



Opiod Settlement Funds Guide

This document is intended to provide guidance and resources regarding the use of Massachusetts opiod settlement funds by the four MassCALL3 Prevention Partners communities: Dedham, Needham, Walpole, & Westwood.

Please note: Training and technical assistance for the use of opiod settlements is available to municipalities from the State of Massachusetts through ***Care Massachusetts: The Opiod Abatement Partnership***. Visit caremass.org for support.



**Needham Public
Health Division**
Prevent. Promote. Protect.



This report was created in October 2023, by Academic Public Health Corps staff, in collaboration with MassCALL3 regional prevention grant staff. MassCALL3 staff review and revise this document periodically based on announcements from the Massachusetts Attorney General's Office and the Executive Office of Health and Human Services. The most recent date of revision can be found in the footer.

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Settlement Funds Background

The State of Massachusetts has participated in lawsuits and other litigation resulting in nationwide financial settlements with opioid manufacturers, pharmaceutical distributors, and pharmacies as part of the historic legal efforts to demand abatement of the harms caused by the opioid epidemic. These settlements combined will bring over \$900 million into Massachusetts through annual payments for substance use prevention, harm reduction, treatment, and recovery support.

Under the terms of a State-Subdivision Agreement reached by the state and its municipalities and entered by a Massachusetts state court, 40% of the state recoveries will be allocated to Massachusetts municipalities (the main source of our local funds). The other 60% of the Massachusetts recoveries will be allocated to the statewide Opioid Recovery and Remediation Fund, and all the recoveries must be used to fund prevention, harm reduction, treatment, and recovery programs.

The state has contracted with John Snow Research and Training Institute (JSI) through the partnership “Care Massachusetts” to provide tailored support to municipalities that have received these funds. Request support at caremass.org.

mass.gov/info-details/guidance-for-municipalities-utilizing-opioid-settlement-abatement-payments

When will municipalities receive these funds?

Your town’s opioid settlement funds are coming from various settlements with different opioid manufacturers, pharmaceutical distributors, and pharmacies. This means that there are various fund release dates. You can view the timeline for all of these funds below:

- From Distributors:
 - Payment 1: July 15, 2022
 - Payment 2: September 30, 2022
 - Payment 3: August 15, 2023
 - Payments 4-6: July 2024 - 2026
 - Payment 7: partial in early 2024, remaining sum in July 2027
 - Payments 8-10: July 2028 - 2030
 - Payments 11-18: July 2031 - 2038
- Johnson & Johnson:
 - Payment 1: November 2, 2022
 - Payment 2: November 2, 2022 - 2025
 - Payment 3: 2026 - 2028
 - Payment 4: 2029 - 2031
- Teva*:
 - Payment 1: Early 2024

- Payments 2-13: July 2024 - 2036
- Allergan:
 - Payment 1: Early 2024
 - Payments 2-7: July 2024 - 2029
- CVS:
 - Payment 1: Early 2024
 - Payment 2: June 30, 2024
 - Payments 3-6: June 30, 2025 - 2028
 - Payment 7: June 30, 2029
 - Payment 8-10: June 30, 2030 - 2032
- Walgreens:
 - Payment 1: No later than July 17, 2023
 - Payments 2: December 31, 2023
 - Payments 3-7: March 31, 2025 - 2029
 - Payment 8-14: March 31, 2030 - 2036
 - Payment 15: December 31, 2036
- Walmart*:
 - Payment 1-3: July 2023 - 2025
 - Payment 4-6: July 2026 - 2028

Keep in mind that these are not strict dates, and may change over the course of these settlements. These amounts, as well as the amount of abatement funding each municipality can expect per year, are subject to acceleration and reduction.

What is the amount each municipality will receive?

Below are approximate amounts of abatement funding each of the four MassCALL3 grant communities (Dedham, Needham, Walpole, and Westwood) can expect per year. Amounts are subject to acceleration and reduction. Additionally, rollover of funds from prior years is permitted, ***meaning the funds will not expire.***

DISCLAIMER: The information below comes from mass.gov/lists/municipal-abatement-payments. **If your municipality is not included in the tables below, you may use the link to access your town's information.**

Dedham			
Payer	Payment Years	Year 1 Payment	Total Payment (approximate)
Walmart	2023-2028	\$13,134.00 (estimation)	\$78,804.16
Teva	2024-2036	\$8,086.55	\$105,197.55

Allergen	2024-2029	\$8,947.73	\$62,669.41
CVS	2024-2032	\$9,951.77	\$139,160.01
Walgreens	2023-2026	\$11,675.71	\$151,321.93
Johnson & Johnson	2022-2031	\$93,237.00 Year 2 Payment: \$23,309.00	\$125,307.00
Distributors	2022-2038	\$23,289.26	\$539,691.58
			Total: \$1,202,151.64

