - address the misuse or **disordered use** of opioid products,
 - treat or mitigate opioid use or related disorders, or
 - mitigate other alleged effects of, including on those injured as a result of, the opioid epidemic.

\$478 MILLION

- Three pharmaceutical distributors
- Johnson & Johnson

50%
Kentucky Opioid
Abatement Advisory
Commission

50%
Local
Governments

\$325+ MILLION

Additional settlements



- General settlement questions
- Strategic planning
- Allowable uses
- Spending plan development
- Resources
- Monitoring
- Peer examples

IMPORTANT:

KACo is not positioned to provide legal advice, only recommendations based on its understanding of state law and applicable settlement agreements.

Reporting requirements



- Five years
- Kentucky Opioid Abatement Advisory Commission can inspect records
- Quarterly certifications due:
 - March 31
 - June 30
 - September 30
 - December 31



- Form must be completed by authorized individual and notarized

The logo for the Opioid Abatement Advisory Commission features a stylized outline of the state of Kentucky in blue and red, with the text "OPIOID ABATEMENT ADVISORY COMMISSION" in a blue sans-serif font to its right.

OPIOID ABATEMENT ADVISORY COMMISSION

KYOAAC CERTIFICATION FORM

Pursuant to KRS 15.291 and 15.293 and accompanying regulations, this form shall be completed by the entities, governmental agencies, and covered governmental bodies that receive certain opioid-related funds. The entities, governmental agencies, and covered governmental bodies shall submit this form to the Kentucky Opioid Abatement Advisory Commission at kyoaac@ky.gov.

Recipient of Funds	
Name of Individual Authorized to Complete Form	
Address 1:	
Address 2 (if applicable):	
City, State, Zip:	
Phone:	
Email:	

The above recipient attests and affirms, under penalty of perjury, that its use of pertinent opioid funds is in compliance with KRS 15.291 and 15.293 and accompanying regulations. The recipient agrees to maintain for five years all necessary records—including, where relevant, itemized receipts, financial statements, accounting data, etc.—to authenticate the recipient's use of its opioid funds. The Kentucky Opioid Abatement Advisory Commission reserves the right to inspect such records.

KRS 15.293 – Annual certification requirements

Recipients of monies from the Opioid Abatement Trust Fund – 15.293(4)(c)(1)

- Certification that funds used consistent with criteria in KRS 15.291(5)
- Description of use of funds
- Other info that Commission may request by administrative regulation

Local governments – 15.293(4)(c)(2)

Counties, consolidated local governments, urban-county governments, or cities

- Certification that funds used consistent with criteria in KRS 15.291(5)
- A list of fund recipients and amounts
- A description of the use of the funds
- Any other info that the Commission may request by administrative regulation

KRS 15.293 – Annual certification requirements

Local governments can have
funds withheld
for noncompliance!

Core strategies:

- **Naloxone** or other overdose reversal drugs
- **Medication-assisted treatment (MAT)**
- Services for **pregnant women and parents**
- Expanding treatment for **neonatal abstinence syndrome**





Core strategies:

- Expansion of **warm hand-off programs** and recovery services
- Treatment for **incarcerated populations**
- **Prevention** programs
- Expanding **syringe service** programs
- Evidence-based **data collection** on the effectiveness of abatement strategies

Prevention - e.g., media campaigns, school- and youth-based programs

Harm reduction - e.g., syringe service programs, naloxone

Treatment - e.g., medications for opioid use disorder, telehealth, mobile

Recovery supports - e.g., supportive housing, wrap-around services

Leadership/planning/coordination - training, research



Core strategies:

- K-12 education programming
- Stigma reduction campaigns
- Support for **foster care** and other caregivers
- Adverse Childhood Experiences (ACEs) and **childhood trauma**

- Expanding local **syringe service programs**
- **Overdose education** and naloxone distribution (OEND)
- **Community-based** naloxone distribution
- **Prison/jail-based** OEND
- **Infectious disease testing** and treatment





- **Medication** to treat opioid use disorder (MOUD) / Medication for addiction treatment (MAT)
- Expansion of programs addressing **co-occurring disorders** and polysubstance use
- **Peer supports/mental health professionals** in first responder departments

- Recovery **housing**
- Support and **wrap-around services**
- Transportation, **peer support**, childcare, workforce development



Leadership planning and coordination



- **Steering committee** creation
- Utilization of existing coalitions and task forces as **advisory groups**
- Engagement in **community needs assessments**
- **Strategic planning**
- **Work plan** creation
- Development of **request for proposals** and request for proposal review committees
- **Formalizing processes** to ensure continuity and sustainability

Funding projects such as:*

- **Intervention, treatment, and recovery services** for people with OUD or co-occurring SUD/MH issues and/or those who have experienced an opioid overdose
- **Crisis stabilization centers**, recovery housing, and supportive housing
- Range of **training and/or education activities**/audiences
- Supporting **pre-trial services** that connect people to evidence-informed treatment and related services
- Any other project deemed appropriate for **opioid-abatement purposes** by the Commission

Reimbursement for costs related to:

- **Outpatient and residential treatment services**
 - includes services to incarcerated individuals
- **Emergency response services** provided by law enforcement or first responders
- Administering an **opioid antagonist**
 - naloxone

Coming soon - Next steps



Tool-kit and dashboard



KACo Online Resource Library



Baseline Survey and tangible materials for counties to use



Increased learning opportunities and best practices

- Can you work regionally with other counties?
- Can I lose funding if not spent correctly?
- Do we have to spend the money by a certain time?
- Will the allowable uses change?
- What are other counties doing?
- Can I subcontract with a third party/nonprofit?

Contact Information



Lauren Carr
Opioid Settlement Advisor
lauren.carr@kaco.org



Rich Ornstein
Staff Attorney
rich.ornstein@kaco.org

- [KACo Opioid Settlement Resources](#)
- [Exhibit E](#)
- [KRS 15.291](#)
- [National Association of Counties – Opioid Solutions Center](#)
- [Johns Hopkins Bloomberg School of Public Health – Principles for Use of Funds from Opioid Litigation](#)

Kentucky Opioid Abatement Commission

KYOAAC CERTIFICATION FORM

- [Kentucky Opioid Abatement Advisory Commission Overview](#)
- [Opioid Settlement - Kentucky Attorney General](#)
- [Real Dollars for Real Recovery - Kentucky Attorney General](#)