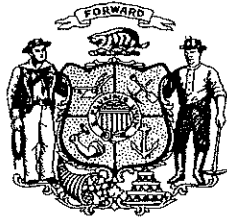


STATE OF WISCONSIN

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
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JOINT COMMITTEE ON FINANCE

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: January 3, 2023

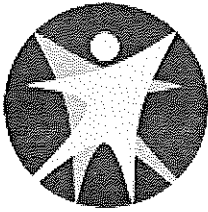
Re: DHS Report to JFC

Attached is a report on the Opioid Litigation Settlement Funds from the Department of Health Services, pursuant to 2021 Wisconsin Act 57.

This report is being provided for your information only. No action by the Committee is required. Please feel free to contact us if you have any questions.

Attachments

HM:MB:jm



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Karen E. Timberlake, Secretary

December 30, 2022

JAN 03 2023
St. Finance

The Honorable Howard L. Marklein, Senate Co-Chair
Joint Committee on Finance
Room 316 East
State Capitol
P.O. Box 7882
Madison, WI 53707

The Honorable Mark Born, Assembly Co-Chair
Joint Committee on Finance
Room 308 East
State Capitol
P.O. Box 8952
Madison, WI 53708

Dear Senator Marklein and Representative Born:

2021 Wisconsin Act 57 required the Department of Health Services (DHS) to submit to the Joint Committee on Finance a proposal to expend settlement proceeds paid to the state from the National Prescription Opiate Litigation (NPOL), Case No. MDL 2804. Under Act 57, 30 percent of the NPOL settlement proceeds are to be allocated to DHS for purposes that comply with the settlement agreement or court order. DHS submitted its required proposal to expend the first increment of settlement funds on April 1, 2022, which was revised and submitted in July 2022 at the Committee's request, and was subsequently amended and approved by the Committee at its September 8, 2022, meeting.

As part of the plan approval, the Committee required DHS to submit a report by December 31, 2022, and on a quarterly basis thereafter, regarding revenue expenditures under the plan. I am writing to report on the fiscal year (FY) 23 quarter 1 and 2 opioid settlement proceeds received through the NPOL.

In FY 23, DHS received three settlement payments: \$6 million in August, \$7.6 million in October, and \$17 million on December 2, 2022. As funds were received, strategies from the plan approved by the Committee in September were prioritized and acted upon based on the funding available to DHS. In preparation to distribute funding, DHS has completed the necessary procurement steps, developed requests for proposals, established systems to distribute and monitor the funding, and engaged in stakeholder outreach to ensure these funds have a significant impact once distributed. To date, DHS has awarded funds, or released funding opportunities, for five strategies totaling \$9.8 million.

Consistent with the approved plan, \$250,000 has been allocated to DPI for grants related to K-12 evidence-based substance use prevention curriculums or programing, \$300,000 has been expended on a program to distribute fentanyl testing strips, and \$750,000 has been expended to expand the NARCAN®

Direct Program. Additional details regarding the recipients of the fentanyl testing strips and NARCAN® can be found in Appendix A. The Department has also made available \$2.5 million in grant funding for room and board costs for residential substance use disorder treatment (applications due January 2023) and \$6 million in grant funding for tribal nations (applications due in February 2023).

In 2022, DHS identified one-time funds outside of the NPOL settlement to add law enforcement agencies as an eligible provider to the NARCAN® Direct Program. Participants in this program can obtain NARCAN®, the opioid overdose reversal medication, at no cost. Settlement funds awarded through the NARCAN® Direct Program strategy allowed DHS to double the allocation to law enforcement agencies and sustain this effort through calendar year (CY) 2023. To date, settlement funds have provided 31,560 doses of NARCAN® to 135 law enforcement agencies across the state.

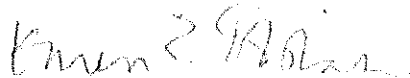
In October of 2022, DHS began supplying fentanyl test strips to providers across the state to disseminate in communities, with a focus on getting supplies to people who use drugs using resources available through the American Rescue Plan Act. The initial allocation of funds allowed DHS to partner with 65 county human service agencies, local public health departments, and tribal health clinics in this effort. DHS increased the resources available to the fentanyl test strip strategy using NPOL Settlement funds, allowing DHS to expand these services to the 25 opioid treatment programs across the state. This was a direct response to requests from the opioid treatment programs that serve populations at risk for relapse. Relapse after a period of abstinence is extremely dangerous, especially if the drug unknowingly includes fentanyl. Funding awarded by DHS has provided 207,500 test strips to opioid treatment programs across the state.

