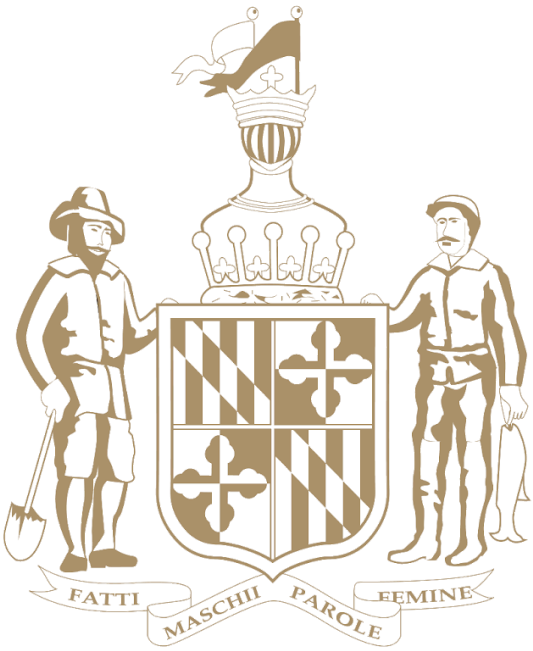


Maryland Opioid Restitution Fund Expenditure Report

Fiscal Year 2024

Submitted by Maryland's Office of Overdose Response

Released: November 1, 2024
Revised: November 7, 2024

Pursuant to State Finance and Procurement Article § 7–331 (Chapter 537 of the Acts of 2019) and in accordance with § 2–1257 of the State Government Article. Copies of this report have been delivered to the Maryland Department of Legislative Services Library pursuant to Maryland State Education Article § 23-301(e).

Introduction

Maryland's Opioid Restitution Fund (ORF) was established in 2019 to receive all monies awarded to the State of Maryland through prescription opioid-related legal action. Pursuant to State Finance and Procurement Article § 7–331 (Chapter 537 of the Acts of 2019) and in accordance with § 2–1257 of the State Government Article, the Governor of Maryland is required to submit a report annually by November 1 for the preceding fiscal year summarizing all deposits into the ORF and the utilization of those funds.

Specifically, State Finance and Procurement Article § 7–331 requires that this report include:

i. an accounting of total funds expended from the fund in the immediately preceding fiscal year, by:
    1. use;
    2. if applicable, jurisdiction; and
    3. budget program and subdivision;

ii. the performance indicators and progress toward achieving the goals and objectives developed under item (1) of this subsection; and

iii. the recommended appropriations from the Fund identified in accordance with item (2) of this subsection.

Maryland's Office of Overdose Response (formerly known as the Opioid Operational Command Center) has prepared the report below on behalf of the Moore-Miller administration to meet this requirement. Specifically, the report below details the following for the 2024 fiscal year:

- an overview of funds received through the ORF;
- an overview of funds allocated through the ORF; and
- an overview of relevant performance metrics associated with the use of ORF funds.

Funds Received

Overview

As of the 2024 fiscal year (July 1, 2023 – June 30, 2024), Maryland has received distributions through seven prescription opioid-related legal settlements. By the end of the 2023 fiscal year, Maryland had received a combined $71,479,971.74, $57,939,854.23 of which was deposited into the Opioid Restitution Fund and $13,540,117.51 of which was distributed directly to local jurisdictions.

In the 2024 fiscal year, Maryland received and additional $129,713,750.73 in settlement payments, $100,441,721.12 of which was deposited into the Opioid Restitution Fund and $29,272,029.61 of which was distributed directly to local jurisdictions.

Cumulatively, as of the end of the 2024 fiscal year, Maryland has received $201,193,722.52, $158,381,575.35 of which was deposited into the Opioid Restitution Fund and $42,812,147.12 of which was distributed directly to local jurisdictions.

Prescription Opioid-Related Settlement Funds Received in Maryland			
Fiscal Year	*Local Distribution*	*Deposited into ORF*	*Total*
FY 2023	$13,540,117.51	$57,939,854.23	$71,479,971.74
FY 2024	$29,272,029.61	$99,924,702.91	$129,713,750.73
Total	**$42,812,147.12**	**$158,381,575.35**	**$201,193,722.47**

McKinsey & Company

Maryland and a coalition of states reached a settlement with McKinsey & Company in 2021 related to consumer protection charges resulting from marketing plans developed by the firm for multiple prescription opioid manufacturers.[1] Maryland's share of the $573 million national settlement was $12,084,129.00.

Maryland received an initial distribution of $10,016,057.58 and an installment of $517,018.21 in July 2021. Two additional annual installments of $517,018.21 were received in the 2023 and 2024 fiscal years for a cumulative total of $11,567,111.21. A final installment of $517,018.21 was received in July 2024 (in the 2025 fiscal year).

