
Many of the lawsuits filed by states and local jurisdictions against companies involved in the opioid overdose crisis have now been resolved. As a result, over \$30 billion in new money will be coming to states, cities, and counties over the next 18 years, with the first payments arriving in 2022. The agreements do place limitations on how states and local communities can use the money; most of it must be used to address the opioid overdose epidemic.

In order to help state and local jurisdictions use the money wisely, over 60 organizations have encouraged state and local jurisdictions to use the Principles for the Use of Funds from the Opioid Litigation in their decision-making.

The Principles, which focus on how the funds can be used most effectively, are:

PRINCIPLE #1

**Spend Money
to Save Lives**

PRINCIPLE #3

**Invest in Youth
Prevention**

PRINCIPLE #5

**Develop a Fair and
Transparent Process
for Deciding Where to
Spend the Funding**

PRINCIPLE #2

**Use Evidence to
Guide Spending**

PRINCIPLE #4

**Focus on
Racial Equity**

Fortunately, there are many opportunities to get involved in your state and community to make sure that the dollars are used consistent with the principles.

What are the rules around how states can use the money?

States are required to spend at least 85% of the money from the largest settlements to address the opioid overdose epidemic. Beyond this requirement, states have a lot of flexibility. Many states have passed laws or developed formal agreements that create dedicated funds for the money, prohibit the supplantation of existing state spending on opioid use, and establish advisory councils to guide how the money will be used. Other states have done none of these things.

States vary in how much money will go to a state's cities and counties. **The terms of the Master Settlement Agreement require states to send at least 15% to local jurisdictions, but states are free to send more than that.** In North Carolina, for example, 85% of the dollars will be going to localities and only 15% to the state.

Once these allocation agreements are in place, it will be up to states and local jurisdictions to make decisions on the specific projects that can be funded. The larger settlements lay out [nine core strategies](#) – in areas including prevention, treatment, harm reduction, and recovery supports – where jurisdictions are encouraged to spend money. Jurisdictions have more flexibility in the use of the opioid litigation dollars than they typically do with federal dollars, which often cannot be spent on harm reduction programs or capital projects. Given the many areas of need, state and localities can take very different approaches to the use of the dollars.

Find out what is happening in your state and community.

1

Make sure you know the details of what is happening in your state and community. These websites (opioidsettlementtracker.com and nashp.org) have many of the details, including how the money will be divided between the state, regions, and localities.

2

Assess your state and local jurisdiction's readiness to receive the dollars, by comparing their actions with a set of [Ten Indicators](#) drawn from the Principles. These indicators lay out specific steps, such as the establishment of a dedicated fund, that jurisdictions should take before getting the new dollars. If your location has not taken these steps, you can push your legislators to make needed changes.

3

See if your state or locality has established an Advisory Council, and, if so, who is on it. Talk to them about your priorities and the importance of using the opioid litigation dollars in evidence-based ways. If there are vacancies on the Advisory Council, reach out to the people who make the appointments and suggest that you or a trusted colleague be named.

4

Advisory Councils typically include opportunities for public comment. Take advantage of these opportunities by communicating your priorities – ideally in writing, so that they can be easily referred to. Push for the money to be spent in evidence-based ways that fill areas of need.

Examples of How to Get Involved

PRINCIPLE #1

Spend Money to Save Lives

Principle #1 calls for the places getting the money to spend all of it on addressing the opioid overdose epidemic. You can see whether your state, city and county have set up a dedicated fund for money coming from the lawsuits, and whether there is a ban on using the new money to replace, or supplant, existing expenditures. If your state hasn't passed legislation related to the opioid litigation, have your legislators look at this [model legislation](#).

PRINCIPLE #2

Use Evidence to Guide Spending

Principle #2 highlights the need to ensure that the new dollars are funding programs supported by the evidence. For example, are treatment programs providing methadone and buprenorphine, the medications considered to be the gold standard for care? You can push for your state or local jurisdiction to conduct a needs assessment to identify potential gaps in service. Any Requests For Proposals (RFPs) that are issued should be aligned with the priorities of the needs assessment and should call for evidence-based programs that will fill those gaps.

You can use requests for public comment to outline your areas of need to decision-makers.

PRINCIPLE #3

Invest in Youth Prevention

Principle #3 focuses on ensuring that communities are supporting evidence-based youth prevention programs, which address individual risk factors (such as a favorable attitude towards substance use) and strengthen protective factors (such as resiliency); they can also address elements at the family and community levels. These programs reduce the risk of substance use and other negative outcomes such as unintended parenthood. You can push for your state, city and/or county to devote more money to this needed area.

PRINCIPLE #4

Focus on
Racial Equity

Principle #4 calls out the opportunity to use the money to address racial disparities. You can make sure that historically marginalized communities are included in the decision-making process and that funds are used to support programs in these communities. Community-based organizations work directly with people with lived experiences. Consider encouraging these experts to serve on local advisory councils or task forces. You can also push for all members of the advisory board to have voting powers; in some state agreements, people with lived experience may be non-voting members.

PRINCIPLE #5

Develop a Fair and
Transparent Process
for Deciding
Where to Spend
the Funding

Principle #5 focuses on the value of including the larger community affected by substance use in the decision-making process. You can push for your state, city and/or county to have a clear process for making decisions that includes opportunities for public input.

The money from the opioid lawsuits is an opportunity to invest in needed programs at the state and local level. State and community advocates have historically played a key role in providing services and saving lives; your input here is crucial to make sure that these funds are used in ways that will save the most lives.