The timing of when Wisconsin receives settlement funds is controlled by the administrator of the national settlement. A total of \$24.6 million in FY 23 settlement funds were received by DHS late in the second quarter, leaving a limited time frame for DHS to award funds into the community. Nevertheless, DHS has taken steps to ensure funds are distributed expeditiously while also ensuring community partners have adequate time to respond to funding opportunities.

DHS continues to draft additional funding opportunities for the NARCAN® Direct Program and fentanyl testing strip strategies and has begun the necessary work to release funding opportunities for the remaining strategies now that all expected funds for FY 23 have been received.

Please contact me if you have any questions about this report.

Sincerely,

A handwritten signature in dark ink, appearing to read "Karen E. Timberlake", written in a cursive style.

Karen E. Timberlake
Secretary-designee

Appendix A
Listing of Individual Recipients of Awarded Funds, the Amounts Awarded to Each, and an Account of Program Accomplishments or Other Relevant Metrics by Category

NARCAN® Direct Program

In 2022, DHS identified one-time funds to add law enforcement agencies as an eligible provider to the NARCAN® Direct Program. Settlement funds awarded through the NARCAN® Direct Program strategy allowed DHS to sustain this effort through CY 2023. To date, these funds have provided 31,560 doses of NARCAN® to 135 law enforcement agencies across the state.

NARCAN DIRECT PROGRAM EXPANSION				
Law Enforcement Agency Name	Funding Amount Awarded	Cumulative Amount Awarded	NARCAN® Cases Provided	Total Number of NARCAN® Doses Provided
Antigo Police Department	\$1,140	\$1,140	2	48
Appleton Police Department	\$17,100	\$17,100	30	720
Argyle Police Department	\$1,140	\$1,140	2	48
Ashland County Sheriff's Office	\$6,840	\$6,840	12	288
Bangor Police Department	\$1,140	\$1,140	2	48
Black Creek Police Department	\$570	\$570	1	24
Bloomfield Police Department	\$2,280	\$2,280	4	96
Boyceville Police Department	\$570	\$570	1	24
Brown County Sheriff's Office	\$45,600	\$45,600	80	1,920
Brown Deer Police Department	\$1,710	\$1,710	3	72
Calumet County Sheriff's Office	\$1,140	\$1,140	2	48
Campbell Police Department	\$570	\$570	1	24
Chippewa County Sheriff's Office	\$8,550	\$8,550	15	360
City of Brillion Police Department	\$5,700	\$5,700	10	240
City of Burlington Police Department	\$570	\$570	1	24
City of Glendale Police Department	\$1,140	\$1,140	2	48
City of Greenfield Police Department	\$570	\$570	1	24
City of Menasha Police Department	\$1,140	\$1,140	2	48
City of Neenah Police Department	\$2,280	\$2,280	4	96
City of Oak Creek Police Department	\$1,140	\$1,140	2	48
City of Oshkosh Police Department	\$12,540	\$12,540	22	528
City of West Bend Police Department	\$1,140	\$1,140	2	48
Clear Lake Police Department	\$570	\$570	1	24
Cleveland Police Department	\$570	\$570	1	24
Clintonville Police Department	\$2,280	\$2,280	4	96