Janssen Settlement

Maryland and a coalition of states reached a settlement in 2021 with Johnson & Johnson and three prescription opioid distributors, McKesson, Cencora (formerly known as AmerisourceBergen), and Cardinal Health, related to claims of deceptive marketing practices and negligent monitoring of prescription opioid sales.[2] Collectively, the settlement is also referred to as the "Janssen settlement." Maryland's share of the national settlement (which could extend to over $21 billion if requirements for conditional payments outlined in the settlement agreement are met) is approximately $395 million over a period of 18 years.

State-Subdivision Agreement

An agreement between the State of Maryland and 58 local municipal subdivisions in Maryland that agreed to drop independent litigation to participate in the national Janssen settlement (known as the "State-Subdivision Agreement") describes how Janssen funding will be distributed among Maryland municipal subdivisions.[3] Additionally, the expenditure of funds under this agreement must comport with Exhibit E of the national settlement.[4]

The State-Subdivision Agreement identifies four distinct funding streams through which Janssen settlement funds will be distributed:

[1] https://www.marylandattorneygeneral.gov/press/2021/020421.pdf.
[2] https://www.marylandattorneygeneral.gov/press/2021/090821.pdf
[3] https://nationalopioidsettlement.com/wp-content/uploads/2022/02/Maryland-State-Subdivision-Agreement.pdf
[4] https://stopoverdose.maryland.gov/orf/

1. **State Allocation (15% of settlement funding):** Funds that may be used at the discretion of the state for opioid abatement purposes.

2. **Targeted Abatement Subfund:**

    a. **Targeted Abatement Fund (45% of settlement funding):** State-administered funding to be distributed to municipal subdivisions on a formula basis.

    Under the Targeted Abatement Fund, eight "Qualifying Charter Counties" were identified as eligible to receive funding within 30 days of the deposit of annual installments in the Targeted Abetment Subfund. The remaining 51 subdivisions must submit "Local Abatement Plans" and participate in a state-administered block grant program to receive their portion of these funds.

    The eight qualifying Charter Counties include Baltimore City* and Anne Arundel, Baltimore, Frederick, Harford, Howard, Montgomery, and Prince George's Counties.

    b. **State Discretionary Abatement Fund (15% of settlement funding):** State-administered funding to be distributed through a competitive process.

3. **Direct Payments to Local Subdivisions (25% of settlement funding):** Funds provided directly to local subdivisions. Direct payments are not allocated through the ORF.

    ***Note:** Baltimore City pursued independent litigation against Johnson & Johnson and the three distributors named in the Janssen settlement. As such, governmental organizations in Baltimore City are not eligible to receive Janssen settlement funds. However, non-government organizations that operate in Baltimore City are eligible to receive State Discretionary Abatement Funds and funds from the State Allocation for eligible uses.

Maryland received installment payments totaling $30,721,394.85 for the 2024 fiscal year through the Janssen settlement. Of this, $24,086,052.19 was deposited into the Opioid Restitution Fund and $6,635,342.66 was distributed directly to local jurisdictions.

In June 2024, Maryland received an additional $14,019,154.20 through the Janssen settlement representing installment payments for the 2025 fiscal year. Of this $10,514,365.65 was deposited into the Opioid Restitution Fund and $3,504,788.55 was distributed directly to local jurisdictions.

Cumulatively, Maryland has received a total of $105,170,427.79 through the Janssen settlement, which represents the first three years of installments. Of this, $81,490,179.07 was deposited into the Opioid Restitution Fund and $23,680,248.72 was distributed directly to local municipal subdivisions.

Walmart, Walgreens, Allergan, and Teva

In February 2024, the Maryland Attorney General's Office announced four additional settlements with prescription opioid manufacturers and pharmacies.[5] Funds received from these settlements will follow

[5] https://www.marylandattorneygeneral.gov/press/2024/022824a.pdf

the same payment structure as the Janssen settlement pursuant to an update to the State-Subdivision Agreement made in April 2023.[6]

Note: Baltimore City joined the State of Maryland's settlement agreement with Walmart and is eligible to receive Walmart funds pursuant to the structure outlined in the State-Subdivision Agreement. However, Baltimore City did not join the state's settlement agreement with Walgreens, Allergan, or Teva.

Walmart

A settlement of $55,473,854.51 to be paid over six years related to claims of failing to investigate suspicious prescriptions for opioids. In the 2024 fiscal year, Maryland received $53,077,656.21 through this settlement, which represents the first two annual installments. Of this, $39,916,767.22 was deposited into the Opioid Restitution Fund and $13,160,888.99 was distributed directly to local municipal subdivisions.

Walgreens

A settlement of $74,763,582.54 to be paid over 15 years related to claims of failing to investigate suspicious prescriptions for opioids. In the 2024 fiscal year, Maryland received a total of $11,754,148.58 through this settlement, which represents the first two annual installment payments. Of this, $8,842,121.29 was deposited into the Opioid Restitution Fund and $2,912,027.29 was distributed directly to local municipal subdivisions.