Needham			
Payer	Payment Years	Year 1 Payment	Total Payment (approximate)
Walmart	2023-2028	\$20,239.82 (estimate)	\$121,438.90
Teva	2024-2036	\$12,461.55	\$162,111.69
Allergen	2024-2029	\$13,788.64	\$96,574.90
CVS	2024-2032	\$15,335.90	\$214,448.56
Walgreens	2023-2026	\$17,992.53	\$233,190.35
Johnson & Johnson	2022-2031	\$143,681.00 Year 2 Payment: \$35,920.00	\$193,100.00
Distributors	2022-2038	\$35,889.26	\$831,676.31
			Total: \$1,852,540.71

Walpole			
Payer	Payment Years	Year 1 Payment	Total Payment (approximate)
Walmart	2023-2028	\$13,155.83 (estimate)	\$78,935.49
Teva	2024-2036	\$8,100.03	\$105,372.88
Allergen	2024-2029	\$8,962.64	\$62,773.85
CVS	2024-2032	\$9,968.36	\$139,391.93
Walgreens	2023-2026	\$11,695.17	\$151,574.13
Johnson & Johnson	2022-2031	\$93,393.00 Year 2 Payment: \$23,348.00	\$125,516.00
Distributors	2022-2038	\$23,328.08	\$540,591.03
			Total: \$1,091,195.31

Westwood			
Payer	Payment Years	Year 1 Payment	Total Payment (approximate)
Walmart	2023-2028	\$11,959.97	\$71,759.80
Teva	2024-2036	\$7,363.69	\$95,793.87
Allergen	2024-2029	\$8,147.89	\$57,067.34
CVS	2024-2032	\$9,062.18	\$126,720.39
Walgreens	2023-2026	\$10,632.01	\$137,795.16
Johnson & Johnson	2022-2031	\$84,903.00 Year 2 Payment: \$21,226.00	\$114,105.00

Distributors	2022-2038	\$21,207.42	\$491,448.16
			Total: \$1,094,689.72

Where are each municipality's funds located?

On December 4th, 2023, Governor Healey signed Chapter 77 of the Acts of 2023, which states that all receipts are to be recorded as general fund revenue: “(4) non-recurring, unanticipated sums received by multiple cities, towns or districts and not otherwise provided for by general or special law, may, upon the approval of the director of accounts, be expended at the direction of the chief executive officer without further appropriation only for the singular purpose for which the monies were received.”

Section 9 of the law has provided an exception to the legal requirement that all funds received are to be recorded as general fund revenue. Now, municipalities have the option to account for these funds in a special revenue fund, where they can then be expended without further appropriation, at the direction of the Chief Executive Officer* only for the purpose identified in said settlement agreements.

*Chief Executive Officer (CEO)- Select Board, Mayor, or another as designated by Select Board, Mayor, or Municipal Charter (City/Town Manager, Administrator)

How can our town use these funds?

Funds can be used to supplement and strengthen resources available to Massachusetts individuals and communities for substance use prevention, harm reduction, treatment, and recovery programs. According to the Massachusetts Abatement Terms, funds must be used in a manner that:

- reflects the input of our communities, of people who have personal experience with the opioid crisis, of experts in treatment and prevention, and of staff and organizations that are carrying out the abatement work;
- addresses disparities in existing services and outcomes and improves equity and the health of individuals and communities disadvantaged by race, wealth, and stigma, including through efforts to increase diversity among service providers;
- addresses mental health conditions, substance use disorders, and other behavior health needs that occur together with opioid use disorder (“OUD”);
- leverages programs and services already reimbursed by state agencies and programs, including direct care reimbursed by MassHealth and the state’s Bureau of Substance Addiction Services (“BSAS”); and

- encourages innovation, fills gaps and fixes shortcomings of existing approaches; supplements rather than supplants resources for prevention, harm reduction, treatment, and recovery; includes evidence-based, evidence-informed, and promising programs; and takes advantage of the flexibility that is allowed for these funds.

<https://www.mass.gov/doc/massachusetts-abatement-terms/download>

Inter-Municipal Agreements (IMAs): Chief Executive Officers (CEOs) of cities and towns have the authority to enter into agreements with one or more municipalities and other governmental units to jointly perform services and share costs which any one of them is authorized to perform.

Inter-Municipal Agreements present an opportunity to partner with other cities/towns to implement opioid abatement strategies. MAHB has a sample template for IMAs available on their website.

As presented by Cheryl Sbarra, Executive Director, Massachusetts Association of Health Boards, in March 2024 at the Municipal Opioid Abatement Conference, settlement funds must be used to implement strategies set forth in the State-Subdivision Agreement, including reasonable workforce costs necessary to support the programs and strategies.

