

SENATE BILL REPORT

SB 6099

As of January 12, 2024

Title: An act relating to creating the tribal opioid prevention and treatment account.

Brief Description: Creating the tribal opioid prevention and treatment account.

Sponsors: Senators Braun, Kauffman and Mullet.

Brief History:

Committee Activity: Ways & Means: 1/15/24.

Brief Summary of Bill

- Creates the Tribal Opioid Prevention and Treatment Account in the custody of the state treasurer to address the opioid epidemic in tribal communities.
- Directs that either 20 percent of receipts over the prior fiscal year to the Opioid Abatement Settlement Account, or \$7.75 million, whichever is greater, be deposited in Tribal Opioid Prevention and Treatment Account annually.

SENATE COMMITTEE ON WAYS & MEANS

Staff: Corban Nemeth (786-7736)

Background: On October 3, 2022, the State of Washington entered into a settlement, known as the Distributors Settlement, with three companies, McKesson Corp., Cardinal Health Inc., and AmerisourceBergen Drug Corp., found to have played key roles in the opioid epidemic. On June 12, 2023, resolutions between the state and four companies that produced or sold opioids, CVS, Walgreens, Teva, and Allergan, became effective. Payments from these settlements will be received by the state over a period of time ranging from 6 to 17 years. The payments that the state will receive pursuant to the distributor and

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producer settlements total approximately \$480 million. Settlements with other distributors and producers such as Purdue Pharma are still pending.

Tribes located in the state of Washington are not parties to the state opioid settlements and may have signed separate settlement agreements.

In 2023 the Legislature created the Opioid Abatement Settlement Account for deposit of settlement money received to abate the opioid epidemic to be appropriated for opioid remediation pursuant to settlement agreements. This does not include funding the state jointly administers with smaller counties or funding received directly by larger counties.

The Legislature has appropriated funding from the Opioid Abatement Settlement account totaling \$85 million in the 2023-25 biennium. Of the amounts appropriated, approximately \$15.5 million was provided to the Health Care Authority (HCA) to pass through to tribes and urban Indian health programs for opioid and overdose response activities.

Summary of Bill: The Tribal Opioid Prevention and Treatment Account (TOPTA) is created in the custody of the state treasurer. The TOPTA retains interest earnings. Beginning July 1, 2025, and annually thereafter, the treasurer must transfer the greater of \$7.75 million or 20 percent of receipts from the prior fiscal year from the Opioid Abatement Settlement Account to the Tribal Opioid Prevention and Treatment Account.

Appropriations from the TOPTA must be used to address the opioid epidemic in tribal communities including, prevention and recovery services, treatment programs including medication-assisted treatment, peer services, awareness campaigns, education, and support for first responders.

Appropriation: None.

Fiscal Note: Requested on January 10, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2024.