Allergan

A settlement of $38,166,449.66 to be paid over seven years surrounding claims of deceptive marketing practices promoting the perception opioid, Kadian, which was described as safer than other prescription opioids. In the 2024 fiscal year, Maryland received a total of $6,510,194.40 through this settlement. Of this, $4,903,378.81 was deposited into the Opioid Restitution Fund and $1,606,815.59 was distributed directly to local municipal subdivisions.

Teva

A settlement of $70,281,866.66 surrounding the claims that the firm encouraged prescribing of its high-strength fentanyl products beyond FDA-approved uses. In the 2024 fiscal year, Maryland received a total of $5,874,795.26 through this settlement. Of this, $4,422,628.73 was deposited into the Opioid Restitution Fund and $1,452,166.53 was distributed directly to local municipal subdivisions.

Publicis Health

In February 2024, a 50-state settlement of $350 million was finalized with Publicis Health, LLC, a France-based marketing firm, surrounding claims that a marketing strategy that it assisted in developing for Purdue Pharma encouraged inappropriate prescribing of OxyContin.[7] Maryland's share of the national settlement was $7,239,389.04, which was distributed as a one-time payment in the 2024 fiscal year into the Opioid Restitution Fund. Funds from this settlement were distributed directly to the State of Maryland and were not bound by the requirements of the State-Subdivision Agreement.

[6] https://stopoverdose.maryland.gov/orf/
[7] https://www.marylandattorneygeneral.gov/press/2024/020124a.pdf

Taken together, of the $201,193,722.47 Maryland has received through prescription opioid-related legal settlements, $42,812,147.12 was distributed to local jurisdictions and $77,061,864.78 was designated for use as block grants to local jurisdictions. Of the remaining portion, $31,256,605.18 has been designated for distribution through a competitive process, and $50,063,105.43 may be used at the state's discretion.

Cumulative Settlement Payments Received through the Opioid Restitution Fund			
Settlement	*As of FY 2023*	*FY 2024 Installments**	*Cumulative Total*
McKinsey & Company	**$11,050,093.00**	**$517,018.21**	**$11,567,111.21**
Janssen (Johnson & Johnson, McKesson, Cencora, & Cardinal Health)	**$46,889,761.23**	**$34,600,417.84**	**$81,490,179.07**
Targeted Abatement Fund (45%)	*$24,372,221.51*	*$18,252,236.18*	*$42,624,447.70*
State Discretionary Abatement Fund (15%)	*$11,258,774.86*	*$8,174,090.83*	*$19,432,865.69*
State Allocation (15%)	*$11,258,774.86*	*$8,174,090.83*	*$19,432,865.69*
Walmart, Walgreens, Allergan, and Teva	—	**$58,084,896.03**	**$58,084,896.03**
Targeted Abatement Fund (45%)	—	*$34,437,417.08*	*$34,437,417.08*
State Discretionary Abatement Fund (15%)	—	*$11,823,739.487*	*$11,823,739.487*
State Allocation (15%)	—	*$11,823,739.487*	*$11,823,739.487*
Publicis Health	—	**$7,239,389.04**	**$7,239,389.04**
FY 2024 Total	**$57,939,854.23**	**$100,441,721.12**	**$158,381,575.35**

Note: As of the 2024 fiscal year, a cumulative total of $42,812,147.12 has been distributed directly to local qualifying subdivisions in Maryland by the settlement administrator, Brown Greer PLC. Direct payments to local qualifying subdivisions are not deposited into the Opioid Restitution Fund.

Use of ORF Funds

McKinsey & Company

During the first two years in which funds were available through the Opioid Restitution Fund, Maryland's Office of Overdose Response supported two competitive funding opportunities using prescription opioid settlement proceeds. Both programs used funds received from the settlement with McKinsey & Company, which are not subject to the requirements of the State-Subdivision Agreement.

Together, $8,007,084.39 of McKinsey & Company settlement funds were allocated to support competitive funding opportunities in the 2023 and 2024 fiscal years to support programs being implemented by local jurisdictions and local community organizations. Maryland's Office of Overdose Response also allocated $2 million to support Maryland's Data-Informed Overdose Risk Mitigation (DORM) initiative.

Approximately 80 percent of McKinsey & Company settlement funds have been allocated for use at the local level and 20 percent have been allocated for use at the state level. These allocations were made prior to the establishment of Maryland's Opioid Restitution Fund Advisory Council in 2022 (more information about Council is detailed below).

Examination and Treatment Act Grant Program

In July 2022, Maryland's Office of Overdose Response announced $7,758,159.39 in awards through a competitive funding opportunity titled Implementing the Requirements of the Opioid Use Disorder Examination and Treatment Act. This program was designed to support local jurisdictions in implementing the requirements of the Opioid Use Disorder Examination and Treatment Act of 2019, which requires all local detention centers to establish programs to screen incarcerated individuals for opioid use disorder and offer peer recovery specialist services, counseling services to develop re-entry plans for individuals upon release, and all three FDA-approved formulations of medications for opioid use disorder, such as methadone or buprenorphine, in their facilities.

