
Appropriations Committee

HB 2786

Brief Description: Establishing the opioid epidemic response advisory council.

Sponsors: Representatives Robinson, Davis, Chapman, Peterson, Callan, Lekanoff, Pollet and Bergquist.

Brief Summary of Bill

- Creates the Opioid Epidemic Response Advisory Council (Council).
- Requires the Attorney General (AG) to appoint members to the Council.
- Requires the AG to convene the Council to make recommendations to the Legislature on the distribution and use of moneys received as a result of litigation against an opioid manufacturer or distributor.

Hearing Date: 1/29/20

Staff: Jessica Van Horne (786-7288).

Background:

The state Consumer Protection Act (CPA) prohibits unfair or deceptive acts or practices in trade or commerce. The Attorney General (AG) may bring a civil action on behalf of the state or persons residing in the state against persons and corporations who have violated the CPA, and petition for an award of the state's reasonable costs and attorney's fees, restitution for consumers, and civil penalties.

The AG has filed several lawsuits against manufacturers and distributors of opioids under the CPA and is involved in litigation against the following parties:

- Purdue Pharma, an opioid manufacturer, beginning in 2017;
- McKesson Corp., Cardinal Health Inc., and AmerisourceBergen Drug Corp., opioid distributors, beginning in 2019; and
- Johnson & Johnson, an opioid manufacturer, beginning in 2020.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The Opioid Epidemic Response Advisory Council (Council) is created. The role of the Council is to advise the Legislature on the expenditure of moneys received by the state as a result of litigation against an opioid manufacturer or distributor relating to acts or omissions by the manufacturer or distributor that contributed to increased rates of opioid addiction in the state.

The AG must appoint Council members to represent a range of groups, including health care providers, local governments, the judiciary, and individuals meeting certain conditions. The AG must also invite two tribal members to participate on the Council. The Department of Social and Health Services, the Department of Health, and the Department of Corrections each have one nonvoting representative on the Council.

The Council is convened by the AG within 30 days of the state receiving moneys as a result of litigation against an opioid manufacturer or distributor. Within 30 days of being convened, the Council must submit recommendations to the fiscal committees of the Legislature on how to best utilize the moneys received to prevent opioid addiction and provide treatment services.

Appropriation: None.

Fiscal Note: Requested on January 23, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.