Colorado Opioid Abatement Council (COAC) Membership and Term Limits Policy

I. Purpose

This policy provides guidance to the Colorado Opioid Abatement Council and appointing bodies regarding the term limits and appointment process requirements set by the Colorado Opioid Settlement Memorandum of Understanding.

II. Executive Summary

The Colorado Opioid Memorandum of Understanding (MOU) sets membership and term limits for each appointee of the COAC.

According to the MOU section C (1-4), the General Abatement Fund Council, hereafter referred to as COAC, shall consist of representatives appointed by the State and Participating Local Governments, to ensure the distribution of Opioid Settlement Funds complies with the terms of any Settlement and to provide oversight of the Opioid Funds in accordance with the terms of the MOU.

III. Definitions

The "MOU" is the Colorado Opioids Settlement Memorandum of Understanding executed by Attorney General Philip J. Weiser on behalf of the State of Colorado on August 26, 2021 and first entered by the Denver District Court in *State of Colorado v. McKesson Corporation, et al.*, Case No. 2022CV30867, Final Consent Judgment and Dismissal with Prejudice (Mar. 31, 2022).

IV. Effective Date

The Effective Date of the Colorado MOU is March 31st, 2022.

V. Initial Member Term Conclusion

All initial member terms expire on March 30th, 2023.

VI. Appointments

Appointments and any other change in membership to the Colorado Opioid Abatement Council shall be communicated in writing to the Colorado Department of Law Opioid Response Unit as the designated administrative support of the COAC.

VII. Appointment Publication

Appointments to the COAC will be posted on the COAC webpage.

As the designated administrative support for the Colorado Opioid Abatement Council, the Opioid Response Unit developed this document on behalf of the COAC. Please email Opioids@coag.gov if you have any revisions or questions.

Governing Language from the Colorado Opioid Settlement Memorandum of Understanding

Section C (2)

Membership: The COAC shall consist of the following thirteen (13) members, who shall serve in their official capacity only.

- a. State Members: Seven (7) members shall be appointed by the State, as authorized volunteers of the State, as follows:
 - i. A Chair to serve as a non-voting member, except in the event of a tie;
 - ii. Two (2) members who are licensed professionals with significant experience in substance use disorders;
 - iii. Three (3) members who are professionals with significant experience in prevention, education, recovery, treatment, criminal justice, rural public health issues, or government administration related to substance use disorders; and
 - iv. One (1) member or family member affected directly by the opioid crisis.
- b. Local Government Members: Six (6) members shall be appointed by the Participating Local Governments. Local Government Members shall be a County Commissioner, Mayor, City or Town Council Member, or a professional with significant experience in prevention, education, recovery, treatment, criminal justice, rural public health issues, or governmental administration related to substance use disorders. A Participating Local Government may determine which Local Government Members are eligible (or ineligible) to serve on the General Abatement Fund Council. County Commissioners, City or Town Council Members, and/or Mayors from the Regions identified in Exhibit C shall collaborate to appoint Local Government Members as follows:
 - i. Two (2) Members from Regions 1, 5, 13, 14, 15, 17, 18;
 - ii. Two (2) Members from Regions 2, 6, 7, 8, 9, 10, 11, 12, 16; and
 - iii. Two (2) Members from Regions 3, 4, 19.
- c. Terms: The COAC shall be established within ninety (90) days of the Effective Date. In order to do so, within sixty (60) days of the Effective Date, the State shall appoint the State Members in accordance with Section (C)(2)(a), and after conferral with the Local Governments, CCI and CML shall jointly appoint six (6) Local Government Members for an initial term not to exceed one year. Thereafter, Members shall be appointed in accordance with this Section and Sections (C)(2)(a) and (b) and may serve no more than two (2) consecutive two-year terms, for a total of four (4) consecutive years. Except that, beginning in the second year only, two (2) State Members and two (2) Local Government members shall be appointed for a three-year term and may serve one consecutive two-year term thereafter. The Chair shall have no term but may be replaced at the State's discretion.

- i. If a State or Local Government Member resigns or is otherwise removed from the COAC prior to the expiration of their term, a replacement Member shall be appointed within sixty (60) days in accordance with Sections (C)(2)(a) and (b).
- ii. If a Local Government Member vacancy exists for more than sixty (60) days, the State shall appoint a replacement Local Government Member to serve until the vacancy is filled in accordance with Section (C)(2)(b).

Approval

The Colorado Opioid Abatement Council approved the Membership and Term Limits Policy via unanimous vote on February 1st, 2023.

Colorado Attorney General Philip J. Weiser

 ${\it Colorado\ Opioid\ Abatement\ Council\ Chair}$

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Signature Date: <u>4/24/2023</u>