Grant awards through this program supported work in 17 local detention facilities through the 2024 fiscal year. The recipients included a combination of detention centers, jails, and local health departments working in tandem with their correctional facilities. A summary of these awards can be found in Appendix A, below.

As of the 2024 fiscal year, this grant program has concluded. Of the funds allocated, $4,778,170.70 was expended through the 2023 and 2024 fiscal years. The unspent funds will revert to the ORF and will be available for use in future fiscal years as the ORF is a non-lapsing fund.

Access to Recovery Emergency Gap Funds Grant Program

In September 2022, Maryland's Office of Overdose Response announced its Access to Recovery Emergency Gap Funds Grant Program. Through this program, $248,925 in funds was awarded for use in the 2023 fiscal year. Funds distributed through this grant program were eligible to reimburse emergency expenses related to recovery services, such as transportation to and from recovery programs and extended stays in recovery housing.

Access to Recovery Emergency Gap Funds grants were awarded to 12 organizations that work with individuals in substance use recovery, including recovery-focused community organizations, recovery residences that have been certified by the Behavioral Health Administration of the Maryland Department of Health, local health departments, and local behavioral health authorities. A summary of these awards can be found in Appendix B, below.

In the 2023 fiscal year, $157,913.64 of the allocated Access to Recovery Emergency Grant funds were expended. Unspent funds totalling $91,011.36 will revert to the ORF and will be available for use in future fiscal years.

Data-Informed Overdose Risk Mitigation

In the 2023 fiscal year, $2 million of McKinsey & Company settlement funds were allocated to support data infrastructure improvements for the Data-Informed Overdose Risk Mitigation initiative. DORM, which was established with Maryland House Bill 922 of 2018, examines the prescription and treatment history of individuals in Maryland who died from an overdose in order to establish overdose risk profiles and to inform overdose-related programs and policy. To do this, the DORM project links various public-health and public-safety databases to analyze system interactions of overdose decedents, which can reveal common risk factors and highlight opportunities for intervention.

Funding in the 2023 fiscal year supported work by the Center for Applied Analytics at the Maryland Total Human-services Integrated Network (MD THINK), an office of the Maryland Department of Human Services, to make enhancements to data-storage and data-linking infrastructure supporting multi-agency analytical work. While the legislative mandate for DORM expired in the 2024 fiscal year, the DORM data resource has been transitioned to a secure server with the Maryland Department of Health and will continue to be updated and used to inform Maryland's overdose response efforts. The most recent report produced through the DORM initiative can be found at StopOverdose.maryland.gov/DORM.

As of the 2024 fiscal year, $1,043,578.33 of the allocated funds to support DORM have been expended.

Taken together, of the $11,567,111 received through the McKinsey settlement, $10,007,084.39 has been allocated for use, and $5,910,872 has been expended.

McKinsey Settlement Fund Allocations and Expenditures As of the 2024 Fiscal Year

Program	*Funds Allocated*	*Funds Expended*
Examination and Treatment Act Grant Program	$7,758,159.39	$4,778,170.70
Access to Recovery Emergency Gap Funds Grant Program	$248,925.00	$157,913.64
Data-Informed Overdose Risk Mitigation	$2,000,000.00	$1,043,578.33
FY 2023 Total	**$10,007,084.39**	**$5,979,662.671**

Targeted Abatement Funds

Funding through the Targeted Abatement Fund is formula-based as specified by the State-Subdivision Agreement. A memo from the Maryland Attorney General's office issued on November 7, 2022, provides additional detail regarding the allocation percentages by subdivision.[8] The allocation percentages are the same for all settlements governed by the State-Subdivision Agreement with the exception of the Walmart settlement, which includes Baltimore City in its calculations.

As noted above, Qualifying Charter Counties are eligible to receive Targeted Abatement Funds within 30 days of their receipt in the Opioid Restitution Fund. In order to qualify to receive funding, the remaining 50 municipal subdivisions are required to implement Local Abatement Plans as required by the State-Subdivision Agreement. Local Abatement Plans must to adhere to funding requirements identified by Exhibit E of the National Settlement Agreement as well as the restrictions identified in Section 7-331, which limits expenditures from the ORF to certain types of opioids-related uses approved by the General Assembly, which ordinarily must be evidence-based uses. These uses are provided in Appendix C, below. Local Abatement Plans plans are required to be updated every five years. In consultation with the Maryland Department of Health, Maryland's Office of Overdose Response received, reviewed, and approved Local Abatement Plans from nine subdivisions in the 2024 fiscal year.

As of the end of the 2023 fiscal year, $24,372,211.51 was deposited into the Opioid Restitution Fund from the Janssen settlement for use as Targeted Abatement Fund grants. Of this, $16,878,897.32 was distributed to Qualifying Charter Counties. At that time, no Local Abatement Plans had been received from other participating subdivisions, and no additional targeted abatement funds were distributed.

