

# Frequently Asked Questions: Oregon Opioid Settlement Funds

Updated April 16, 2024

## Opioid Settlement Funds

### **Q: Why is Oregon receiving opioid settlement money?**

Oregon has been a leader in major multi-state litigation and settlements that involve the opioid industry. These lawsuits hold opioid manufacturers, distributors, and retailers accountable for their role in creating and fueling the opioid epidemic and for aggressively marketing prescription opioids while also downplaying their risks to healthcare providers and the public.

The State of Oregon has reached resolution with several of these companies since July 2021:

- Pharmaceutical distributors McKesson, Cardinal Health, and AmerisourceBergen
- Manufacturers Johnson & Johnson, Janssen Pharmaceuticals, Incorporated, and Ortho-McNeil-Janssen Pharmaceuticals, Incorporated
- Manufacturer Mallinckrodt Pharmaceuticals
- Manufacturers Teva Pharmaceuticals and Allergan
- Pharmacy chains CVS, Walgreens, Walmart

Refer to the following resources for more information:

- [National Opioid Settlement website](#)
- [Distributor Settlement Agreement](#)
- [Janssen Settlement Agreement](#)
- [Teva and Allergan Settlements](#)
- [Walmart, Walgreens, and CVS Settlements](#)

### **Q: How much opioid settlement money will Oregon receive?**

Approximately \$600 million will be awarded to Oregon from these settlements over the course of 18 years, beginning in 2022. Forty-five percent (45%) of the opioid settlement funds will be allocated to the state Opioid Settlement Prevention, Treatment & Recovery fund administered by the Oregon Health Authority. Fifty-five percent (55%) will be paid

directly to local jurisdictions (cities and counties with populations over 10,000 as of July 2021).

Oregon anticipates receiving additional opioid settlement funds from other lawsuits. However, the timing, amount, and allowable uses of these funds are currently unknown.

**Q: When will Oregon receive the opioid settlement funds?**

The State of Oregon and qualifying cities and counties began receiving opioid settlement payments in 2022. Payments will occur in multiple increments through approximately 2038.

**Q: How will the opioid settlement funds be used?**

These funds must be used for approved opioid prevention, treatment, and recovery strategies in the terms of the settlements. They may not be used for other purposes.

Examples for how these funds may be used include, but are not limited to:

- Expanding access to naloxone, sterile syringes, and other harm reduction supplies
- Increasing medication-assisted treatment availability
- Providing treatment and recovery support services such as inpatient treatment, outpatient therapy, or recovery housing
- Expanding treatment and recovery services to pregnant and postpartum individuals
- Expanding treatment and recovery services to individuals within and transitioning out of the criminal justice system
- Developing opioid prevention education and training programs

Refer to [Exhibit E](#) of the Teva settlement agreement for an example of approved uses for opioid settlement funds.

Cities and counties will decide how their funds are used. The Oregon [Opioid Settlement Prevention, Treatment, and Recovery Board](#) will determine how the State's share of the funds are used. [ORS Chapter 63, Sections 5-10](#) stipulates that the state portion of the funds must also be allocated in alignment with [Oregon's Strategic Plan for Substance Use Services](#).

**Q: Will tribes receive any of the opioid settlement funds?**

Yes. The Opioid Settlement Prevention, Treatment, and Recovery Board is allocating 30% of the state portion of opioid settlement funds throughout the life of the project to the Nine Federally-Recognized Tribes in Oregon, which will total approximately \$82 million.

In addition, approximately \$1.5 billion is going directly to tribes and tribal health organizations from various opioid settlement agreements. All federally-recognized tribes are eligible to participate in the Tribal Opioid Settlements, regardless of whether that tribe filed an opioid lawsuit. Oregon's tribes and tribal health organizations are eligible to receive a portion of the \$1.5 billion settlement.

Refer to the Tribal Opioid Settlements webpage for more information:  
[www.tribalopioidsettlements.com](http://www.tribalopioidsettlements.com)

## **Subdivision Funds: Cities and Counties**

### **Q: Which cities and counties will receive opioid settlement funds?**

Cities and counties in Oregon with populations greater than 10,000 as of July 2021 will receive opioid settlement funds. The State of Oregon and participating jurisdictions developed a population-based model to determine how much funding each eligible city and county would receive.

Refer to [Exhibit A](#) in the State of Oregon Intrastate Allocation Agreement for more information.

