

STATE OF MARYLAND
OFFICE OF THE GOVERNOR
OPIOID OPERATIONAL COMMAND CENTER



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October 29, 2021

The Honorable Bill Ferguson
President of the Senate
Maryland General Assembly
H-107 State House
Annapolis, MD 21401–1991

The Honorable Adrienne A. Jones
Speaker of the House
Maryland General Assembly
H-101 State House
Annapolis, MD 21401–1991

RE: State Finance and Procurement Article § 7–331 (Chapter 537 of the Acts of 2019)—Opioid Restitution Fund Expenditure Report (MSAR # 12300)

Dear President Ferguson and Speaker Jones:

In accordance with State Finance and Procurement Article § 7–331 (Chapter 537 of the Acts of 2019), the Opioid Operational Command Center (O OCC), the Governor’s coordinating office for the State of Maryland’s opioid and overdose response, is submitting the following report to provide an update on the amount of funding that Maryland has received and expended through the Opioid Restitution Fund (ORF), which was established under State Finance and Procurement Article § 6–226(a)—Section 2 during the 2019 session.

In February 2021, the State of Maryland was awarded approximately \$12 million through a legal settlement with McKinsey & Company, a private consulting firm incorporated in the State of New York, for the company’s dangerous marketing practices involving prescription opioids. The funds from this settlement were the first to be deposited into the ORF. The total settlement award from McKinsey & Co., Inc. involved an immediate payment of \$10,016,056.63 million, which was received in fiscal year 2021. An additional \$517,018.21 will be deposited into the ORF annually over the next four years. According to the terms of the settlement, the funding from McKinsey & Co., Inc. shall be used to “remediate the harms caused to the Settling States and their citizens because of the opioid epidemic.”

To date, no funding has been allocated from the ORF. Funding will be allocated in accordance with the priorities outlined in the annual Inter-Agency Opioid Coordination Plan, which is drafted by the O OCC on an annual basis.

At present, the O OCC is in the process of updating its annual coordination plan to guide the use of these funds in accordance with the requirements of the ORF. This plan will detail key goals, objectives, and performance indicators that we intend to use to guide the use of these funds in redressing the harms of the opioid crisis and to reduce opioid-related mortality in the State of Maryland. As a part of this process, we are soliciting feedback from relevant treatment and prevention stakeholders, public health experts, and community members who have been affected by overdose on the most effective use of funding deposited into the ORF.

The O OCC is also considering evidence-based interventions that have been shown to reduce opioid-related morbidity and mortality, data-driven insights from Maryland’s Data-Informed Overdose Risk Mitigation initiative, and the work of the Racial Disparities in Overdose Task Force, which is operating

under Lt. Governor Boyd K. Rutherford's Inter-Agency Opioid Coordinating Council. Taken together, these considerations will ensure that all ORF funding is used effectively and equitably as well as with the greatest degree of transparency and accountability.

Among our immediate priorities for the use of ORF funding will be to support local Maryland jurisdictions as they establish the necessary infrastructure to support the implementation of the Opioid Use Disorder Examinations and Treatment Act (HB116), which was passed during the 2019 session. This act requires that all county correctional facilities implement screening practices for opioid use disorder (OUD) and to offer the three medications for OUD that have been approved by the Food and Drug Administration. These medications include methadone, buprenorphine, and long-acting naltrexone. Additional requirements of this legislation are that correctional facilities must offer peer support services for individuals with OUD and to provide assistance to individuals receiving treatment services upon their reentry into society to ensure a full continuum of care.

Many local jurisdictions, however, have not been successful in establishing the necessary infrastructure required by the Opioid Use Disorder Examinations and Treatment Act, with many jurisdictions reporting that the associated cost is a significant barrier. To address this financial burden, the OOCC is working in coordination with the Maryland Department of Health and the Governor's Office of Crime Prevention, Youth, and Victims Services, to draft and issue a Notice of Funding Opportunity (NOFO) to direct financial assistance using ORF funds to local jurisdictions that are establishing this programming.

The OOCC believes that supporting OUD screening practices in correctional facilities is among the most high-impact public health interventions that the State of Maryland could support to reduce opioid-related mortality in light of the large proportion of individuals with behavioral health diagnoses that are also justice-involved. Additionally, research shows that the risk for overdose is significantly higher among justice-involved individuals with a substance use disorder upon reentering society. Thus, increasing access to treatment services for incarcerated individuals and ensuring a continuum of care following their release will help reduce preventable overdose among this high-risk population and, ultimately, to save lives.

We aim to release this NOFO in the Fall of 2021. Local health departments and local detention centers will be eligible to apply.

Please contact Robin Rickard at 443-381-3805 or robin.rickard@maryland.gov with any questions.

Sincerely,



Robin E. Rickard
Executive Director
Opioid Operational Command Center
Office of the Governor

CC: Dennis Schrader, Secretary, Maryland Department of Health; Heather Shek, Director, Office of Governmental Affairs, Maryland Department of Health; Amelia Alcivar, Chief of Staff, Office of the Governor; Christopher Shank, Director of External Affairs and Interagency Initiatives, Office of the Governor.