In the 2024 fiscal year, an additional $52,689,653.26 was deposited into the Opioid Restitution Fund from the Janssen, Walmart, Walgreens, Allergan, and Teva settlements for use as Targeted Abatement Fund grants. Of this, $34,694,148.45 was distributed to Qualifying Charter Counties. An additional $4,617,468.81 was distributed to other participating municipal subdivisions.

Targeted Abatement Fund Distributions through the 2024 Fiscal Year

Qualifying Charter County	*Amount*
Anne Arundel County	$8,410,078
Baltimore County	$14,987,027
Frederick County	$3,034,178
Harford County	$4,293,521
Howard County	3,339,373
Montgomery County	$8,929,875
Prince George's County	$7,382,007

[8] https://www.marylandattorneygeneral.gov/news%20documents/110722_MML.pdf

Targeted Abatement Fund Distributions through the 2024 Fiscal Year (Continued)	
Non-Qualifying Charter County	*Amount*
Caroline County	$515,852.29
Carroll County	$2,539,434.45
Cecil County	$2,864,917.17
Town of Northeast	$25,060.11
Garrett County	$323,578.95
Town of Bel Air	$56,737.80
City of Rockville	$275,116.58
St. Mary's County	$1,325,492.11
Talbot County	$405,400.63
Total	**$58,707,649.09**

Taken together, Maryland has received a cumulative total of $77,061,864.78 in funds designated for use as Targeted Abatement grants. Of this, $58,707,649.09 was distributed to participating municipal subdivisions, leaving $18,354,215.69 remaining to be distributed. Targeted Abatement Funds will be distributed to the remaining participating municipal subdivisions once their Local Abatement Plans have been established and approved.

State Discretionary Abatement Funds & State Allocation

As of the 2023 fiscal year, Maryland received $11,258,774.86 through the Opioid Restitution Fund designated for use as State Discretionary Abatement funds, which, as detailed above, are intended to be distributed through a competitive process. An additional $11,258,774.86 was received for use at the state's discretion.

In the 2024 fiscal year, installment payments from the Janssen, Walmart, Walgreens, Allergan, and Teva settlements of $19,997,830.30 were designated for use as State Discretionary Abatement Funds, and $19,997,830.30 was designated for use at the state's discretion.

As of the end of the 2024 fiscal year, funds through the State Discretionary Abatement Funds and the State Allocation had yet to be expended.

Maryland Department of Health Request for Applications

On June 26, 2024, the Maryland Department of Health issued a Request for Applications for funding using available funds through the State Discretionary Abatement Fund and the State Allocation. Through this competitive funding opportunity, applicants are eligible to receive up to $1 million to support

programs and initiatives that meet the funding requirements of Exhibit E, the Opioid Restitution Fund, and the 2023 recommendations from the Opioid Restitution Fund Advisory Council (more information regarding the 2023 recommendations is provided below).

The application window for this competitive fund opportunity closed on July 27, 2024, which is in the 2025 fiscal year. As such, any allocation of ORF funds through this competitive opportunity and any associated performance measures will be reported in the next annual update to this report.

Allocation Summary

As outlined above, a cumulative total of $158,381,575.35 in prescription opioid-related legal settlement funds have been deposited into the ORF as of the 2024 fiscal year. Of this, $68,714,733.48 was allocated for use at the state and local level and by private organizations and $9,237,097.27 has been expended.

Opioid Restitution Funds Received, Allocated, & Expended As of the 2024 Fiscal Year			
Settlement	*Amount Received*	*Amount Allocated, Distributed*	*Amount Expended*
McKinsey & Company	**$11,567,111.21**	**$10,007,084.39**	**$5,892,506.01**
State-Subdivision Agreement Funds (Janssen, Walmart, Walgreens, Teva, and Allergan Settlements)	**$139,575,075.10**	**$58,707,649.09**	**$3,344,591.26**
State Allocation	*$31,256,605.16*	—	—
State Discretionary Abatement Fund	*$31,256,605.16*	—	—
Targeted Abatement Fund	*$77,061,864.78*	*$58,707,649.09*	*$3,344,591.26*
Publicis Health	**$7,239,389.04**	—	—
FY 2024 Total	**$158,381,575.35**	**$68,714,733.48**	**$9,237,097.27**

Recommended Uses

In 2022, Maryland established the Opioid Restitution Fund Advisory Council through House Bill (HB) 794 to provide recommendations regarding the use of prescription opioid-related settlement funds received through the Opioid Restitution Fund.[9] The mandate for the ORF Advisory Council was updated in 2024 through Senate Bill 751.

The ORF Advisory Council has six members appointed by the Governor and Secretary of Health and eight other members that are specified in the legislation. Members include individuals from the following organizations/agencies: Maryland's Office of Overdose Response, the Behavioral Health Administration,

[9] https://mgaleg.maryland.gov/2022RS/chapters_noln/Ch_270_hb0794E.pdf

the Maryland Medicaid Administration, the Maryland Senate, the Maryland House of Delegates, the Maryland Municipal League, the Maryland Association of Counties, and the Office of the Maryland Attorney General. Appointed members include individuals directly impacted by overdose through personal experience and individuals involved in harm-reduction services and substance-use treatment.

