



General Assembly

Amendment

January Session, 2023

LCO No. 6811



Offered by:
REP. D'AGOSTINO, 91st Dist.

To: Subst. House Bill No. 6696

File No. 92

Cal. No. 84

**"AN ACT CONCERNING THE OPIOID SETTLEMENT FUND AND
PERSONAL OPIOID DRUG DEACTIVATION AND DISPOSAL
PRODUCTS."**

1 Strike section 2 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 2. Subsections (e) and (f) of section 17a-674c of the general
4 statutes are repealed and the following is substituted in lieu thereof
5 (*Effective July 1, 2023*):

6 (e) Moneys in the fund shall be spent only for the following substance
7 use disorder abatement purposes, in accordance with the controlling
8 judgment, consent decree or settlement, as confirmed by the Attorney
9 General's review of such judgment, consent decree or settlement and
10 upon the approval of the committee and the Secretary of the Office of
11 Policy and Management:

12 (1) State-wide, regional or community substance use disorder needs
13 assessments to identify structural gaps and needs to inform

14 expenditures from the fund;

15 (2) Infrastructure required for evidence-based substance use disorder
16 prevention, treatment, recovery or harm reduction programs, services
17 and supports;

18 (3) Programs, services, supports and resources for evidence-based
19 substance use disorder prevention, treatment, recovery or harm
20 reduction;

21 (4) Evidence-informed substance use disorder prevention, treatment,
22 recovery or harm reduction pilot programs or demonstration studies
23 that are not evidence-based, but are approved by the committee as an
24 appropriate use of moneys for a limited period of time as specified by
25 the committee, provided the committee shall assess whether the
26 evidence supports funding such programs or studies or whether it
27 provides a basis for funding such programs or studies with an
28 expectation of creating an evidence base for such programs and studies;

29 (5) Evaluation of effectiveness and outcomes reporting for substance
30 use disorder abatement infrastructure, programs, services, supports and
31 resources for which moneys from the fund have been disbursed,
32 including, but not limited to, impact on access to harm reduction
33 services or treatment for substance use disorders or reduction in drug-
34 related mortality;

35 (6) One or more publicly available data interfaces managed by the
36 commissioner to aggregate, track and report data on (A) substance use
37 disorders, overdoses and drug-related harms, (B) spending
38 recommendations, plans and reports, and (C) outcomes of programs,
39 services, supports and resources for which moneys from the fund were
40 disbursed;

41 (7) Research on opioid abatement, including, but not limited to,
42 development of evidence-based treatment, barriers to treatment,
43 nonopioid treatment of chronic pain and harm reduction, supply-side
44 enforcement;

45 (8) Documented expenses incurred in administering and staffing the
46 fund and the committee, and expenses, including, but not limited to,
47 legal fees, incurred by the state or any municipality in securing
48 settlement proceeds, deposited in the fund as permitted by the
49 controlling judgment, consent decree or settlement;

50 (9) Documented expenses associated with managing, investing and
51 disbursing moneys in the fund; [and]

52 (10) Documented expenses, including legal fees, incurred by the state
53 or any municipality in securing settlement proceeds deposited in the
54 fund to the extent such expenses are not otherwise reimbursed pursuant
55 to a fee agreement provided for by the controlling judgment, consent
56 decree or settlement; and

57 (11) Documented expenses incurred by pharmacies and pharmacists
58 in providing personal opioid drug deactivation and disposal products
59 to patients pursuant to section 1 of this act.

60 (f) (1) For purposes of this section, the fund balance shall be
61 determined by the State Treasurer as of July first, annually.

62 (2) Except as permitted by subdivision (8) of subsection (e) of this
63 section, or unless otherwise required by court order to refund to the
64 federal government a portion of the proceeds, moneys in the fund shall
65 be used for prospective purposes and shall not be used to reimburse
66 expenditures incurred prior to July 1, 2022.

67 (3) Proceeds derived from any state settlement of claims against a
68 defendant shall be allocated and disbursed only to those municipalities
69 that execute an agreement to participate in such settlement and adhere
70 to the terms of such agreement, provided the allocation or disbursement
71 of such settlement proceeds for the benefit of persons within
72 municipalities that do not execute an agreement to participate in such
73 settlement or do not adhere to the terms of such agreement shall not be
74 precluded or limited.

75 (4) Governmental and nonprofit nongovernmental entities shall be
76 eligible to receive moneys from the fund for programs, services,
77 supports and resources for prevention, treatment, recovery and harm
78 reduction.

79 (5) Pharmacies and pharmacists shall be eligible to receive moneys
80 from the fund for documented expenses incurred by pharmacies and
81 pharmacists in providing personal opioid drug deactivation and
82 disposal products to patients pursuant to section 1 of this act.

83 ~~[(5)]~~ (6) Subject to the provisions of subdivision ~~[(6)]~~ (7) of this
84 subsection, fund disbursements shall be made by the commissioner
85 upon approval of the committee. The commissioner shall not make or
86 refuse to make any disbursement allowable under this subsection
87 without the approval of the committee. The commissioner shall adhere
88 to the committee's decisions regarding disbursement of moneys from
89 the fund, provided such disbursement is a permissible expenditure
90 under this section. The commissioner's role in the distribution of
91 moneys after the distribution has been approved by the committee and
92 after the review and approval required under subsection (e) of this
93 section shall be ministerial and shall not be discretionary.

94 ~~[(6)]~~ (7) Moneys expended from the fund for the purposes set forth in
95 subsection (d) of this section shall be supplemental to, and shall not
96 supplant or take the place of, any other funds, including, but not limited
97 to, insurance benefits or local, state or federal funding, that would
98 otherwise have been expended for such purposes. The commissioner
99 shall not disburse moneys from the fund during any fiscal year unless
100 the Secretary of the Office of Policy and Management transmits to the
101 committee a letter verifying that funds appropriated and allocated in
102 such fiscal year's budget for substance use disorder abatement
103 infrastructure, programs, services, supports and resources for
104 prevention, treatment, recovery and harm reduction are in an amount
105 not less than the sum of the funds for such purposes appropriated and
106 allocated in the previous fiscal year's budget. As used in this
107 subdivision, "supplemental" means additional funding, consistent with

108 the provisions of this section, for substance use disorder abatement
109 infrastructure or a substance use disorder abatement program, service,
110 support or resource to ensure that funding in the current fiscal year
111 exceeds the sum of federal, state, and local funds allocated in the
112 previous fiscal year for such substance use disorder abatement
113 infrastructure, program, service, support or resource."

This act shall take effect as follows and shall amend the following sections:		
Sec. 2	July 1, 2023	17a-674c(e) and (f)