Strategies in the State-Subdivision Agreement include:

- Opioid Use Disorder treatment access;
- Support people in treatment and recovery;
- Connections to care;
- Harm reduction;
- Address the needs of criminal-justice-involved persons
- Support pregnant or parenting individuals and their families, including babies with neonatal abstinence syndrome; and
- Prevent misuse of opioids and implement prevention education.

In addition to this guidance, Johns Hopkins University recommends adopting five guiding principles when considering how to use the funds.

Principles for the Use of Funds from the Opioid Litigation:

- Spend money to save lives.
 - **Supplement existing spending.** Do NOT replace it.
- Use **evidence** to guide spending.
- Invest in youth **prevention**.
 - Evidence-based
- Focus on **racial equity**.
- Develop a transparent, inclusive decision-making process.

- **Actively engage** people who use drugs, families with lived experience, clinicians, public health professionals.

For additional information on how abatement funds can be spent, including examples of programs and initiatives, view the resources section of this guide.

What are the reporting requirements?

As of August 2023, municipalities that receive \$35,000 or more annually, individually or as part of a shared service agreement with other municipalities, must file an annual report with EOHHS. This annual report form will require municipalities to report on:

- Abatement funds received
- Itemized list of funds and administrative costs
- Balance remaining
- Abatement strategies that were funded
- Description of efforts to address disparities and inequities for opioid use disorders, prevention, and harm reduction in underserved or vulnerable populations
- Description of efforts to solicit community input regarding how abatement funds should be spent
- Use this draft reporting form as an example:
<https://www.mass.gov/doc/ma-opioid-settlement-municipal-report-9-21-2022/download>

Additionally, municipalities must retain documentation regarding these funds and their expenditure for the longer of five years after funds are received or the period required by law.

Resources and Contact Information

Utilize the John Snow Research and Training Institute (JSI) at <https://www.caremass.org/> or by emailing abate@jsi.com or by phone at (617) 385-3655 for training and technical assistance.

For resources surrounding the legalities of your funds

- For answers to frequently asked questions regarding your funds, visit [https://www.mass.gov/info-details/frequently-asked-questions-about-the-ags-statewide-opioid-settlements#-\(4\)-how-much-will-ma-municipalities-receive-from-the-statewide-opioid-settlements?](https://www.mass.gov/info-details/frequently-asked-questions-about-the-ags-statewide-opioid-settlements#-(4)-how-much-will-ma-municipalities-receive-from-the-statewide-opioid-settlements?)
- For guidance from the MMA, visit <https://www.mma.org/municipalities-must-respond-by-april-18-for-additional-opioid-settlement-funds/>

For resources regarding how to use your funds

- Utilize the John Snow Research and Training Institute (JSI) at <https://www.caremass.org/> or by emailing abate@jsi.com or by phone at (617) 385-3655 for help using funds in compliance with state requirements.
- For guidance from the DPH, visit <https://www.mass.gov/info-details/guidance-for-municipalities-utilizing-opioid-settlement-abatement-payments>
- For guidance on how to create abatement initiatives, email DPHMuniOpioidAbatementQs@mass.gov
- For guidance on what statewide contracts already exists (contracts that you can give more funds and resources to), view [statewide contracts](#)
- For guidance from the MAHB, visit <https://www.mahb.org/appropriation-of-opioid-settlement-funds/>
- To view the report and recommendations from the Association of Schools & Programs of Public Health “Bringing Science to Bear on Opioids,” visit https://asp-ph-redesign-wp-production.s3.amazonaws.com/wp-content/uploads/2023/04/ASPPH.Opioids.FINAL_.11.01.20191.pdf

Additional resources

- For a complete overview of the Massachusetts opioid settlement funds, view the slides and recordings from the Massachusetts Municipal Opioid Abatement Conference on March 19th-20th, 2024. <https://www.caremass.org/mmoac2024>
- For general resources on fighting the opioid crisis, visit: <https://www.mass.gov/fighting-the-opioid-crisis>
- For information on these funds directly from the Attorney General, visit <https://www.mass.gov/lists/municipal-abatement-payments>
- For direct access to the MHOA toolkit, “Essential Measures: A Local Public Health Toolkit for Addressing the Opioid Epidemic,” visit <https://opioid-toolkit.mhoa.com/>
- To view the nationally recognized guidance for the use of opioid settlement funds from Johns Hopkins University, visit <https://opioidprinciples.jhsph.edu/>

GLOSSARY

Term	Definition
MHOA	Massachusetts Health Officers Association
EOHHS	Executive Office of Health and Human Services
MAHB	Massachusetts Association of Health Boards
MMA	Massachusetts Municipal Association

JSI	John Snow Research and Training Institute
DPH	Massachusetts Department of Public Health

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