



Total Funds

\$52 million¹

Allocation

65% to participating local governments and 35% to the state

Mechanism

Allocation agreement between the state and local governments ([OneWyo Opioid Settlement Memorandum of Agreement, Amendment One to the OneWyo Opioid Settlement Memorandum of Agreement](#))²

Key Takeaways

Local emphasis. Sixty-five percent (65%) of Wyoming's opioid settlement dollars are allocated to participating local governments according to the percentage allocations listed in [Exhibit B](#) of the state's MOA.³

Exhibit A. Wyoming's approved purposes list, [Exhibit A](#), is similar to the national settlement agreements' [Exhibit E](#) and includes prevention, harm reduction, treatment, and first responder-related uses of funds. Wyoming's approved purposes list includes several notable additions regarding the use of settlement funds for law enforcement purposes.⁴

Expenditure reporting. The Attorney General must publish [online](#) an annual report detailing expenditures of the state's share of settlement funds, including funds expended by the Department of Health and any awarded grants.⁵ Participating local governments must report their expenditures to the AG,⁶ and funds will be delayed for participating local governments that fail to meet these reporting requirements.⁷

Background

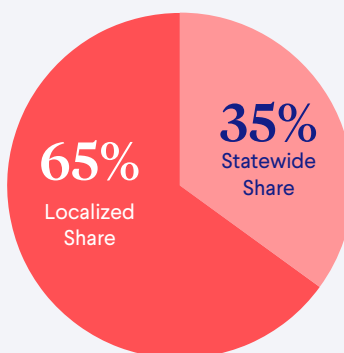
This resource is current as of 4/24/2023. For the most up-to-date information, please visit <https://www.opioidsettlementtracker.com/settlementspending>.

The [OneWyo Opioid Settlement Memorandum of Agreement](#) (MOA) establishes the allocation of the state's opioid settlement funds: 65% to participating local governments and 35% to the state.⁸ All funds must be spent on Approved Purposes,⁹ which are defined as the opioid abatement strategies in [Exhibit A](#) of the state's MOA.¹⁰ Exhibit A is a variation of the national settlement agreements' [Exhibit E](#) and prioritizes prevention, harm reduction, treatment, and research on novel innovations, among other strategies. Compared to the national settlement agreements' Exhibit E, Wyoming's Exhibit A allows for a broader variety of uses related to law enforcement.¹¹ Funds must be spent on forward-looking opioid remediation activities only (i.e., may not be spent on reimbursements for past expenditures).¹²



Decision- Making Process

ALLOCATION OF SETTLEMENT FUNDS



65% LOCALIZED SHARE

Sixty-five percent (65%) of the state's settlement funds go to the Localized Share.¹³ Funds are distributed directly to participating local governments according to the percentage allocations listed in the MOA's [Exhibit B](#).¹⁴ The Localized Share may be spent only on approved uses or on grants for approved uses.¹⁵ Participating local governments have the option to direct their shares to the Statewide Share,¹⁶ and participating localities may also collaborate amongst themselves on uses of funds.¹⁷ In any event, all participating counties must consult their cities and towns on uses and distribution of Localized Share funds,¹⁸ and counties must also make a good-faith effort to use funds in a way that benefits each of their cities and towns, regardless of population.¹⁹

LOCAL SPENDING EXAMPLES

The City of Sheridan is allocating its share to Sheridan County. City officials felt that funds would be better spent by the county to leverage its prevention and treatment efforts, and that the city would rather avoid the reporting requirements given the modest sum involved.²⁰

Crook County is establishing guidelines for grantmaking to local organizations. County officials listed costs associated with nurses who refer people to treatment and educating seniors about drug disposal programs as possibilities for grant funding.²¹

Wyoming



Decision-Making Process

(Continued)

35% STATEWIDE SHARE

Thirty-five percent (35%) of funds are allocated to the Statewide Share and must be spent either directly on approved uses or as grants for approved uses.²² Funds are distributed by the state attorney general to the Wyoming Department of Health,²³ and the Department of Health acts as the lead agency for distributing the state's share of funds and ensuring that expenditures are put toward the strategies most likely to address Wyoming's overdose crisis.²⁴ The Wyoming Department of Health's 2023 annual report describes more than \$4 million in planned expenditures and provides descriptions of the Behavioral Health Division's and Public Health Division's anticipated uses. The largest share, nearly \$1.2 million, will be spent to expand treatment for opioid use disorder and co-occurring conditions.²⁵

Tracking Funds and Accountability

- The state must publish [online](#) an annual report detailing expenditures of the state's share of settlement funds, including expenditures by the Department of Health and awarded grants.²⁶
- Participating local governments must certify that funds will be spent on approved uses prior to receipt and annually report their expenditures to the AG.²⁷ Funds will be delayed for participating local governments that fail to meet certification and reporting requirements.²⁸
- Participating local governments that spend settlement funds on non-approved uses must repay those amounts or risk having future payments reduced.²⁹

Engaging in the Process

- Watch for future funding opportunities. It is unclear how the state's funds slated to be spent in 2023 will be expended – whether by the Department of Health directly, by contracted partners, or via open grant calls – but several of the program descriptions in the [Annual Report](#) anticipate funding for implementation-related contracts. Local governments are also establishing grantmaking guidelines, so watch local news sources and government websites for details.³⁰
- Wyoming has fewer obvious channels to engage on settlement spending than many states. Push for that to change! Reach out to your county's leadership for more information about how you can provide feedback on how funds may be spent.

