

AGENDA

OPIOID SETTLEMENT COMMITTEE

111 S. Michigan Ave., Room 200, Saginaw, MI 48602

Thursday, April 4, 2024 – 3:00 p.m.

Members: Dennis Krafft – Chair, Jack Tany – Vice-Chair, Tracey Slodowski, Rich Spitzer, Christopher Boyd
Others: Administrator, Finance Director, Civil Counsel, Board Staff, *Media*

- I. Call to Order
- II. Welcome
- III. Correction/Approval of Minutes (***March 7, 2024 - Attached***)
- IV. Public Comment
 - *Speakers limited to 3 minutes*
- V. Agenda
 1. **Mary Catherine Hannah, County Administrator, re:**
 - Discussion of Memo to Michigan Clients in the Opioid Litigation from Legal Counsel (*Attached*)
 2. **Mary McLaughlin, Community Corrections Manager, re:**
 - Discussion of Michigan Department of Corrections (MDOC) grant regarding the Opiate Methamphetamine Specific Program (OMSP)
- VI. Miscellaneous
- VII. Adjournment

MINUTES

DRAFT

OPIOID SETTLEMENT COMMITTEE

111 S. Michigan Ave., Room 200, Saginaw, MI 48602

Thursday, March 7, 2024 – 3:00 p.m.

Present: Dennis Krafft – Chair, Jack Tany – Vice-Chair, Tracey Slodowski, Rich Spitzer
Absent: Christopher Boyd
Others: Mary Catherine Hannah, Koren Thurston, Dave Gilbert, Judge Gafkay, Mary McLaughlin, Christina Harrington, Hon. MT Thompson, Kareem Bowen, Antonio Brooks, Inez Williams, Sandra Crosby Robinson, Mary Ellen Johnson, Suzy Koepplinger, and Marissa Sawdon

- I. Call to Order ---**Krafft at 3:06 p.m.**
- II. Welcome
- III. Correction/Approval of Minutes (**February 8, 2024**)
---**Moved by Tany, seconded by Boyd, to approve. Motion carried.**
- IV. Public Comment ---**None**
 - *Speakers limited to 3 minutes*
- V. Agenda
 1. **Christina Harrington, Health Officer, Health Department, re:**
 - Providing information on programs that have proven successful based on the Health Department's established initiatives and workgroups
- VI. Miscellaneous ---**None**
- VII. Adjournment ---**Moved by Tany, seconded by Boyd, to adjourn. Motion carried; time being 4:05 p.m.**

Respectfully Submitted,
Dennis Krafft, Committee Chair
Suzy Koepplinger, Committee Clerk

March 12, 2024

To: Michigan Clients in the Opioid Litigation

From: Paul F. Novak, Weitz & Luxenberg, P.C

We have found that many of you are wrestling with how best to spend your opioid settlement funds and we frequently get requests to advise on whether an expenditure you'd like to implement complies with the settlements. In this memo, we aim to provide you with several helpful resources. We suggest keeping this list handy, especially since your local governments will continue receiving funds for several more years.

Broadly speaking, there are two main sources of guidance:

- **The definition of opioid remediation, as stated in the settlement agreements:** “Care, treatment, and other programs and expenditures... designed to
 - (1) address the misuse and abuse of opioid products
 - (2) treat or mitigate opioid use or related disorders, or
 - (3) mitigate other alleged effects of, including on those injured as a result of, the opioid epidemic.”
- **Exhibit E:** As set forth in the settlement agreements, “Exhibit E provides a non-exhaustive list of expenditures that qualify as being paid for Opioid Remediation. Qualifying expenditures may include reasonable related administrative expenses.” The uses of funds referenced in Exhibit E are *pre-approved and evidence-based* uses that have been proven to help remediate the epidemic. Exhibit E is attached for your convenience.

Beyond this, there are several resources available to local governments who would like further guidance:

- 1) You can find an [Opioid Settlement Resources](#) page on Michigan.gov. If you are interested in assistance in applying best practices to your settlement fund investments, you may [request a technical assistance consultation](#) or email your request to MDHHS-OpioidSettlementHelp@Michigan.gov.

