

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 8, 2024

By: Rosino

An Act relating to the Attorney General; amending 74 O.S. 2021, Section 30.5, as amended by Section 1, Chapter 75, O.S.L. 2022 (74 O.S. Supp. 2023, Section 30.5), which relates to definitions used in the Political Subdivisions Opioid Abatement Grants Act; broadening certain definitions; removing obsolete language; amending 74 O.S. 2021, Section 30.6, which relates to the Oklahoma Opioid Abatement Revolving Fund; authorizing the Office of the Attorney General to withhold and use certain funds for certain purposes; updating statutory reference; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2021, Section 30.5, as amended by Section 1, Chapter 75, O.S.L. 2022 (74 O.S. Supp. 2023, Section 30.5), is amended to read as follows:

Section 30.5. As used in the Political Subdivisions Opioid Abatement Grants Act:

1. "Approved purpose" and "approved purposes" mean evidence-based, forward-looking strategies, programming and services used to:

a. expand the availability of treatment for individuals affected by opioid use disorders, co-occurring substance use disorders and mental health issues,

- b. develop, promote and provide evidence-based opioid use prevention strategies,
- c. provide opioid use disorder and co-occurring substance use disorder avoidance and awareness education,
- d. decrease the oversupply of licit and illicit opioids,
- e. support recovery from addiction services performed by qualified and appropriately licensed providers,
- f. treat opioid use, abuse and disorders including early intervention screening, counseling and support,
- g. support individuals in treatment and recovery from opioid use, abuse and disorder,
- h. provide programs or services to connect individuals with opioid use, abuse or disorder, or who are at risk of developing opioid use disorder, co-occurring substance use disorder and mental health issues, with treatment and counseling programs and services,
- i. address the needs of individuals who are involved, or who are at risk of becoming involved, in the criminal justice system due to opioid use, abuse or disorder through programs or services in municipal and county criminal judicial systems including prearrest and postarrest diversion programs, pretrial services and drug or recovery courts,

- j. address the needs of pregnant or parenting women with opioid use, abuse or disorder and their families,
- k. address the needs of parents and caregivers caring for babies with neonatal abstinence syndrome,
- l. support efforts to prevent overprescribing and ensure appropriate prescribing and dispensing of opioids,
- m. support efforts to discourage or prevent misuse of opioids including the oversupply of licit and illicit opioids,
- n. support efforts to prevent or reduce overdose deaths or other opioid-related harms including through increased availability and distribution of naloxone and other drugs that treat overdoses for use by first responders, persons who have experienced an overdose event, families, schools, community-based service providers, social workers and other members of the public,
- o. reimburse or fund law enforcement and emergency responder expenditures relating to the opioid epidemic including costs of responding to emergency medical or police calls for service, equipment, treatment or response alternatives, mental health response training and training for law enforcement and emergency responders as to appropriate practices and precautions

- 1 when dealing with opioids or individuals who are at
2 risk of opioid overdose or death,
- 3 p. reimburse attorney fees and allowable expenses
4 directly related to opioid litigation incurred as part
5 of legal services agreements entered into before May
6 21, 2020,
- 7 q. support efforts to provide leadership, planning and
8 coordination to abate the opioid epidemic through
9 activities, programs or strategies for prevention and
10 recovery models including regional intergovernmental
11 efforts and not-for-profit agency support,
- 12 r. support education of youths regarding the dangers of
13 opioid use, abuse and addiction,
- 14 s. fund training relative to any approved purpose,
- 15 t. monitor, surveil and evaluate opioid use, abuse or
16 disorder, or
- 17 u. provide opioid abatement as identified by the Oklahoma
18 Opioid Abatement Board as consistent with the purpose
19 of the Political Subdivisions Opioid Abatement Grants
20 Act.