As specified by HB 794, by November 1 of each year, the Advisory Council must provide recommendations to the Governor and Secretary of Health regarding the allocations of money from the Opioid Restitution Fund. In addition to adhering to the allowable uses of the Opioid Restitution Fund, the Advisory Council's recommendations must also considering the following criteria:

1. the number of people per capita with a substance use disorder in a jurisdiction;
2. disparities in access to care in a jurisdiction that may preclude persons;
3. the number of overdose deaths per capita in a jurisdiction;
4. the programs, services, supports, or other resources currently available to individuals with substance use disorders in a jurisdiction; and
5. disparities in access to care and health outcomes in a jurisdiction.

The ORF Advisory Council delivered its first set of recommendations in November 2023.[10] These recommendations apply to any funds that will be distributed on a discretionary basis by the state through the ORF. Namely, this includes funds from the McKinsey and Publicis settlements as well as the State Discretionary Fund and the State Allocation associated with the State-Subdivision Agreement.

Performance Indicators

McKinsey & Company Funds

As of the 2024 fiscal year, funds from the Opioid Restitution Fund were used to support two grant programs. As specified above, this includes the Examination and Treatment Act Grant Program and the Access to Recovery Emergency Gap Funds Grant Program administered by Maryland's Office of Overdose Response. Performance summaries for programs supported with these grants are provided below.

Examination and Treatment Act Grant Program

Through the Implementing the Requirements of the Opioid Use Disorder Examination and Treatment Act Grant Program, Maryland's Office of Overdose Response awarded a total of $7,758,159.39 to 17 local jurisdictions. Funding supported the implementation of programs to screen incarcerated individuals for opioid use disorder, offer peer recovery specialist services, offer counseling services to develop re-entry plans for individuals upon release, and offer treatment services with all three FDA-approved formulations of medications for opioid use disorder, such as methadone or buprenorphine. The performance period for this program concluded at the end of the 2024 fiscal year.

Through the course of the funding period, programs supported by ORF funds provided substance use disorder screening services to 3,232 individuals, counseling services to 3,204 individuals, treatment with

[10] https://stopoverdose.maryland.gov/orf/

medications for opioid use disorder to 3,379 individuals, peer recovery specialist services to 1,624 individuals, naloxone training to 641 individuals, and re-entry planning services to 1,379 individuals.

ETAGP Combined Grant Performance Metrics Through Fiscal Year 2024	
Performance Metric	*Number of Individuals*
Substance Use Disorder Screening	3,232
Counseling Services	3,204
Treatment with Medications for Opioid Use Disorder	3,379
Peer Recovery Specialist Services	1,624
Naloxone Training	641
Re-Entry Planning Services	1,379

In addition to the outcomes listed above, six counties established protocols to provide the services required by the Opioid Use Disorder Examination and Treatment Act through a review of internal procedures and target population needs.

Access to Recovery Emergency Gap Funds Grant Program

In the 2023 fiscal year, Maryland's Office of Overdose Response made 12 awards totaling $248,925.00 through its Access to Recovery Emergency Gap Funds Grant Program. Of this, $89,123.02 was reimbursed, leaving $159,801.98, or 64.2 percent, unspent.

Collectively throughout the grant performance period, grantees reported that 2,058 individuals received transportation assistance to recovery services and that 171 individuals received support for extended stays in certified recovery homes.

Access to Recovery Emergency Gap Funds Combined Performance Metrics in Fiscal Year 2023	
Performance Metric	*Number*
Number of Individuals Provided Transportation Assistance	2,058
Number of Individuals Provided Recovery Housing Assistance	171

Transportation assistance was provided to individuals to access recovery services, treatment services, and necessary government services. This took the form of scheduled rides through companies like Lyft

(*Lyft Concierge*) or Uber (*Uber Health*), providing bus tokens/passes, MTA charges, or Smartrip cards for travel on public transportation, and reimbursements for personal transport by case managers.

In order to receive support for extended stays in recovery housing, grantees were required to be certified by the Maryland Department of Health's Behavioral Health Administration through their Maryland Certification of Recovery Residences program. This requirement was designed to comport with the eligibility requirements for recovery homes to receive reimbursements for recovery housing services with state funding through the Maryland RecoveryNet program.

Data-Informed Overdose Risk Mitigation

As of the 2024 fiscal year, ORF funds allocated to the Data-Informed Overdose Risk Mitigation initiative were used to support a project manager position, analytical work performed by researchers with the Johns Hopkins Bloomberg School of Public Health, and platform maintenance costs through MD THINK. This work was pivotal for generating the 2023 DORM Annual Report.[11] As noted above, the legislative mandate for DORM expired in the 2024 fiscal year, and the Maryland Department of Health Data Office will continue to maintain the DORM data environment to support future analytical work assessing overdose risk in Maryland.

