



MDDCSAM is the Maryland state chapter of the American Society of Addiction Medicine whose members are physicians and other health providers who treat people with substance use disorders.

HB 980 Public Health - Opioid Restitution Advisory Council and Fund – Revisions.

Health and Government Operations Committee. February 28, 2024

SUPPORT WITH AMENDMENT

As of October 19th 2023, 18 states have indicated they will report 100% of their opioid settlement funds spend to the public: AZ, CO, CT, DE, FL, ID, IN, MA, MN MO, NH, NJ, NC, OR, SC, UT, WA.

Maryland is not among them.

According to the Executive Director of the Opioid Policy Institute (<https://opioidpolicy.org>) Jonathan Stoltman, "The opportunity for trouble is massive with 50 billion dollars. My concern is: is it cronyism? Is there some kind of waste, fraud and abuse that's happening? Because you can't look at it. It's all back door secret stuff, and that's scary."

According to Christine Minhee JD, founder of OpioidSettlementTracker.com, "Public reporting of the settlement expenditures is not required by the settlements themselves, so we're in wild west territory." (OpioidSettlementTracker.com independently investigates the transparency of each of these fund's state by state).

Without full transparency, states, including their Opioid Advisory Councils, will be unable to meaningfully evaluate or modify spending over the 15 – 18 years that these funds will be dispersed, and there are a great many ways that funds could be used ineffectively.

PROPOSED AMENDMENT:

We propose removing the provision that at least 25% of all funds be earmarked for recovery organizations.

It is likely that recovery services are relatively under-funded, and this level of funding might ultimately be deemed appropriate. However, we believe that spending priorities should be determined on their merits and that an earmark may potentially interfere with making the best spending decisions.

As an aside, many recovery residences limit or prohibit access to medications for opioid use disorder (OUD) regardless of patient preference or medical provider's recommendation, a practice which does not meet the most basic standard of care for OUD, and many such recovery residences nevertheless receive quality certification from the Maryland Certification of Recovery Residences program (MCCORR). (Reference: LAC)

With this amendment, we urge a favorable report.

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(continued . . .)

REFERENCES:

News reference: 'Lack of transparency concerns over billions in Opioid settlement money distributions.'
October 17th 2023, Updated October 19th 2023

<https://thenationaldesk.com/news/spotlight-on-america/lack-of-transparency-concerns-over-billions-in-opioid-settlement-money-distributions>

LAC: Legal Action Center. Opioid Use Disorder & Health Care: Recovery Residences. People who take medication for opioid use disorder (MOUD), like methadone or buprenorphine, often experience illegal barriers to healthcare. (posted 2022) <https://www.lac.org/assets/files/Recovery-Home-MOUD-Info-Sheet-Feb-2022.pdf>