

Opium Abatement Authority Legislation

Overview of Legislation

- **HB 2322** (Herring) and **SB 1469** (Barker) create a structure that may be used to effectuate the terms of a settlement, court order, or agreement with the Virginia Attorney General relating to the opioid litigation.
- Funds related to such a settlement agreement may be deposited into an Opioid Abatement Fund (OAF).
- According to **HB 2322** and **SB 1469** as introduced, the OAF will be administered by an independent Opioid Abatement Authority (OAA). The OAA will be led by a board consisting of 11 members: (1) the Secretary of Health and Human Resources; (2) the Director of Senate Committee on Finance and Appropriations; (3) the Staff Director of House Committee on Appropriations; (4) an elected member of a local governing body to be selected from a list of three submitted by VACo and VML; (5) a CSB representative from an urban or suburban region; (6) a CSB representative from a rural area; (7) a local sheriff; (8) a city or county attorney; (9) and (10) two medical professionals; and (11) one representative of the addiction and recovery community.
- OAA will establish criteria for awards, review applications, decide on the distribution of funds, and evaluate the implementation and results of awards.
- Awards can only be made for opioid-related items, but can include treatment and recovery programs, support for specialty court dockets, and a wide range of prevention measures.
- OAA is required to give priority to applications that: (1) collaborate with an existing successful program; (2) support treatment or prevention in a community with a high incidence of opioid use disorder; (3) address opioid treatment in a historically economically disadvantaged community; and (4) include a monetary match from the locality.
- Fund distribution earmarks: 15 percent to state agencies; 15 percent to localities; 35 percent to regional efforts; and, 35 percent is unrestricted.

Fairfax County Principles for Opioid Legislation

- It is essential that substantial, dedicated funding be distributed directly to localities quickly and efficiently, in recognition of the significant financial burdens localities have borne in addressing the opioid epidemic. Such funding should be distributed to localities equitably.
- Administrative costs must be minimized to the extent practicable, to ensure funds are dedicated to program and service delivery for County residents.
- The Commonwealth should ensure that the OAA has the flexibility to distribute funding in a manner that encourages innovative, evidence-based approaches to opioid-related treatment and prevention strategies.
- Significant local government representation on the OAA board must be maintained.