- 2) The Michigan Association of Counties (MAC) has an [Opioid Settlement Resource Center](#) that can also be helpful for local governments. For example, the Resource Center hosts a toolkit for suggested uses as well as templates for spending plans, proposal requests, and more (see screenshot below).

How Should Counties Spend their Settlement Funds?

Michigan Opioid Settlement Funds Toolkit: A Guide for Local Spending

- [Executive Summary](#)
- [Press Release](#)

Templates and Tools

- **Planning**
 - [Planning Worksheet Template \(PDF\) \(Word\)](#)
 - [Steering Committee Development and Tips for Processing Requests for Funds Guidance Document \(PDF\)](#)
 - [Steering Committee Creation Resolution Template \(PDF\) \(Word\)](#)
 - [Opioid Settlement Work Plan Template \(PDF\) \(Excel\)](#)
- **Spending**
 - [Spending Plan Template \(PDF\) \(Excel\)](#)
 - [Request for Proposals and Associated Budget Template \(PDF\) \(Word\) \(Excel\)](#)
 - [Request for Proposals Scoring Template \(PDF\) \(Excel\)](#)
 - [Vendor/Contractor Agreement \(PDF\) \(Word\)](#)
 - [Pass-through Entity Agreement \(PDF\) \(Word\)](#)
- **Transparency**
 - [Annual Report Template \(PDF\) \(Word\)](#)
 - [Public-facing Planning Process Document \(PDF\) \(Word\)](#)
- **General**
 - [PowerPoint Presentation Template \(July 2023\) \(PDF\) \(PowerPoint\)](#)
 - [Overdose Awareness Day and Recovery Month Proclamation \(August 31 and September\) \(PDF\) \(Word\)](#)

- 3) MAC can also assist in supporting local governments in strategic planning, determining strategies, spending plans, policy analysis, reporting, and capacity-building associated with opioid settlements. You may request assistance by [filling out this form](#). You may also reach out to Amy Dolinky, MAC’s Technical Adviser for Opioid Settlement Funds Planning and Capacity Building, directly at dolinky@micounties.org.
- 4) We encourage local governments to engage with those with lived experience and existing providers/groups who have been working in this space. You may benefit from joining the [Prevention Network](#), a non-profit that provides

substance misuse prevention resources, training, and support to those wanting to make a difference in their community. There is no cost to join. For members, the Prevention Network provides a coalition contact list, a resource library, and several trainings and events.

- 5) Finally, MAC will be rolling out a *voluntary reporting mechanism* in an effort to improve transparency.
- Some folks have suggested that the uses of opioid settlement dollars are not sufficiently transparent. We think this criticism is not well-founded because any local government expenditure typically must comply with Michigan’s Uniform Budgeting and Accounting Act and other local government budgeting provisions. These authorities typically require annual financial reporting as well as public budgeting procedures and appropriation processes. A full outline of these authorities is beyond the scope of this memo and will differ for different local governments. Our only point is that normal budgeting and accounting procedures *already* have transparency built into the process.
 - That being said, transparency is important for several reasons – one being continued policy evaluation so that local governments can understand what is working and what is not – so we encourage local governments to consider participation in MAC’s voluntary reporting mechanism once it is up and running.

For some of our smaller City clients who are receiving a smaller amount of funds on an annual basis, please note that you also have the option of electing to transfer your funds to the County where they can be paired with the County’s settlement funds. This is entirely your decision, of course.

How Much Money Am I Getting This Year?

Finally, we'd like to share with you a great resource for tracking your incoming payments from each settlement. In addition to providing all official settlement documents, the [Michigan Department of Attorney General's website](#) hosts an Excel spreadsheet that is regularly updated. In order to download the spreadsheet, scroll to the section entitled "About the Opioid Settlements" and click on the button that says "Opioid Settlement Payment Estimator."

We hope this guide will aid in your decision-making processes when it comes to abating the ongoing opioids crisis in your communities. Please do not hesitate to reach out with any questions or concerns.

Sincerely,

Paul F. Novak

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