Wyoming



Additional Resources

WYOMING DEPARTMENT OF HEALTH

Opioid Settlement Funds

*Statewide Share of Opioid Funds Annual Report
(January 2023)*

Opioid Epidemic Information Portal

Drug Overdose Dashboard

Fatal Overdoses in Wyoming (2020)

WYOMING STATEWIDE HARM REDUCTION INITIATIVE

*Increasing Access to Harm Reduction Services in Rural-
Frontier States*

WYOMING SURVEY & ANALYSIS CENTER AT THE UNIVERSITY OF WYOMING

Telling the Story of Opioid Use in Wyoming (2018)



References

Last updated April 24, 2023.

1. From settlements with distributors McKesson, AmerisourceBergen, Cardinal Health and manufacturer Johnson & Johnson only. Wyoming 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 "Wyoming" for state-specific participation information) and OpioidSettlementTracker.com's [Global Settlement Tracker](#) for more information.
2. Wyoming's MOU, as amended, is limited by its definitions to the Distributor, Janssen, and Purdue Settlements. See Amendment F ("Section I.J is amended to read: "'Settlement' means the negotiated resolution of legal or equitable claims against Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson and a Bankruptcy Resolution concerning Purdue Pharma L.P."). 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. See, e.g., [City of Casper, Natrona County ratify opioid settlement](#) ("According to the terms of the settlement, the state will receive 25% of the funds from the Teva agreement, while the various local governments that signed on will split the remaining 75%. The settlements with CVS, Walmart and Allergan will see 35% of the money go to the state, while the remaining 65% will go to local governments across the state").
3. MOA II.A,B.
4. For example, Wyoming's Exhibit A notes that "Participating Local Governments may also use their share of funds for law enforcement expenditures relating to the opioid epidemic" and allows state and local settlement funds to be used to "[s]upport [] innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids."
5. MOA VI.F, I.M. The [Statewide Share of Opioid Funds Annual Report \(January 31, 2023\)](#) is available on the Department of Health's [Opioid Settlement Funds](#) page. "While no settlement funds have been expended to date, the tables ... illustrate the Department's plans for expending the Statewide Share of Opioid Funds."
6. MOA VI.B-C.
7. MOA VI.C.
8. MOA II.A.
9. MOA III.A.
10. MOA I.A.
11. For example, The MOA's Exhibit A notes that "Participating Local Governments may also use their share of funds for law enforcement expenditures relating to the opioid epidemic" and allows state and local settlement funds to be used to "[s]upport [] innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids."
12. MOA III.A.
13. MOA II.A. Payments to attorneys under applicable contingency fee agreements are capped at 15% of participating local governments' amounts. See MOA V.A-C and Amendment G.
14. MOA VI.B.
15. MOA III.C.
16. MOA II.D. See, e.g., [City to receive opioid settlement funds, send money to county](#) ("Sheridan City Administrator Stuart McRae said the city sent its [first payment] back to the state. 'Last go around, we were only getting about (\$500),' McRae said. '...For the amount of reporting (required), the juice wasn't worth the squeeze'").
17. MOA III.E.
18. MOA III.D.
19. MOA III.D.
20. "[City to receive opioid settlement funds, send money to county](#)"
21. "[County to offer grants to combat opioid addiction](#)"
22. MOA II.A, III.B. See also MOA V.B ("[T]he Statewide Share will be used exclusively to abate and alleviate the opioid crisis consistent with the terms of this MOA").
23. "Unless newly-enacted legislation or the terms of a Settlement that becomes an order of a court provides otherwise." MOA IV.A.



References

(Continued)

24. MOA III.B.
25. [Statewide Share of Opioid Funds Annual Report \(January 31, 2023\)](#). More specifically, the \$1.165 million will be used to: (1) "Supplement existing and expand Community Mental Health Center (CMHC) resources for treatment of opioid use disorder (OUD) and any co-occurring substance use or mental health issues including Medication Assisted Treatment (MAT)"; (2) "Expand telehealth availability to increase access to OUD treatment"; and (3) "Expand access to treatment services for high priority populations including justice involved and women who are or may become pregnant."
26. MOA VI.F. I.M. The [Statewide Share of Opioid Funds Annual Report \(January 31, 2023\)](#) is available on the Department of Health's [Opioid Settlement Funds](#) page. "While no settlement funds have been expended to date, the tables ... illustrate the Department's plans for expending the Statewide Share of Opioid Funds."
27. MOA VI.B-C.
28. MOA VI.C.
29. MOA VI.D-E.
30. See, e.g., "[County to offer grants to combat opioid addiction](#)"