



**Colorado Opioid Abatement Council (COAC)**  
**Regional Plan Submission, Amendment, and Certification Policy**

**I. Purpose**

This policy provides guidance to Regions on the requirements to submit, amend, and certify Plans as set by the Colorado Opioid Settlement Memorandum of Understanding (MOU).

**II. Executive Summary**

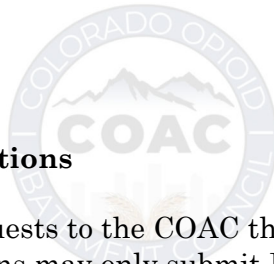
The Colorado MOU requires Regions to submit a Plan with all Funding Requests and to certify compliance with their Plans on an annual basis. The MOU permits Regions to amend their Plans so long as Plan Amendments comply with the terms of the MOU and any Settlement.

The COAC will provide at least two options for Regions to make Funding Requests on an annual basis. All Funding Requests must accompany a Plan identifying the allocation of funds by Approved Purpose. Regions are expected and encouraged to amend their Plans as appropriate when the expected expenditures of funds changes so they may certify compliance with their plans on an annual basis.

**III. Definitions**

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

- 1) “Plan 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) “Funding Request” shall mean a Region’s request to the COAC for Opioid Funds in accordance with Section F(7) of the MOU.
- 4) “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).
- 5) “Opioid Funds” shall have the same meaning as set forth in Section A(7) of the MOU.
- 6) “Plan” shall mean a proposal for expending two years of Opioid Funds on Approved Purposes in accordance with Section F(7) of the MOU.
- 7) “Plan Certification” shall mean an attestation by the Region that Opioid Funds were expended on Approved Purposes in accordance with a Plan or Plan Amendment, as set forth in Section F(10) of the MOU.
- 8) “Region” shall have the same meaning as described in Section F of the MOU.



#### **IV. Funding Request Restrictions**

Regions shall submit Funding Requests to the COAC through the Colorado Opioid Settlement Tracker (COST). Regions may only submit Funding Requests by March 15<sup>th</sup> or September 15<sup>th</sup>, or any other additional deadlines determined by the COAC. Any additional deadline determined by the COAC will be communicated to all Regions at least 30 days in advance of the deadline. Funding Requests shall be accompanied by a Plan.

#### **V. Additional Funding Request Restrictions**

Regions may submit additional Funding Requests within a 2-year cycle on Funding Request deadlines as set by Section IV above. Any additional Funding Requests within a 2-year cycle must be submitted with the Plan previously submitted.

#### **VI. Plan Submission Expectations**

Regions may submit one Plan for each 2-year cycle and a Plan with a Funding Request may only be submitted on the Funding Request deadlines as set by Section IV above.

#### **VII. Plan Amendment Submission Expectations**

Regions should submit a Plan Amendment if they identify changes with their Plan

Regions are required to submit Plan Amendments at least 30 days prior to the Plan Certification deadline to address changes with their Plan as submitted or previously amended. At any time other than the 30 days prior to the Plan Certification deadline, Regions may submit non-funding Plan Amendments to address changes with the Plan.

#### **VIII. Plan Certification and Expenditure Reporting**

Any Region that received Opioid Funds during the preceding year, or reported unexpended funds in the prior year's expenditure report, shall submit an annual expenditure report to the COAC and must certify that the Region expended its Opioid Funds in accordance with its Plan.

Regions shall submit the expenditure report and Plan Certification in a format and by a deadline determined by the COAC.



**Governing Language from the Colorado Opioid Settlement Memorandum of Understanding**

***Section F (7)***

*Each Regional Council shall make requests to the Abatement Council for Opioid Funds from their allocation of the Regional Share. **Each Regional Council's request for Opioid Funds from the Regional Share shall be accompanied by a 2- year plan identifying the Approved Purposes** for which the requested funds will be used by the Region anywhere within the State of Colorado. **A Regional Council's 2-year plan may be amended so long as such Amendments comply with the terms of this MOU and any Settlement.** Any Regional Council may seek assistance from the Abatement Council for purposes of developing its 2-year plan.*

***Excerpt from Section F (9)***

*The Abatement Council shall release funds requested by a Regional Council in accordance with Section (B)(I) if the Regional Council's 2-year plan complies with the Approved Purposes, the terms of this MOU, and the terms of any Settlement.*

***Section F (10)***

***On an annual basis, as determined by the Abatement Council, each Regional Council's fiscal agent shall provide to the Abatement Council the Regional Council's expenditure data, including administrative costs, from their allocation of the Regional Share and certify to the Abatement Council that the Regional Council's expenditures were for Approved Purposes and complied with its 2-year plan.** The Regional Council shall subject itself to an accounting at the Abatement Council's discretion.*