

Opioid Crisis Recovery Funds Advisory Committee Meeting

October 25th, 2021

Meeting Minutes

Members: Ashley Alise Absmeier-Koppenhafer, Cristen Bates, Joshua Blum, Kevin Bommer, Wendy Buxton-Andrade, Joseph Carrica, George Dingfelder, Jamie FitzSimons, Jessie Garcia, Andres Guerrero, Curtis Hayes, Chase Kohne, Jeffrey Kuhr, Dmitry Kunin, James Mobley, Armand Potestio, Connie Price, Jim Schoettler, Brad Sjorstrom, Judy Solano, Robert Valuck, Robert Werthwein

Attendees from the Department of Law: Attorney General Phil Weiser, Matt Baca, Amy Berkowitz Caplan, John Feeney-Coyle, Atu Nwankwo, and Heidi Williams

Welcome

Attorney General Phil Weiser welcomed the committee. He reminded the committee of their role, advisory and collaboration for State Share.

Framework Overview

Attorney General Weiser introduced some of the areas the State Share will invest: Tribes to offer parity. Re-entry wrap around services for justice involved individuals given the high overdoes rate.

Share the recently released [MOU video](#) and reference attendees to the website for resources.

MOU/Settlements Update

MOU/Settlement Update with John Feeney- Coyle. Explained the importance of the obtained enough signatures for the MOU to obtain maximum settlement funds.

Heidi Williams clarified that CML is holding the signatures in escrow until the threshold is reached.

John Feeney-Coyle explained the MOU and Settlement structure: Johnson and Johnson is structured to pay 5 billion over 9 years, with more money being paid in early years. The “Three Distributors” are structured to pay \$21 billion over 18 years.

Feeney-Coyle explained why we entered into the MOU. He also noted that the claims are strict injunctive relief meaning J&J and the 3 distributors may not sell or manufacture opioids. Feeney-Coyle noted other settlements: McKinsey was the first settlement. Purdue Pharma is still in the courts. Mallinckrodt pharma should be resolved in the near future.

Together if significant participation of local governments should be a total of \$400 million.

John Feeney-Coyle concluded with a high level overview of the MOU, including the distribution of funds: 20% to local governments, 60% to regional councils, 10% to the infrastructure fund and 10% to the state share.

Brad Sjorstrom asked about reluctance for signing the MOU. Attorney General Weiser clarified that it is not a partisan issue. Heidi Williams noted that we need to clarify and talk through issues. Cristen Bates

asked about local governments and their separate law suits being a part of the issue. Kevin Bommer noted that the MOU in part came out of the needs of the local governments especially those with lawsuits.

Heidi Williams responded to a question about the Colorado tribes and noted that they have their own litigation. The two tribes in Colorado have not filled their own lawsuits but will potentially benefit if a larger settlement is reached with the tribes. Heidi Williams also commented that the goal on signatures is two weeks from now but have until the end of the year to collect signatures. Communication is appreciated so we know what to expect with signatures.

Josh Blum asked in the chat: "Is it possible to offer technical assistance to municipalities and other entities who may feel reluctant because of capacity issues"

Kevin Bommer replied that the goal would be to turn over these funds to the Regional Council. Attorney General Weiser emphasized that it is better for funds to be well used and turned over to the regions if capacity is an issue.

Heidi Williams and John Feeney-Coyle noted that the Abatement Council will create a method of communicating this decision.

State Share Funding Proposals

Heidi William and Amy Berkowitz Caplan presented on the State Share: Principles for utilization and initial funding proposals.

Cristen Bates emphasized resources at the local level from CDHS and peer navigators. Noted that MAT primarily goes to white Americans and the need to address health equity. Needs of BIPOC population is worsen at a greater rate.

Jude Solano- discussed inappropriate and ineffective options and the issues of distrusting the health care system. She stressed that housing is health care and that basic needs should be met.

George Dingfelder shared that he isn't currently seeing a lot of fentanyl, more heroin

Discussion around shortage in Naloxone Bulk fund. Consortium tool kit for coordinating between organizations with expiring Naloxone.

Meeting Conclusion