

Washington opioid settlement frequently asked questions (FAQ)

As part of Washington’s work to mitigate harm caused by the opioid crisis, the Attorney General’s Office (AGO) has been working on behalf of the state to seek damages from opioid pharmaceuticals and distribution companies for their role in the rise of opioid use.

Answers to common questions about these settlements are below. As new questions arise, this list will be updated.

FAQ

The following responses have been updated as of 01/06/2023.

Question	Answer	Revision date
1	Which agency is leading the lawsuits and settlements related to the opioid epidemic?	09/16/2022
	The AGO is the lead agency for the lawsuits that will bring opioid settlement funds to Washington. Local governments involved in the lawsuits have separate representation.	
2	Will the state and local governments coordinate how the settlement funds are used?	10/12/2022
	The 125 eligible cities and counties that signed onto the distributors settlement are covered by a memorandum of understanding (MOU) that outlines a process for local/regional planning efforts. The 50% of abatement funds distributed to local governments, per the allocation agreement, can be found here in Exhibit B of the MOU. All 125 of these cities and counties signed onto the MOU as of 10/3/22. While there is not yet an official coordinating body comprised of state and local officials, it is anticipated that state planning efforts will engage in a coordinated way with local and regional Opioid Advisory Councils in the future. Details about engagement and collaboration with local/regional entities are emerging and will be shared when available.	
3	Which agency is leading the allocation and distribution of settlement funds to address the opioid epidemic?	09/16/2022
	The Health Care Authority is steward of the State Opioid and Overdose Response Plan (SOORP) , with support from other state agencies. Because of this, the Health Care Authority was named the lead agency for processes related to use and distribution of the funds. Kris Shera is the point of contact.	

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<p>4 Who is the lead for the local settlement amounts and which local governments are receiving funds?</p>	<p>We have not yet identified a lead organization to collaborate with local governments. We do expect to work with Association of Washington Cities and Washington State Association of Counties in some way.</p> <p>Other settlements will have payment structures that send money to local/regional entities. These payment structures and the ways we will work with local/regional entities are still in development.</p>	<p>09/16/2022</p>
<p>5 Are there guidelines for how the funds can be used?</p>	<p>Each settlement will have nearly identical approved uses and strategies that are in alignment with the SOORP.</p> <p>Distributor settlement - Abatement</p> <p>As other settlements are resolved and move towards payments to the state, strategies, guidelines, and approved uses contained in the settlement agreements will be posted.</p>	<p>09/16/2022</p>
<p>6 How will decisions be made to use the funds in Washington?</p>	<p>The legislature will approve final use of the 50% of abatement funds and returned AGO attorney fees.</p> <p>The SOORP workgroups (made up of subject matter experts and stakeholders from tribal and local communities) provided recommendations to the SOORP executive sponsors (key state agencies and academia). The executive sponsors then sent their resulting recommendations to the Office of the Governor. The Governor’s budget includes a set of recommendations for use of the funds for consideration and approval by the Legislature.</p> <p>Opioid settlement items found in DOH and HCA budgets. In the HCA agency recommendation summary, opioid settlement uses are marked “DS” and can be viewed here.</p> <p>In the DOH agency recommendation summary, opioid settlement uses are marked with “Settlement” and can be viewed here.</p> <p>A strategy will be put into place that allows for sustained community engagement in subsequent years of the settlements.</p>	<p>01/06/2023</p>
<p>7 How many settlements are there?</p>	<p>The settlements that we currently know about are the following:</p> <ol style="list-style-type: none"> Distributors 	<p>09/16/2022</p>

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	<p>2. Purdue Bankruptcy Agreement</p> <p>3. Mallinckrodt</p> <p>There may be additional settlements. Settlements can be tracked here.*</p> <p><i>*This tracking webpage is independently run and is not affiliated with any state agency. Any information here is the opinion of Christine Minhee.</i></p>	
8	<p>Which settlements are final, and which are in process?</p> <p>The distributors settlement is the only settlement that will begin payments on December 1, 2022.</p> <p>All other settlements have unknown time frames for resolution.</p>	10/12/2022
9	<p>How much are each of the settlements?</p> <p>The distributors settlement total is \$518 million dollars, which will be distributed over time. These funds are split between the state, local & regional entities, and some attorney's fees.</p> <p>Amounts for all other settlements are not final.</p>	09/16/2022
10	<p>Will Washington receive any funds between 2022-2023?</p> <p>The first payments will be made to state and local governments on December 1, 2022. The state and local entities will each receive about \$18.84 million in December 2022. The state will also receive about \$18.4 returned attorney fees from the AGO. The amounts distributed in the future will vary from year to year.</p>	10/12/2022
11	<p>What is the schedule for releasing the funds to the state?</p> <p>The first payment of funds from the distributors settlement will be remitted on December 1, 2022. Annual payments will then be made on July 15, 2023, and continue for 17 years.</p> <p>All other settlements do not have finalized amounts and disbursement or remittance schedules.</p>	10/12/2022
12	<p>Where can I get information on the local settlement funds and decision-making process in my community?</p> <p>Currently, there is not a central source of information for what local government may or may not do with settlement funds.</p> <p>The Health Care Authority and the Department of Health are committed to collaborating with cities and counties across the state with respect to the use of opioid settlement funds to maximize efficient use and reduce duplicative spending. We anticipate creating a meaningful venue for the collaboration with cities and counties, and once</p>	09/16/2022

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	this has been developed, it will be shared with the public.	
13 How can I participate in developing the recommendations for how to use the settlement funds?	Anyone can provide comments to a SOORP workgroup by contacting the workgroup leads listed in the plan . These workgroups provide input on work from a variety of funding sources, including opioid settlement funds.	09/16/2022
14 What is the timeline for developing recommendations for 2022-2023?	SOORP workgroups submitted recommendations to the executive sponsors on September 23, 2022. There were two Tribal Roundtables and a formal consultation during the month of October 2022. The executive sponsors of SOORP finalized the recommendations and forward the information to the governor's office on November 4, 2022.	01/06/2023
15 Will Tribes have opportunities to provide input on the uses of state and local distributors settlement funds beyond the current formal consultation process scheduled in October of 2022?	Absolutely. The distributors settlement will be making payments to Washington State for 17 years. During that time, it is anticipated that several other settlements will resolve and begin payments. There will be future consultations if the Tribes make a request, as we are committed to collaborating with Tribes in the future. Tribes are also able to engage the Governor's Office and the Legislature at their discretion.	10/14/2022
16 Do Tribes have their own settlement agreement with the distributors?	Yes. Some Tribes in Washington joined a national Tribal opioid settlement agreement with the distributors. Tribes were represented by their attorneys in settlement negotiation processes. Questions related to the nature of the national Tribal Opioid Settlement should be directed to them.	10/14/2022
17 Why were Tribes not included in the distributions from the Washington Distributors Settlement Agreement?	The Tribes have a separate national Tribal opioid settlement agreement with the distributors. The distributors will not settle with the same parties twice.	10/14/2022
18 How do I ask additional questions?	The Washington State Opioid Settlements page has a contact form where we encourage you to submit your question.	01/06/2023