### **Q: What is the dollar amount going to cities and counties?**

The total distribution to the Subdivision Fund will be approximately \$327 million, or 55% of the Oregon settlement funds minus legal fees which will be paid in part from a national fund. Non-litigating Oregon towns, cities, and counties with a population less than 10,000 are not eligible to receive an allocation of Oregon Subdivision Funds.

Please see Exhibit A, pages 9-11 of the [Oregon Subdivision Agreement](#) for allocation percentages to participating cities and counties.

### **Q: Are the direct payments to cities and counties similar to the payment structure for the funds paid to OHA?**

Yes, cities and counties will also receive payments for approximately 18 years from the Subdivision Fund.

### **Q: How can I find out how cities and counties are spending their funds?**

Funds going to both the state and the local governments must be used for opioid prevention, treatment and recovery strategies as listed in the terms of the settlements. All local

allocation decisions are made locally. Cities and counties are required to report to the Oregon Department of Justice annually on how they have allocated funds. The annual reports will be made publicly available, and the state will host a public meeting to discuss each annual report. The report for fiscal year 2022 – 2023 was presented at the Opioid Settlement Prevention, Treatment, and Recovery Board meeting on April 3, 2024. The annual report for fiscal year 2023 – 2024 will be published by December 31, 2024. Link to April 3 recording: <https://www.youtube.com/watch?v=6bs7zIJMHbw>

Refer to [Exhibit E](#) of the settlement agreement for the full list of how these funds may be used.

# Opioid Settlement Prevention, Treatment and Recovery Board

## **Q: What is the role of the Oregon Opioid Settlement Prevention, Treatment and Recovery (OSPTR) Board?**

[House Bill 4098](#) defines the function and rules of the OSPTR Board. This bill passed in the Oregon State Legislature in March 2022.

The OSPTR Board will determine how the State's portion of the opioid settlement funds will be allocated. These funding decisions must be in alignment with approved opioid prevention, treatment, and recovery strategies listed in the settlement ([Exhibit E](#)) and [Oregon's Strategic Plan for Substance Use Services](#).

## **Q: Who is on the OSPTR Board?**

[House Bill 4098](#) defines the OSPTR Board membership. This bill passed in the Oregon State Legislature in March 2022.

The Governor of Oregon appoints the 18-member OSPTR Board. The OSPTR Board consists of the following representatives:

1. Governor Policy Advisor representative
2. Oregon Department of Justice representative
3. Oregon Health Authority representative
4. Oregon Department of Human Services representative
5. Director of the Alcohol and Drug Policy Commission
6. Chairperson of the Ballot Measure 110 Oversight and Accountability Council
7. Representative from Clackamas, Washington, or Multnomah County
8. Representative from Clatsop, Columbia, Coos, Curry, Jackson, Josephine, Lane, or Yamhill County
9. Representative from the City of Portland
10. Representative from a city with a population greater than 10,000
11. Representative from a city with a population less than 10,000
12. Representative of the Oregon Coalition of Local Health Officials
13. Representative of a community mental health program
14. Person with or representing lived experiences of substance use disorder
15. Representative of law enforcement, first responders, or jail commanders/wardens
16. Member of the Oregon House of Representatives (non-voting Board member)
17. Member of the Oregon Senate (non-voting Board member)
18. State Court Administrator (non-voting Board member)

The OSPTR Board information is posted on the Oregon Health Authority [Opioid Settlement Prevention, Treatment and Recovery Board webpage](#).

**Q: When does the OSPTR Board meet?**

The OSPTR Board convened in November 2022 and continues to meet monthly. All meetings are open to the public in accordance with [ORS 192.610 to 192.690](#).

**Q: How can the public be involved in board meetings and board decisions?**

Community members are welcome to provide spoken or written testimony during the time allotted for public comment at each meeting.

If you would like to submit a letter or statement to the OSPTR Board, please send it to [Lisa.m.shields@oha.oregon.gov](mailto:Lisa.m.shields@oha.oregon.gov).

## Project Implementation and Next Steps

**Q: What is OHA's role in this project?**

OHA provides staff support to the OSPTR Fund and Board, including coordinating the OSPTR Board meetings and administering the OSPTR Board allocation decisions. These roles were mandated by [House Bill 4098](#).

OHA has one representative on the OSPTR Board, per House Bill 4098. The agency has no specific decision-making authority to determine how the State portion of opioid settlement funds are allocated. The OSPTR Board makes these decisions.