

Connecticut



Total Funds

\$300 million¹

Allocation

85% to the state and 15% to participating local governments

Mechanism

Legislation
([Public Act No. 22-48](#))

Key Takeaways

No supplantation or reimbursement uses of Fund. The majority of Connecticut's money is allocated to the state and sits in the Opioid Settlement Fund created by state law.² The Fund specifically prohibits using funds to reimburse past expenditures or supplant existing funding streams.³

Harm reduction. Connecticut's Fund statute is unique in defining "evidence-based," "harm reduction," "prevention," and "recovery"⁴ – terms that are often misunderstood or contested. The Fund's listed abatement purposes make space for cutting edge harm reduction innovation by allowing spending on "evidence-informed harm reduction pilot programs and demonstration studies."⁵

Public reporting. The Department of Mental Health and Addiction Services must publish the [CT Opioid Settlement Advisory Committee's](#) annual reports, which will include detailed accountings of expenditures and outcome reporting, on its [website](#).⁶

Background

A [2021 letter](#) from the Attorney General to legislative leadership outlines the allocation of the state's opioid settlement funds: 85% to the state and 15% to participating local governments.⁷ State legislation also established the Opioid Settlement Fund to hold the state's share of settlement funds.⁸

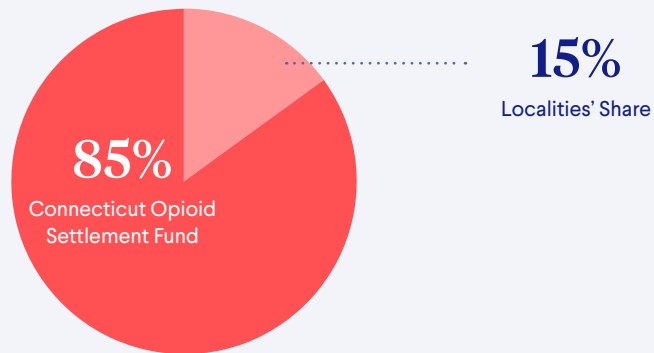
Participating local governments must use settlement funds in accordance with the Distributor and Janssen settlement agreements (e.g., for approved uses outlined in [Exhibit E](#) such as prevention, harm reduction, treatment, and recovery services).⁹ Funds in the state Opioid Settlement Fund must be spent on the abatement purposes described in state law, which include statewide, regional, and community needs assessments;¹⁰ harm reduction infrastructure;¹¹ evidence-informed harm reduction pilot programs;¹² a dashboard to report the Fund's expenditures;¹³ and unreimbursed legal fees, among other uses.¹⁴ Importantly, state law mandates that Fund monies be spent on "prospective purposes,"¹⁵ which prohibits reimbursement for past expenditures, and requires that Fund monies not supplant other funding streams.¹⁶

This resource is current as of 4/6/2023. For the most up-to-date information, please visit <https://www.opioidsettlementtracker.com/settlementspending>.



Decision- Making Process

ALLOCATION OF SETTLEMENT FUNDS



85% CONNECTICUT OPIOID SETTLEMENT FUND

The state's share of settlement monies sits in the Opioid Settlement Fund (Fund), which was created by state legislation and sits separately from the general fund.¹⁷ This Fund is administered by a 37-member Opioid Settlement Advisory Committee (OSAC).¹⁸ Disbursements from the Fund are made by the Commissioner of Mental Health and Addiction Services after approval of the Committee and the Secretary of the Office of Policy and Management,¹⁹ and the Commissioner may not refuse to make a disbursement that is allowable under state law.²⁰

OPIOID SETTLEMENT ADVISORY COMMITTEE (OSAC)

Most OSAC members are from government and include agency heads, legislative leadership, and seventeen people representing municipalities but appointed by the Governor.²¹ OSAC also must include three people representing the lived experiences of substance use disorder.²² The Commissioner of Mental Health and Addiction Services serves as a non-voting co-chair together with a representative from the municipalities.²³ OSAC is staffed by a full-time manager and support staff from the Department of Mental Health and Addiction Services, and these staffers are tasked with making funding recommendations to the Committee and ensuring that expenditures are in line with the strategies laid out in statute.²⁴

OSAC has the power to establish funding application procedures, recommend goals and objectives, and approve allocations from the Fund. Current Committee members can be found on their [website](#). They may be removed by “the appointing authority” for neglecting their duties.²⁵



Decision- Making Process

(Continued)

15% LOCALITIES' SHARE

A [press release](#) from the Office of the Attorney General from October 2022 states that localities will receive settlement funds “directly.”²⁶ Only participating local governments will receive settlement monies,²⁷ and state law provides that governmental entities are eligible to receive additional monies from the state’s share of settlement funds.²⁸ Aside from these provisions, spending rules for localities’ shares are scarce. Localities will likely use their normal budgeting and decision-making processes to expend these funds.

