



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara applauds creation of 'Opioid Settlement Fund': Co-sponsored new law to direct funding to opioid education, prevention, treatment and recovery programs

THOMAS F. O'MARA June 30, 2021

| ISSUE: **BATTLING THE OPIOID EPIDEMIC**



The creation of the 'Opioid Settlement Fund' finally ensures that any funding the state receives from opioid-related settlements will be dedicated to education, prevention, treatment, and recovery programs and services. It's the right thing to do. The opioid abuse epidemic has taken thousands of lives and ravaged communities and families across the Southern Tier and Finger Lakes regions, and throughout New York State. This new fund and a renewed commitment to combating this epidemic promises to help rebuild shattered lives and prevent countless tragic deaths.

Elmira, N.Y., June 30—Legislation co-sponsored this year by State Senator Tom O’Mara (R,C,I-Big Flats) to establish an “Opioid Settlement Fund” has been signed into law.

The new law requires that any settlement funds New York State receives from lawsuits and other actions against opioid manufacturers and distributors be dedicated to opioid prevention, treatment, and recovery programs and services.

O’Mara said, “The creation of the ‘Opioid Settlement Fund’ finally ensures that any funding the state receives from opioid-related settlements will be dedicated to education, prevention, treatment, and recovery programs and services. It’s the right thing to do. The opioid abuse epidemic has taken thousands of lives and ravaged communities and families across the Southern Tier and Finger Lakes regions, and throughout New York State. This new fund and a renewed commitment to combating this epidemic promises to help rebuild shattered lives and prevent countless tragic deaths.”

The legislation was unanimously approved by the Senate and Assembly in the closing days of this year’s legislative session and signed into law yesterday by Governor Andrew Cuomo.

Specifically, the new law (S7194/A6395, Chapter 190 of the Laws of 2021) states that “all funds received by the state as the result of a settlement or a judgment in litigation against opioid manufacturers, distributors, dispensers, consultants, or resellers shall be deposited into the opioid settlement fund, and that such funds shall not supplant or replace existing state funding.”

New York State Attorney General Letitia James has spearheaded lawsuits and other actions to hold opioid manufacturers and distributors accountable for the epidemic. She just announced a settlement agreement in one of the nation’s most extensive lawsuits under which Johnson & Johnson (J&J) will deliver up to \$230 million to New York State.

She said that through the enactment of the new “Opioid Settlement Fund,” the state could receive more than \$130 million of the J&J settlement by next February.

O’Mara called the new law one of the highlights of the Legislature’s 2021 session.

O’Mara said, “This new law, which I was proud to help sponsor, puts a stop in this instance to a long-standing and questionable practice of New York State taking settlement funds and dumping them into the state’s general fund to be used for any purpose at all. What we say here is: Not this time. Not when the opioid crisis has been ravaging families and communities throughout the past decade. Not when the opioid epidemic has cost thousands of lives. Not when this public health emergency continues to demand resources for education and prevention, treatment and recovery.”

State statistics show that opioid overdose deaths increased by 200% in New York State between 2010 and 2017.