



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 728 Opioid Restitution Fund - Authorized Uses HGO Committee Feb 12, 2025
UNFAVORABLE

Dear Chair Pena-Melnyk, Vice Chair Cullison, and members of the committee,

We are very concerned that SB 495 will supplant funds that would otherwise be used for the Opioids Enforcement Unit, **essentially swapping the source of funds rather than using them to enhance the state's efforts**. Even for worthwhile, opioid-related purposes, avoiding supplanting existing funds with opioid restitution funds (ORF) is a well-established best practice.

"Use the dollars to supplement rather than supplant existing funding"
(Johns Hopkins Bloomberg School of Health) (1)

"...ensuring that opioid settlement funds are used to their fullest potential while not supplanting existing resources. National Governors Association (2)

The RAND Corporation identified the use settlement funds to replace current funds as a pitfall. (3)

States have restricted or prohibited supplanting state funds with opioid settlement dollars, including CT, KS, MI, NV, NY, VT, CA, MA. (4)

REFERENCES

- (1) 'Principles for the Use of Funds from the Opioid Litigation,' Johns Hopkins Bloomberg School of Health. <https://opioidprinciples.jhsph.edu/>
- (2) Opioid Litigation Settlement Funds Summit, National Governors Association, October 11, 2023 <https://www.nga.org/publications/opioid-litigation-settlement-funds-summit/>
- (3) RAND: 'Strategies for Effectively Allocating Opioid Settlement Funds' June 14, 2021 <https://www.rand.org/health-care/centers/optic/tools/fund-allocation.html>
- (4) Supplantation in the Context of Opioid Settlement Funds. The Network for Public Health Law. Aug 21, 2024 <https://www.networkforphl.org/resources/supplantation-in-the-context-of-opioid-settlement-funds/>

Respectfully,

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