State-Subdivision Agreement Funds

Targeted Abatement Funds & Local Direct Funds

As outlined above, $58,707,649.09 in Targeted Abatement Funds were distributed to local participating subdivisions as of the 2024 fiscal year. This included payments to seven Qualifying Charter Counties and nine additional participating local municipal subdivisions. Of this, local participating subdivisions have allocated $32,176,235.62 for use, and $3,344,591.26 has been expended as of the 2024 fiscal year.

Pursuant to the State-Subdivision Agreement, recipients of Targeted Abatement Funds are required to report on the expenditure of those funds and any associated performance measures. Please note that some subdivisions have allocated funds for use in future fiscal years. The performance measures provided below only relate to funds that have been expended as of the 2024 fiscal year.

Targeted Abatement Fund Performance Metrics As of the 2024 Fiscal Year	
Performance Metric	*Number of Individuals*
Recipients of Substance Use Disorder Screening Services	6,541
Recipients of Medications for Opioid Use Disorder	1,068
Overdose Reversal Medication Kits Distributed	7,245
Recipients of Adolescent Prevention Education	1,802
Recipients of Crisis Services	1,915

[11] https://stopoverdose.maryland.gov/dorm/

Additionally, as outlined in the State-Subdivision Agreement, the state reserves the right to audit the use of settlement funds that have been distributed as direct payments to local participating subdivisions to ensure that they comply with the agreement. Under this framework, recipients of Targeted Abatement funds were also asked to report on the performance of any programs that were supported using Local Direct funds. These performance measures will be reported in the next annual update to this report.

State Discretionary Abatement Funds & State Allocation

At the time of this writing, funds through the State Discretionary Abatement Fund and the State Allocation have not been allocated for use. As such, no performance measures are available to report for these funds.

Publicis Health Funds

At the time of this writing, funds received from the settlement with Publicis Health have not been allocated for use. As such, no performance measures are available to report for these funds.

APPENDIX A: Opioid Use Disorder Examination and Treatment Act Grant Program (Fiscal Year 2023–2024 Awards)

Organization	Project Summary	Award
Allegany County Sheriff's Office Detention Center	Support for medication for opioid use disorder (MOUD) treatment and re-entry planning services.	**$500,000**
Anne Arundel County Department of Health	Support for MOUD treatment in Jennifer Road Detention Center and staffing for mobile medical services.	**$499,991**
Baltimore City Pretrial Facility	Support for long-lasting buprenorphine treatment, transportation, and re-entry release kits with naloxone.	**$495,677**
Baltimore County Department of Correction	Support for MOUD treatment services, peer recovery services, and re-entry planning services.	**$303,590**
Calvert County Health Department	Support for MOUD treatment services, re-entry counseling services, and naloxone training in the Calvert County Detention Center.	**$367,151**
Caroline County Health Department	Support for MOUD treatment, re-entry planning services, and care coordination in the Caroline County Detention Center.	**$346,315**
Carroll County Sheriff's Office/Detention Center	Support for initial assessment and planning to provide treatment, counseling, and re-entry counseling services.	**$500,000**
Cecil County Health Department	Support for screening services, re-entry planning, peer recovery support, counseling, and care coordination in the Cecil County Detention Center.	**$878,985**
Dorchester County Health Department	Support for cognitive behavioral therapy, counseling services, peer support, and MOUD treatment services in the Dorchester County Detention Center.	**$279,648**

Organization	Project Summary	Award
Garrett County Detention Center, Board of Garrett County Commissioners	Staffing support for MOUD treatment services.	**$224,740**
Kent County Detention Center	Support for treatment expansion of recovery programming, including increased staffing, medication access, and telemedicine.	**$317,975**
Queen Anne's County Detention Center	Support for care coordination, behavioral health and MOUD treatment services, peer support, and re-entry planning services.	**$744,723**
Somerset County Detention Center	Support for ongoing training for criminal justice staff and providers delivering MAT, and the purchase of FDA-approved medications for MOUD treatment, as well as support for re-entry services and peer support.	**$438,870**
St. Mary's County Health Department	Support for purchases of screening equipment and MOUD, as well as support for medical staff, counseling services, and peer recovery services in the St. Mary's County Detention Center.	**$840,914**
Talbot County Department of Corrections	Support for screening, counseling, re-entry, care coordination services, and provision of re-entry kits with naloxone.	**$352,194**
Washington County Detention Center	Support for medical staff, counseling services, peer recovery services, and MOUD treatment services.	**$491,374**
Worcester County Jail	Support for MOUD treatment, counseling, and care coordination services.	**$204,313**

APPENDIX B: Access to Recovery Emergency Gap Funds Grant Program – Fiscal Year 2023 Awards

