



Montana Association of Counties

Serving Montana Counties Since 1909

2715 SKYWAY DRIVE, SUITE A, HELENA, MT 59602
(406) 449-4360 | Fax (406) 442-5238 | maco@mtcounties.org
www.mtcounties.org

OPIOID SETTLEMENT

Disclaimer: Please read this notice before relying on any information in this document. The Montana Association of Counties (MACo) provides education and information primarily as a general service to MACo members. The information provided should not be interpreted or used as a substitute for a legal opinion from your county attorney or otherwise retained and qualified legal counsel.

PURPOSE

To provide procedural guidance to counties who signed the Opioid Settlement Memorandum of Understanding (MOU) on how to receive funds from the settlement and comply with the MOU.

REQUIREMENTS TO RECEIVE DIRECT PAYMENTS

Participating counties will receive 15% allocation outlined in the MOU through direct payments.

- Your county's Authorized Official will receive an email from the Directing Administrator of the National Opioid Settlement Administration, who is an employee of BrownGreer. This email will have instructions to establish an account in the National Opioid Settlement Portal.
 - Exhibit A attached to the letter from the Attorney General lists each county's Authorized Official. If that information is not correct, contact the Attorney General's Office.
- After creating the portal account, you will complete a payment election form and W-9 Form in the Portal.
- The Settlement Administration will then create payment instructions for the Settlement Fund Trustee who will then send payments to your county based on the payment instructions you enter into the portal.

ABATEMENT TRUST REQUIREMENTS

As outlined in the MOU, a 70% allocation will go to the Abatement Trust.

- The MOU provides that the Trust will be management by a Trust Advisory Committee. Rusty Gackle is the interim executive director (rusty.gackle@mt.gov).
- The MOU also provides for nine abatement regions made up of single large counties and five abatement regions made up of multiple smaller counties based on existing public health regions.
- Metropolitan and Multi-County regions must make appointments to the Trust Advisory Committee by December 1, 2022.
 - The Metropolitan Regions must choose three members to serve on the Trust Advisory Committee. The Metropolitan Regions include Yellowstone, Missoula, Gallatin, Flathead, Cascade, Lewis and Clark, Silver Bow, Ravalli, and Lake
 - The Multi-County regions must choose two members to serve on the Trust Advisory Committee.

- These appointed representatives must have a background and/or experience in fields of medicine, public health, mental health, or addiction.
- **The appointed representatives must be submitted to Rusty Gackle by December 1, 2022.**
- Metropolitan and Multi-County regions must create a governance structure for the administration, management, and use of funds by December 1, 2022.
 - Each Region shall create its own governance structure for the administration, management, and use of Opioid Remediation funds, to ensure all Participating Local Governments within that Region have input and equitable representation regarding regional Opioid Remediation administration and decisions, including selection of projects to be funded from the Region's share. That governance structure shall include designation of a fiscal agent within the Region to receive and distribute Settlement Funds allocated to it.
 - **You must inform Rusty Gackle of your governance structure by December 1, 2022.**