Columbia County Sheriff	\$11,400	\$11,400	20	480
Cornell Police Department	\$570	\$570	1	24
Crawford County Sheriff's Office	\$28,500	\$28,500	50	1,200
Cudahy Police Department	\$1,140	\$1,140	2	48
Dunn County Sheriff's Office	\$7,980	\$7,980	14	336
Eagle Police Department	\$570	\$570	1	24
Edgerton Police Department	\$2,280	\$2,280	4	96
Elk Mound Police Department	\$570	\$570	1	24
Emmet Police Department	\$570	\$570	1	24
Endeavor Police Department	\$570	\$570	1	24
Fall Creek Police Department	\$570	\$570	1	24
Fennimore Police Department	\$570	\$570	1	24
Florence County Sheriff Office	\$1,140	\$1,140	2	48
Fond du Lac County Sheriff's Office	\$8,550	\$8,550	15	360
Fort Atkinson Police Department	\$1,710	\$1,710	3	72
Franklin Police Department	\$2,850	\$2,850	5	120
Frederic Police Department	\$2,280	\$2,280	4	96
Germantown Police Department	\$6,840	\$6,840	12	288
Grand Chute Police Department	\$1,140	\$1,140	2	48
Green Bay Police Department	\$71,250	\$71,250	125	3,000
Hillsboro Police Department	\$1,710	\$1,710	3	72
Hobart/Lawrence Police Department	\$5,700	\$5,700	10	240
Horicon Police Department	\$1,140	\$1,140	2	48
Hortonville Police Department	\$570	\$570	1	24
Hustisford Police Department	\$570	\$570	1	24
Iron County Sheriff's Office	\$570	\$570	1	24
Juneau County Sheriff's Office	\$2,280	\$2,280	4	96
Juneau Police Department	\$570	\$570	1	24
Kewaunee County Sheriff's Office	\$2,280	\$2,280	4	96
Kewaunee Police Department	\$1,140	\$1,140	2	48
Kronenwetter Police Department	\$4,560	\$4,560	8	192
La Crosse County Sheriff	\$7,980	\$7,980	14	336
Langlade County Sheriff's Office	\$1,710	\$1,710	3	72
Lomira Police Department	\$1,140	\$1,140	2	48
Luxemburg Police Department	\$2,280	\$2,280	4	96
Manawa Police Department	\$570	\$570	1	24
Marion Police Department	\$570	\$570	1	24
Marquette County Sheriff's Office	\$1,140	\$1,140	2	48
Marquette University Police Department	\$3,420	\$3,420	6	144
Menominee County Sheriff's Office	\$8,550	\$8,550	15	360

Menominee Tribal Police Department	\$9,120	\$9,120	16	384
Menomonee Falls Police Department	\$8,550	\$8,550	15	360
Merrill Police Department	\$2,280	\$2,280	4	96
Milwaukee County Sheriff's Office	\$142,500	\$142,500	250	6,000
Minocqua Police Department	\$2,850	\$2,850	5	120
Mishicot Police Department	\$1,140	\$1,140	2	48
Monroe County Sheriff's Office	\$9,690	\$9,690	17	408
Neillsville Police Department	\$1,710	\$1,710	3	72
New Holstein Police Department	\$570	\$570	1	24
New Richmond Police Department	\$2,280	\$2,280	4	96
North Fond du Lac Police Department	\$1,710	\$1,710	3	72
Oconto County Sheriff's Office	\$14,250	\$14,250	25	600
Oneida County Sheriff's Office	\$2,280	\$2,280	4	96
Outagamie County Sheriff's Office	\$5,130	\$5,130	9	216
Pepin Police Department	\$570	\$570	1	24
Pierce County Sheriff's Office	\$2,280	\$2,280	4	96
Polk County Sheriff's Office	\$3,420	\$3,420	6	144
Prairie du Chien Police Department	\$570	\$570	1	24
Randolph Police Department	\$570	\$570	1	24
River Falls Police Department	\$1,710	\$1,710	3	72
Roberts Police Department	\$570	\$570	1	24
Rosendale Police Department	\$570	\$570	1	24
Saint Croix Falls Police Department	\$1,140	\$1,140	2	48
Seymour Police Department	\$570	\$570	1	24
Shawano County Sheriff's Office (requesting for: Shawano County Sheriff Office, Stockbridge-Munsee Police Department, Tigerton Police Department)	\$17,100	\$17,100	30	720
Sheboygan Falls Police Department	\$1,710	\$1,710	3	72
Shiocton Police Department	\$570	\$570	1	24
Shorewood Hills Police Department	\$1,140	\$1,140	2	48
Siren Police Department	\$3,420	\$3,420	6	144
Somerset Police Department	\$570	\$570	1	24
South Milwaukee Police Department	\$1,710	\$1,710	3	72
Sparta Police Department	\$1,710	\$1,710	3	72
Stevens Point Police Department	\$1,710	\$1,710	3	72
Superior Police Department	\$3,420	\$3,420	6	144
Taylor County Sheriff's Office	\$3,420	\$3,420	6	144
Thorp Police Department	\$570	\$570	1	24
Town of Brookfield Police Department	\$1,140	\$1,140	2	48

