

FINAL BILL REPORT

SSB 6099

C 210 L 24

Synopsis as Enacted

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

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Braun, Kauffman and Mullet).

Senate Committee on Ways & Means
House Committee on Appropriations

Background: On October 3, 2022, the state of Washington entered into a settlement, known as the distributors settlement, with three companies found to have played key roles in the opioid epidemic—McKesson Corporation, Cardinal Health Incorporated, and AmerisourceBergen Drug Corporation. 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 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 deposits of settlement money received to abate the opioid epidemic and 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 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.

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

Summary: The Tribal Opioid Prevention and Treatment Account (TOPTA) is created in the custody of the state treasurer. 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 TOPTA. The annual minimum transfer of \$7.75 million ends on June 30, 2031, and thereafter the account must receive 20 percent of receipts from the prior fiscal year from the Opioid Abatement Settlement Account. No transfer to TOPTA is required if the average revenues received by the Opioid Abatement Settlement Account per fiscal year over the prior two fiscal years is less than \$7.750 million.

Appropriations from 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.

Votes on Final Passage:

Senate	49	0	
House	96	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: July 1, 2024
July 1, 2028 (Section 5)