Organization	Jurisdiction	Award Amount	Project Summary
Opportunity Ministries, Inc.	Anne Arundel	$30,000	Support for emergency housing assistance at MCORR-certified recovery homes and prepaid transportation assistance for individuals seeking recovery services.
Daniel Carl Torsch Foundation	Baltimore	$11,200	Support for bus passes for individuals accessing recovery services.
Light of Truth Center, Inc.	Baltimore City	$24,900	Support for long-term housing for women receiving recovery services and reduced-fare bus passes and ride share vouchers.
The HOFFA Foundation Inc.	Carroll	$15,000	Support for weekly rent assistance for individuals receiving treatment and recovery services and transportation assistance for individual access treatment and recovery services, mental health services, and government services.
Westminster Rescue Mission's Addiction Healing Center	Carroll	$5,000	Support for transportation assistance for individuals accessing treatment and recovery through rideshare services.
Voices of Hope, Inc.	Cecil	$29,000	Support for transportation assistance for individuals accessing treatment, employment, health care, recovery supports and family reunification efforts as well as financial assistance to cover for entry fee and/or two weeks rent in a recovery home.
The Jude House	Charles	$30,000	Support for transitional housing and transportation assistance for individuals in recovery to access workforce development resources.

Organization	Jurisdiction	Award Amount	Project Summary
Garrett County Health Department	Garrett	$15,000	Support transportation assistance through gas cards and emergency medical transportation services.
Kent County Health Department	Kent	$29,925	Support for transportation assistance for individuals entering treatment and extended stays in recovery housing.
Ladders To Leaders	Washington	$6,300	Support for transitional housing assistance and travel expense reimbursements for individuals accessing recovery services.
Mid Shore Behavioral Health, Inc.	Upper Eastern Shore	$30,000	Support for extended stays in recovery housing.
Tree Of Hope Association	Montgomery and Prince George's	$25,000	Support for transportation assistance for individuals accessing recovery services.

APPENDIX C: Opioid Restitution Fund Allowable Uses

The General Assembly created the Opioid Restitution Fund (ORF) to receive and hold:

> "All revenues received by the state from any source resulting, directly or indirectly, from any judgment against, or settlement with, opioid manufacturers, opioid research associations, or any other person in the opioid industry relating to any claims made or prosecuted by the state to recover damages for violations of state law; and the interest earnings of the fund."[12]

Section 7-331 limits expenditures from the ORF to certain types of opioid abatement-related uses approved by the Maryland General Assembly, which ordinarily must be evidence-based. Under Section 7-331, funds from the ORF may generally be expended for the following:

1. **Naloxone Access:** Improving access to naloxone medications proven to prevent or reverse an overdose.

2. **Peer Support and Referrals:** Supporting peer support specialists and screening, brief intervention, and referral to treatment services for hospitals, correctional facilities, and other high-risk populations.

3. **Access to Medication:** Increasing access to medications that support recovery from substance use disorders.

4. **Heroin Coordinator Expansion:** Expanding the heroin coordinator program, including administrative expenses.

5. **Crisis Bed/Residential Expansion:** Expanding access to crisis beds and residential treatment services.

6. **Safe Stations, Mobile Crisis, Crisis Stabilization:** Expanding and establishing safe stations, mobile crisis response systems, and crisis stabilization centers**.**

7. **Crisis Hotline:** Supporting the behavioral health crisis hotline.

8. **School Education:** Organizing primary and secondary school education campaigns to prevent opioid use, including administrative expenses.

9. **Enforcement:** Enforcing the laws regarding opioid prescriptions and sales, including administrative expenses.

10. **Research:** Researching and training for substance use treatment and overdose prevention, including administrative expenses.

[12] https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gsf&section=7-331&enactments=false

11. **Other Evidence-Based Treatment:** Supporting and expanding other evidence-based interventions for overdose prevention and substance use treatment.

12. **Pilot Programs:** Evidence-informed substance use disorder prevention, treatment recovery, or harm reduction pilot programs or demonstration studies that are not evidence-based if the Opioid Restitution Fund Advisory Council, established under § 7.5–902 of the Health General Article:

    a. Determines that emerging evidence supports the distribution of money for the pilot program or that there is a reasonable basis for funding the demonstration study with the expectation of creating an evidence-based program.

    b. Approves the use of money for the pilot program or demonstration study.

13. **Evaluations:** Evaluations of the effectiveness and outcomes reporting for substance use disorder abatement infrastructure, programs, services, supports, and resources for which money from the fund was used, including evaluations of the impact on access to harm reduction services or treatment for substance use disorders and the reduction in drug-related mortality.

In addition, Section 7-331 provides that ORF funds must be spent in accordance with the requirements of certain judgments or settlements that condition the State's or a subdivision's use of funds, including State-Subdivision Agreements reached by the Attorney General with one or more subdivisions.

Accordingly, to determine whether expenditures are approved and to identify the procedural and allocation requirements that apply to particular funds deposited in the ORF, the Maryland Department of Health must examine the requirements of Section 7-331, of the particular settlement agreement or judgment from which funds were derived, and of any applicable state-subdivision agreement entered by the Attorney General with one or more of the State's subdivisions.