



Colorado Opioid Abatement Council (COAC)
Opioid Funds Oversight & Monitoring Policy

I. Purpose

This policy provides guidance to the Colorado Opioid Abatement Council (COAC), the Opioid Response Unit (ORU), and any recipient of Opioid Funds in the requirements to provide oversight and monitor the usage of Opioid Funds.

II. Executive Summary

The Colorado Opioid Memorandum of Understanding (MOU) was developed to provide the framework for the Opioid Funds distribution and oversight. The MOU created the Colorado Opioid Abatement Council (COAC) to provide oversight of the Opioid Funds to ensure funds are expended in accordance with MOU and the terms of any Settlement.

The COAC will review all expenditure, progress, and outcome reports submissions from recipients of Opioid Funds and monitor the ongoing activities of funding recipients to ensure compliance of Opioid Funds expenditures as shown in Exhibit A of the MOU.

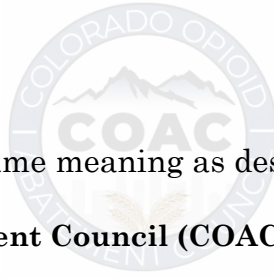
The COAC will also provide ongoing technical assistance and support to Opioid Settlement Funding recipients in collaboration with the Colorado Department of Law Opioid Response Unit to monitor the usage of Opioid Funds, foster compliance, and facilitate collaboration and the implementation of best practices.

III. Definitions

Unless otherwise defined here, all Definitions in the MOU are hereby incorporated into this Policy.

1. “Amendment” shall mean a change to a previously submitted Plan.
2. “Approved Purposes” shall have the same meaning as set forth in Section A(1) of the MOU,
3. The “Colorado Opioid Abatement Council” or “COAC” is the “General Abatement Fund Council,” or any committee or subcommittee thereof, as described in Section C of the MOU.
4. “Funding Request” shall mean a Region’s request to the COAC for Opioid Funds in accordance with Section F(7) of the MOU.
5. “MOU” shall mean 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).
6. “Opioid Funds” shall have the same meaning as set forth in Section A(7) of the MOU.
7. “Plan” shall mean a proposal for expending two years of Opioid Funds on Approved Purposes in accordance with Section F(7) of the MOU.

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@coaag.gov if you have any revisions or questions.



8. "Region" shall have the same meaning as described in Section F of the MOU.

IV. Colorado Opioid Abatement Council (COAC) Responsibilities

The COAC will meet as needed to receive reports from the Review and Assistance Committees including all funding requests and expenditure reports and act on any recommendations for further action by any committee of the COAC.

V. COAC Review Committee Responsibilities

The COAC Review Committee shall review all Regional Plans, Amendments, Funding Requests, and expenditure reports submitted by recipients of Opioid Funds to identify any non-compliance with the requirements of the MOU.

The COAC Review Committee will provide regular summaries to the full COAC including any recommendations for the release of funds or further action.

VI. COAC Administrative and Assistance Committees Responsibilities

The COAC Assistance and Administrative Committees will provide the COAC with the support needed to provide oversight and monitoring of Opioid Fund expenditures of the Regional and Infrastructure Share.

VII. Colorado Department of Law Opioid Response Activities

The Opioid Response Unit, as the designated administrative support for the COAC, will provide the COAC with the support needed to provide oversight and monitoring of the Opioid Fund expenditures of the regional and infrastructure share.

VIII. Requests for Additional Information

Any identification of potential misuse of Opioid Funds or other non-compliance with the terms of the MOU and any National Opioid Settlement may result in a request for further information from the Opioid Response Unit.

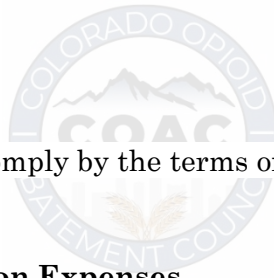
Per the MOU, failure to respond to a request for further information within 21 days will lead to further remedial action in accordance with the COAC Remedial Procedures.

IX. Infrastructure Funding Recipients

The COAC will review all funding applications, progress reports, and expenditure reports from Infrastructure Share funding recipients.

Progress reports from Infrastructure Share funding recipients will be due to the Colorado Opioid Abatement Council (COAC) using a provided template. The COAC may request additional information or meetings as necessary to assist in reporting.

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The applicant will be expected to comply by the terms of the provided letter to the funding recipient.

X. Oversight and Distribution Expenses

The COAC will utilize the Opioid Funds' State Share to pay for any expenses incurred in the process of oversight and distribution.

The Opioid Response Unit will provide administrative support to the COAC and any committee of the COAC and will make all good faith efforts to limit such costs to the greatest extent possible.

Governing Language from the Colorado Opioid Settlement Memorandum of Understanding

Section C (1)

*A General Abatement Fund Council (the "Abatement Council"), consisting of representatives appointed by the State and Participating Local Governments, shall be created **to ensure the distribution of Opioid Funds complies with the terms of any Settlement and to provide oversight of the Opioid Funds in accordance with the terms of this MOU.***

Section C (4) (b.)

*Administration: The Abatement Council shall be responsible for an accounting of all Opioid Funds. The Abatement Council shall be responsible for releasing Opioid Funds in accordance with Section (B)(1) for the Regional and Statewide Infrastructure Shares in Sections (B)(2)(c) and (d) **and shall develop policies and procedures for the release and oversight of such funds in accordance with Sections (F) and (G). Should the Abatement Council require assistance with providing an accounting of Opioid Funds, it may seek assistance from the State.***

Section H (1)

*All Parties and Regional Councils shall maintain all records related to the receipt and expenditure of Opioid Funds for no less than five (5) years and shall make such records available for review by the Abatement Council, any other Party or Regional Council, or the public. Records requested by the public shall be produced in accordance with Colorado's open records laws. **Records requested by the Abatement Council or another Party or a Regional Council shall be produced within twenty-one (21) days of the date the record request was received.** This requirement does not supplant any Party or Regional Council's obligations under Colorado's open records laws.*



Approval

The Colorado Opioid Abatement Council approved the Oversight & Monitoring Policy via unanimous vote on March 13th, 2023.

Colorado Attorney General Philip J. Weiser
Colorado Opioid Abatement Council Chair

Signature Date: 4/24/2023