LOCAL SPENDING EXAMPLES

The town of Groton approved a [measure](#) to allocate its Year 2 and Year 3 funds to a local non-profit, Community Speaks Out.²⁹ The city of New London used roughly \$85,000 to purchase naloxone.³⁰

Tracking Funds and Accountability

- The Department of Mental Health and Addiction Services must publish the [CT Opioid Settlement Advisory Committee's](#) annual reports, which will include detailed accountings of expenditures and outcome reporting, on its [website](#).³¹
- Monitor the Department of Mental Health and Addiction Services’ [website](#). Recipients of monies from the state-controlled Fund must also submit an annual report to OSAC describing, among other details, whether the funding effectively reduced mortality or improved prevention, treatment, harm reduction or recovery outcomes.³²

Engaging in the Process

- Attend OSAC’s public meetings, mandated by state law to occur at least quarterly.³³ Past meeting minutes and future meeting dates are posted the Committee’s [website](#); future meetings will cover OSAC subcommittees, bylaws development, and “[public participation guideline development](#).”³⁴
- It’s particularly important that OSAC receive feedback from people from historically underserved communities that have been inequitably affected by the overdose crisis, as OSAC is empowered to focus on “improving health outcomes in traditionally underserved populations, including, but not limited to, persons who live in rural or tribal communities, are members of racial or ethnic minorities or were formerly incarcerated.”³⁵
- Connecticut retains the right to create a trust that would provide direct support and services to victims and impacted family members.³⁶ This right is an outcome of the state’s prolonged bankruptcy proceedings with Purdue, which also created a \$750 million personal injury trust for individuals who filed claims against the company.³⁷

Connecticut



Additional Resources

CONNECTICUT DEPARTMENT OF MENTAL HEALTH & ADDICTION SERVICES

Live LOUD (Life With Opioid Use Disorder)

CONNECTICUT GOVERNOR'S OFFICE

House Bill 5044 Fact Sheet

OTHER

CT Opioid Settlement Advisory Committee



References

Last updated April 6, 2023.

1. From settlements with distributors McKesson, AmerisourceBergen, Cardinal Health and manufacturer Johnson & Johnson only. Connecticut is also participating in several settlements that are likely to be finalized later this year, e.g., CVS, Walgreens, Walmart, Allergan, and Teva. See KHN's "[The Right to Know: Where Does Your State Stand on Public Reporting of Opioid Settlement Cash?](#)" interactive transparency map (located mid-article; click "Connecticut" for state-specific participation information) and OpioidSettlementTracker.com's [Global Settlement Tracker](#) for more information.
2. Public Act No. 22-48 Sec. 2(a).
3. Public Act No. 22-48 Sec. 2(f)(2),(6).
4. Public Act No. 22-48 Sec. 1(4), 1(6), 1(8), and 1(9).
5. Public Act No. 22-48 Sec. 2(e)(4)
6. Public Act No. 22-48 Sec. 3(j)(4), Sec. 5(a)-(b), and Sec. 3(h). See also OpioidSettlementTracker.com's "[States' Initial Promises to Publicly Report Their Opioid Settlement Expenditures.](#)"
7. The proceeds of the settlement will be distributed as follows: 85% will be distributed to the state and 15% to municipalities who sign on to the settlement agreements. (The 85% distributed to the state consists of 70% for prospective abatement efforts only, and the remaining 15% is intended for abatement generally)." [AG's 8/3/2021 letter to legislators](#). See also [AG's 10/26/2022 press release](#) ("Fifteen percent of the settlement funds are going directly to cities and towns, with the remaining 85 percent going to the state").
8. Conn Gen. Stat. § 17a-674c. State law establishing the Opioid Settlement Fund applies to all monies received by Connecticut from any opioid-related settlement. Note that many states' mechanisms for opioid settlement spending were designed to comply with the requirements of the [Distributor](#) and [Janssen](#) settlement agreements, which require (among other provisions) that a minimum of 85% of settlement funds be spent on opioid remediation expenditures. *Section V.B.1*. Subsequent settlements require varying thresholds of opioid remediation spend; the [CVS](#) and [Walgreens](#) agreements, for instance, require a minimum of 95.5% and 95% opioid remediation spending, respectively. *Section V.B.1*. Keep an eye out for the ways states will amend their spending mechanisms, if at all, to comply with subsequent settlement terms.
9. Public Act No. 22-48 Sec. 2(f)(3). [Exhibit E](#) is also linked on the [website](#) of the Opioid Settlement Advisory Committee.
10. Public Act No. 22-48 Sec. 2(e)(1).
11. Public Act No. 22-48 Sec. 2(e)(2).
12. Public Act No. 22-48 Sec. 2(e)(4).
13. Public Act No. 22-48 Sec. 2(e)(6).
14. Public Act No. 22-48 Sec. 2(e)(10).
15. Public Act No. 22-48 Sec. 2(f)(2).
16. Public Act No. 22-48 Sec. 2(f)(6).
17. "There is established an Opioid Settlement Fund which shall be a separate nonlapsing fund administered by the committee." Public Act No. 22-48 Sec. 2(a).
18. Public Act No. 22-48 Sec. 2(a).
19. Public Act No. 22-48 Sec. 2(e).
20. "The commissioner shall adhere to the committee's decisions regarding disbursement of moneys from the fund, provided such disbursement is a permissible expenditure under this section. The commissioner's role in the distribution of moneys after the distribution has been approved by the committee and after the review and approval required under subsection (e) of this section shall be ministerial and shall not be discretionary." Public Act No. 22-48 Sec. 2(f)(5).
21. Public Act No. 22-48 Sec. 3(b).
22. Public Act No. 22-48 Sec. 3(b)(7).
23. "The commissioner shall be co-chairperson of the committee. The speaker of the House of Representatives and the president pro tempore of the Senate shall appoint a co-chairperson from among the individuals representing municipalities appointed pursuant to subdivision (5) of subsection (b) of this section. The co-chairpersons of the committee shall be nonvoting members." Public Act No. 22-48 Sec. 3(c).
24. Public Act No. 22-48 Secs. 3(g)(1), (4).
25. Public Act No. 22-48 Sec. 3(e). Membership rules may be found in the statute's [Section 3](#).