Town of Burlington Police Department Marine Division	\$570	\$570	1	24
Town of Fulton Police	\$570	\$570	1	24
Town of Hartford Police Department	\$3,420	\$3,420	6	144
Town of Hayward Police Department	\$2,280	\$2,280	4	96
Town of Milton Police	\$570	\$570	1	24
Town of Waterford Police Department	\$570	\$570	1	24
Trempealeau Police Department	\$570	\$570	1	24
UW-Platteville Police Department	\$570	\$570	1	24
UW-Stevens Point Police Department	\$1,140	\$1,140	2	48
Vilas County Sheriff's Office	\$12,540	\$12,540	22	528
Village of Bayside Police Department	\$1,140	\$1,140	2	48
Village of Fox Point Police Department	\$1,140	\$1,140	2	48
Village of Hancock Police Department	\$570	\$570	1	24
Village of Osceola Police Department	\$1,140	\$1,140	2	48
Village of Pewaukee Police Department	\$2,280	\$2,280	4	96
Village of Sharon Police Department	\$570	\$570	1	24
Village of Shorewood Police Department	\$1,140	\$1,140	2	48
Village of West Salem Police Department	\$1,710	\$1,710	3	72
Washburn County Sheriff's Office	\$6,840	\$6,840	12	288
Washington Island Police Department	\$570	\$570	1	24
Waupaca County Sheriff's Office	\$5,130	\$5,130	9	216
Waupaca Police Department	\$1,710	\$1,710	3	72
Waupun Police Department	\$1,710	\$1,710	3	72
Wauwatosa Police Department	\$3,420	\$3,420	6	144
Webster Police Department	\$3,420	\$3,420	6	144
West Milwaukee Police Department	\$2,280	\$2,280	4	96
Westby Police Department	\$1,140	\$1,140	2	48
Whitefish Bay Police Department	\$1,140	\$1,140	2	48
WI DOJ Division of Criminal Investigation	\$6,840	\$6,840	12	288
Wisconsin Department of Natural Resources	\$14,250	\$14,250	25	600
Wisconsin State Patrol	\$96,900	\$96,900	170	4,080
TOTAL	\$749,550	\$749,550	1,315	31,560

Fentanyl Test Strips

In October 2022, DHS began supplying fentanyl test strips to providers across the state to disseminate in communities, targeting people who use drugs. The initial allocation of funds allowed DHS to partner with 65 county human service agencies, local public health departments, and tribal health clinics in this effort. The award of additional settlement funds through the fentanyl test strip strategy have allowed DHS to expand these services to the 25 opioid treatment programs across the state. This was a direct response to requests from the opioid treatment programs who serve populations at risk for relapse. Relapse after a period of abstinence is extremely dangerous, especially if the drug unknowingly includes fentanyl. Funding awarded by DHS has provided 207,500 test strips to opioid treatment programs across the state.

FENTANYL TEST STRIPS				
Agency Name	Funding Amount Awarded	Cumulative Amount Awarded	Fentanyl Test Strip Cases Provided	Number of Fentanyl Test Strips Provided
10th Street Comprehensive Treatment Center – Milwaukee	\$11,869	\$11,869	83	8,300
Addiction Medical Solutions of Wisconsin – Janesville	\$11,869	\$11,869	83	8,300
Addiction Medical Solutions of Wisconsin - Minocqua	\$11,869	\$11,869	83	8,300
Addiction Medical Solutions of Wisconsin - Onalaska	\$11,869	\$11,869	83	8,300
Addiction Medical Solutions of Wisconsin - Oshkosh	\$11,869	\$11,869	83	8,300
Addiction Services and Pharmacotherapy (ASAP) - Kenosha	\$11,869	\$11,869	83	8,300
Addiction Services and Pharmacotherapy (ASAP) - Madison	\$11,869	\$11,869	83	8,300
Addiction Services and Pharmacotherapy (ASAP) - West Allis	\$11,869	\$11,869	83	8,300
Appleton Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Beloit Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Community Medical Services - Fond du Lac	\$11,869	\$11,869	83	8,300
Community Medical Services - Milwaukee	\$11,869	\$11,869	83	8,300
Community Medical Services - West Allis	\$11,869	\$11,869	83	8,300
Eau Claire Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Green Bay Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Gundersen Lutheran Medical Center – La Crosse	\$11,869	\$11,869	83	8,300
Madison East Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Madison West Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300

Psychological Addiction Services - Madison	\$11,869	\$11,869	83	8,300
Racine Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
River's Shore Comprehensive Treatment Center - Milwaukee	\$11,869	\$11,869	83	8,300
Sheboygan Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Waukesha Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Wausau Comprehensive Treatment Center	\$11,869	\$11,869	83	83,00
West Milwaukee Comprehensive Treatment Center	\$11,869	\$11,869	83	8,300
Total	\$296,725	\$296,725	2,075	207,500