21 Provided that, such strategies, programming and services occurred on
22 or after January 1, 2015.

23

24

1 Approved purpose also includes any approved uses as authorized
2 by opioid-related settlement agreements in which the State of
3 Oklahoma is a litigant or participant;

4 2. "Board" means the Oklahoma Opioid Abatement Board;

5 3. "Eligible participant" means any political subdivision
6 impacted by the opioid crisis;

7 4. "Nonapproved purpose" and "nonapproved purposes" mean
8 strategies, programming and services not falling within the
9 definition of approved purpose or approved purposes as defined in
10 this section;

11 5. "Opioid funds" means all monetary amounts obtained through a
12 settlement or judgment by the Attorney General on behalf of this
13 state related to opioid litigation involving pharmaceutical supply
14 chain participants including the Purdue Political Subdivisions Fund
15 but excluding all other funds received pursuant to the Purdue
16 Settlement Agreement;

17 6. "Opioid grant awards" means grants funded from the Oklahoma
18 Opioid Abatement Revolving Fund, awarded pursuant to the provisions
19 of the Political Subdivisions Opioid Abatement Grants Act;

20 7. "Pharmaceutical supply chain" means the process and channels
21 through which controlled substances are manufactured, marketed,
22 promoted, distributed or dispensed;

1 8. "Pharmaceutical supply chain participant" means any entity
2 that engages in or has engaged in the manufacture, marketing,
3 promotion, distribution or dispensing of an opioid analgesic;

4 9. "Political subdivision" and "political subdivisions" have
5 the same meaning as provided in subparagraphs a, b, c and d of
6 paragraph 11 of Section 152 of Title 51 of the Oklahoma Statutes.
7 Political subdivision also means the board of regents or board of
8 trustees of an institution of higher education within The Oklahoma
9 State System of Higher Education;

10 10. "Purdue Political Subdivision Fund" means the Twelve
11 Million Five Hundred Thousand Dollars (\$12,500,000.00) ~~plus any~~
12 ~~interest accrued thereon received from the Revive Oklahoma Health~~
13 ~~Foundation consisting~~ of funds received from the Purdue Settlement
14 Agreement designed for distribution to political subdivisions which
15 have executed a release of legal claims as required by the Purdue
16 Settlement Agreement; and

17 11. "Purdue Settlement Agreement" means the settlement
18 agreement entered into by this state and Purdue Pharma L.P., Purdue
19 Pharma, Inc. and the Purdue Frederick Company on March 26, 2019, and
20 approved by the Court on April 2, 2019.

21 SECTION 2. AMENDATORY 74 O.S. 2021, Section 30.6, is
22 amended to read as follows:

23 Section 30.6. A. There is hereby created in the State Treasury
24 a revolving fund for the Office of the Attorney General to be

1 designated the "Oklahoma Opioid Abatement Revolving Fund". The fund
2 shall be a continuing fund, not subject to fiscal year limitations,
3 and shall consist of all opioid funds obtained through a settlement
4 or judgment by the Attorney General on behalf of the State of
5 Oklahoma related to opioid litigation involving pharmaceutical
6 supply chain participants:

7 1. Designated for deposit in the fund; or

8 2. Appropriated to the fund by the Legislature.

9 B. Provided that the Purdue Political Subdivisions Fund shall
10 be maintained in a segregated State Treasury fund within the
11 Oklahoma Opioid Abatement Revolving Fund, and that the Purdue
12 Political Subdivisions Fund shall not be commingled with other
13 opioid funds deposited in or appropriated to the Oklahoma Opioid
14 Abatement Revolving Fund.

15 C. To the extent allowed by any settlement or judgment relating
16 to opioid litigation involving pharmaceutical supply chain
17 participants, the Office of the Attorney General may withhold not
18 more than five percent (5%) of the funds received by the Oklahoma
19 Opioid Abatement Revolving Fund for the staff and administrative
20 support required by Section 30.7 of this title. Such funds may also
21 be used to research and evaluate the effectiveness of grants
22 disbursed by the Oklahoma Opioid Abatement Board.

23 D. All monies accruing to the credit of the fund are hereby
24 appropriated and may be budgeted and expended by the Attorney

1 General for the purpose of funding opioid grant awards as authorized
2 by ~~this act~~ the Political Subdivisions Opioid Abatement Grants Act.

3 SECTION 3. This act shall become effective November 1, 2024.

4 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
5 February 8, 2024 - DO PASS
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24