



NEW YORK STATE SENATOR

Peter Oberacker

## Don't Break Into The Opioid Settlement Lockbox

JEFF BISHOP, COMMUNICATIONS DIRECTOR March 30, 2022

| ISSUE: **OPIOID SETTLEMENT FUND, COMBATING HEROIN AND OPIOID ADDICTION**



**ALBANY – 03/30/22** – Senator Peter Oberacker (R/C-Schenevus) today joined members of the Senate Republican Conference and advocates in calling for legislative leaders to save the opioid settlement funds and reject Governor Hochul’s state budget proposal to circumvent existing New York State law and spend \$265 million in funding without any formal plan or input from the state-appointed advisory board.

**“There were plenty of headlines last year touting the opioid settlement ‘lockbox’ and the advisory board that would ensure those in need receive essential help,”** said Senator Peter Oberacker ranking member on the Senate Committee on Alcoholism & Substance Abuse. **“Yet here we are, set to crack into the safe and spend \$265 million without a real plan and without consulting the true stakeholders. It’s the Albany way and it needs to stop. The opioid epidemic has devastated individual, families, and entire communities. People are hurting and we need to honor the promises that were made to involve true experts and develop an effective plan to save lives.”**

Over the past several years, New York State has negotiated more than a billion dollars in monetary settlements with drug manufacturers for their role in helping fuel the opioid epidemic, and in 2021, legislation was signed into law that required New York to create a lockbox for funds received through settlements with opioid drug manufacturers.

By law, the lockbox fund is meant to be overseen by an Opioid Settlement Fund Advisory Board made up of families of victims, individuals with lived experience, doctors, and treatment providers to bolster transparency and accountability, and to ensure that the funds were being used effectively to provide much-needed resources for prevention, treatment, recovery, and harm reduction services.

The law also expressly prohibited the funds in the lockbox from being used to supplant existing state funding for services and programs related to Substance Use Disorder (SUD). However, to date, a number of seats on the Board remain vacant and the group has yet to meet.

Tucked into Governor Hochul’s multi-billion dollar Executive Budget Proposal, is a little noticed measure that proposes to spend \$265 million of opioid settlement funds before all the vacancies on the much-lauded Opioid Settlement Fund Advisory Board have been filled.

“The Opioid Settlement Board was put in place to provide accountability and ensure that opioid settlement funds are properly directed toward prevention, treatment, and recovery services. It’s unacceptable that there are still vacancies on the Board with the state budget deadline just a few days away. It’s imperative these seats are filled and the Board is able to carry out its important goal to ensure that funding in the budget truly goes to help those who are struggling with addiction in our communities,” said Senate Minority Leader Rob Ortt.

“New York has a unique opportunity to fight back against the scourge of opioid addiction and abuse and help change the trajectory of countless lives and families affected by this epidemic,” said Senator Fred Akshar. “Instead, our leaders in Albany are playing shell games with these settlement funds, backfilling deficits and shutting out the stakeholders on how this money is spent. The people who ultimately suffer from these political games are those struggling with addiction and their families who are all crying out for help. New York state government needs to keep its word, do right by these families and spend these funds responsibly with input from experts, not bureaucrats. Only then will we be in a better position to successfully turn the tide in a struggle that costs our state thousands of lives every single year.”

“New York experienced a record number of overdose deaths in 2020 with nearly 5,000 residents losing their lives to this horrific epidemic,” said Senator Sue Serino. “We have a once-in-a-generation opportunity to reverse these statistics and save lives, but the state is already squandering it as it tries to circumvent the law that gives stakeholders a real voice in the process. If we want to make a difference, we have to start by listening to those with lived experiences, and experts in addiction and recovery, not backroom bureaucrats. The lockbox legislation passed unanimously, with full bipartisan support. Today we are calling on our

colleagues in the Legislature to maintain their commitment to this cause, reject any proposal that turns the settlement into a slush fund and help ensure that the advisory board is fully appointed and active so these dollars can be put to work to help save lives.”

Advocates are calling for the advisory board to finally be filled and actually meet to decide on the administration of these settlement funds for treatment, recovery and other support services.

In a joint letter to Governor Hochul, advocates Linda Ventura from the Thomas’ Hope Foundation, Avi Israel of Save the Michael’s and advocate and recovering addict Ashley Lafountain note that supportive services are needed now more than ever before as the national number through October 2021 reports 105,000 individuals dying of overdose in the last year with 5,700 individuals being NYS residents.

“This is unacceptable,” Ventura, Israel and Lafountain said of Governor Hochul's proposal. “The potential diversion of the settlement money could deny treatment, harm reduction and other supportive services to New Yorkers who need it the most. We demand that the Governor and State Legislature immediately appoint the Advisory Board and not spend a penny of this money until that board has had the opportunity to review and approve any plan to spend those funds. This settlement money is our loved ones ‘Blood Money,’ and we demand it be controlled by a board consisting of families, people with lived experience, doctors, and treatment providers. Many of us lost loved ones because of a lack of treatment and harm reduction services, a lack of housing and recovery resources and the lack of a continuum of care desperately sought by individuals struggling for recovery. Thousands of lives were and will continue to be lost to overdose and thousands more are struggling with this life-long disease. Do the right thing - appoint the Advisory Board and protect the

money!”

Linda Ventura - President/Founder Thomas' Hope Foundation, concluded, “This Opioid settlement money is our loved ones' BLOOD MONEY and we demand that the Governor and State Legislature follow the law, appoint a Board consisting of families, people with lived experience, doctors and treatment providers.”