



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.

SB 751 Public Health - Opioid Restitution Advisory Council and Fund – Revisions.
Finance Committee. March 1, 2024

SUPPORT WITH AMENDMENT

As of October 19th 2023, 18 states have indicated they will report to the public how 100% of their opioid settlement funds will be spent: 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 happening? Because you can't look at it. It's all back door secret stuff, and that's scary." (Reference: The National Desk)

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). (Reference: The National Desk)

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 wasted or used ineffectively.

Therefore, we strongly support that transparency provisions of this bill.

PROPOSED AMENDMENT:

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

It is possible that community-based recovery services are relatively under-funded and a 25% level of funding might eventually be deemed appropriate. However, this is likely to change over time. We believe that spending priorities should be determined on their merits and that a mandated earmark interferes with making the best spending decisions.

Some recovery services are not providing the standard of care. Many recovery residences limit or prohibit access to FDA-approved medications to treat opioid use disorder (OUD) regardless of patient preference or medical provider's recommendation. This practice does not meet the most basic standard of care for OUD. Nevertheless, many such recovery residences receive quality certification from the Maryland Certification of Recovery Residences program (MCOORR). (Reference: LAC)

With this amendment, we urge a favorable report.

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(continued . . .)

REFERENCES:

The National Desk (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>