References

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26. [AG's 10/26/2022 press](#) ("Fifteen percent of the settlement funds are going directly to cities and towns, with the remaining 85 percent going to the state"). See also [Connecticut Conference of Municipalities](#) (CCM), which formed a committee to create guidance for towns and cities on the receipt and allowable use of funds in order to maximize participation in the settlement.
27. Public Act No. 22-48 Sec. 2(f)(3).
28. Public Act No. 22-48 Sec. 2(f)(4).
29. See also, <https://www.nbcconnecticut.com/news/local/groton-to-consider-allocating-settlement-funding-to-community-speaks-out/2989304/>.
30. https://www.newlondonct.org/filestorage/4159/4161/4171/33163/01-17-2023_City_Council_Minutes.pdf
31. [Public Act No. 22-48](#) Sec. 3(j)(4), Sec. 5(a)-(b), and Sec. 3(h). See also [OpioidSettlementTracker.com's "States' Initial Promises to Publicly Report Their Opioid Settlement Expenditures."](#)
32. Public Act No. 22-48 Sec. 3(h),(j).
33. Public Act No. 22-48 Sec. 3(i). The Committee was established specifically to "ensure" "robust public involvement, accountability and transparency in allocating and accounting for the moneys in the fund." Public Act No. 22-48 Sec. 3(a).
34. <https://portal.ct.gov/-/media/DMHAS/UpcomingEvents/OSAC-PPT-Revised-MCR-31323.pdf#page=28>
35. Public Act No. 22-48 Sec. 3(f)(2)(c).
36. "Nothing in sections 1 to 5, inclusive, of this act shall preclude the funding of a trust for direct support and services for survivors and victims of the opioid epidemic and the family members of such survivors and victims who have been directly impacted by such epidemic, pursuant to the settlement agreement dated March 11, 2022, between the Nine, identified in such settlement agreement as eight states, including this state, and the District of Columbia, and the Sackler parties." Public Act No. 22-48 Sec. 6.
37. <https://www.wsj.com/articles/opioid-victims-could-get-up-to-48-000-under-purdue-bankruptcy-11615936372>. During the negotiation of the bankruptcy plan, Attorneys General for California, Connecticut, Delaware, Maryland, New Hampshire, Oregon, Vermont, Washington, and D.C. banded together to protest a provision that would shield the Sackler family from future liability. To encourage this group, dubbed "the Nine," to assent and give up their remaining objections, Purdue offered additional money to state and local governments, but not toward the personal injury trust. "The Nine" then committed to creating separate "opioid survivors trust[s]" using these monies within their states. See <https://www.nytimes.com/2022/03/03/health/sacklers-purdue-oxycontin-settlement.html>. See also, [AG Tong Compels Purdue Pharma and Sackler Family to Pay \\$6 Billion to Victims, Survivors, and States](#) ("Connecticut will use its \$95 million share to save lives through opioid treatment and prevention, and I [AG Tong] will push to establish a Connecticut Opioid Survivors Trust to provide direct relief to victims and their families").