

## Opioid Settlement Fund Advisory Board Charter

**Mission:** ~~The mission of the Opioid Settlement Fund Advisory Board is to annually review and make provide recommendations on how funding received by the opioid settlement fund pursuant to section ninety-nine- nn of the state finance law shall be spent by the legislature. the effective use of opioid settlement funding to impact the dual goals of (1) increasing access to addiction services for individuals with or at risk of substance use disorder and (2) decreasing opioid related overdose and other negative consequences associated with substance use.~~

### Individual Board Member Ethics: Individual board members will at all times:

(a) Disclose any real or perceived conflicts of interest that may be associated with any recommendations discussed by the Board.

(b) Operate with no preconceived funding amounts that must be allocated to any specific permissible use category.

**Board Ethos:** Members of the Opioid Settlement Fund Advisory Board (OSFAB) agree to act in accordance with the terms of the statute, the settlement agreements, the bylaws accepted by the board and in the best interests of all New Yorkers with, or at risk of developing, a substance use disorder.

(a) In order to achieve the expected provisions, with the recognition that the Overdose Epidemic is indeed a public health emergency, the board agrees that all recommendations will be assessed through a public health lens taking into account population health data, social determinants of health, and health disparity data.

(b) The board also recognizes that equity is a major contributor to achieving outcomes that align with ending this epidemic. The members of the board agree that it is of the utmost importance that all processes utilized by this board are transparent, and deliberately and intentionally elevate the voices that have been systematically silenced and that recommendations from the board look to provide funding toward evidence-based services that have been typically underfunded.

**Board Scope:** The board scope can be found in section 25.18(C)(1) and is as below:

Recommendations shall be evidence-based and may take into consideration federal, state or local initiatives and activities that have shown to be effective in preventing and treating substance use disorders as well as maintaining recovery and assisting with the collateral effects of substance use disorders for individuals and their families or support system. Such recommendations shall also take into account any gaps in access to services or programs identified as eligible expenditures and incorporate mechanisms for measurable outcomes for

determining the effectiveness of funds expended. The office and any other relevant agency that provides or regulates eligible expenditures shall provide any necessary staff, resources and technical assistance to assist with the functions of the advisory board. Such assistance shall be supported pursuant to an appropriation by the legislature, in accordance with the statewide opioid settlement agreements.

(a) The board recognizes the eligible expenditures that can be found in 25.19(A)

(b) Given the enormity of the task at hand, the board is in agreement that it is the duty of this board, to develop both a framework for how recommendations will be presented to the board, and a rubric of estimated funding allotments for each of the allowable uses within the overlay of a public health lens as outlined above. Annually the board will reassess both the framework and the rubric and make appropriate changes to both, before hearing or assessing new recommendations.

(c) The Board recognizes that both the framework for assessing initial recommendations and the rubric outlining expenditure amounts will be indispensable in terms of meeting it's annual obligation as described in section 25.18(C)10:

On or before November first of each year, beginning one year after the initial deposit of monies in the opioid settlement fund, the relevant commissioners, shall provide a written report to the governor, temporary president of the senate, speaker of the assembly, chair of the senate finance committee, chair of the assembly ways and means committee, chair of the senate alcoholism and substance abuse committee , chair of the assembly alcoholism and drug abuse committee, and the opioid settlement advisory board. Such reports shall be presented as a consolidated dashboard and be made publicly available on the respective offices' websites. The report shall, to the extent practicable after making all diligent efforts to obtain such information, include the following : (i) the baseline funding for any entity that receives funding from the opioid settlement fund, prior to the receipt of such opioid settlement funds; (ii) how funds deposited in the opioid settlement fund had been utilized in the preceding calendar year, including but not limited to: (A) the amount of money disbursed from the fund and the award process used for such disbursement, if applicable; (B) the names of the recipients, the amounts awarded to such recipient and details about the purpose such funds were awarded for, including what specific services and programs the funds were used on and what populations such services or programs served; (C) the main criteria utilized to determine the award, including how the program or service assists to reduce the effects of substance use disorders; (D) an analysis of the effectiveness of the services and/or programs that received opioid settlement funding in their efforts to reduce the effects of the overdose and substance use disorder epidemic. Such analysis shall utilize evidence-based uniform metrics when reviewing the effects the service and/or program had on prevention, harm reduction, treatment, and recovery advancements; (E) any relevant information provided by the New York subdivisions pursuant to this section; and (F) any other information the commissioner deems necessary to help inform future appropriations and funding decisions, and ensure such funding is not being used to supplant local, state, or federal funding.

~~Members of the Opioid Settlement Fund Advisory Board (OSFAB) agree to act in the best interests of all New Yorkers with, or at risk of developing, a substance use disorder. Funding~~

~~recommendations will be made in accordance with the terms of the statute, the settlement agreements, and the bylaws adopted by the OSFAB.~~

~~Recommendations will be directed in accordance with the permissible uses as outlined in the settlement agreements and the statute and will address:~~

- ~~1. Evidence based prevention education and campaigns, including school based prevention services;~~
- ~~2. Statewide public education campaigns to increase awareness of services and decrease stigma;~~
- ~~3. Substance use disorder treatment and early recovery programing, including programs aimed at addressing co-occurring disorders, expanding access to medication for addiction treatment, expanding services in correctional settings and other services across the service delivery spectrum;~~
- ~~4. Harm reduction services to address the adverse health consequences associated with substance use;~~
- ~~5. Housing services;~~
- ~~6. Community based services that reduce the likelihood of criminal justice involvement;~~
- ~~7. Programs geared toward pregnant and parenting persons; and/or~~
- ~~8. Vocational and educational training for individual with or at risk of substance use disorder.~~

**Board Operating Principals:** In order to deliver upon the Board’s obligations and as outlined in both sections 25.18(c)(1) and 25.18(c)(10) it is the responsibility of the Government Representatives to provide data as described but not limited to what is outlined below, and it is the duty of the board to conduct several items of business both annually and quarterly before hearing submission requests.

**(a) Board Bylaw Tasks**

- i. Annual analysis of the board demographics with recommendations
- ii. Annual summary by the Chair of board member conflict of interest statements
- iii. Quarterly decisions on meeting dates

**(b) Quarterly Opioid Settlement Fund Status Updates**

- i. Balance of dollars currently in the fund along with clear explanations of each amount withdrawn or disbursed from the fund since the board last (or was first) convened
- ii. Explanation of amounts that would have been under board purview but were disbursed
- iii. Explanation of amounts that were disbursed, but were not under board purview
- iv. Expectation of fund growth for the next quarter

**(c) Annual Presentations by OMH, OASAS and DOH on:**

- i. Public health data and gaps in needed services

- ii. Information about all programs that currently address each of the allowable uses
- iii. Current budget for each program- along with current source of budget
- iv. Outcome measures from each program
- v. Gaps in funding
- vi. Programmatic wish list
- vii. Current best practices along with the data that substantiates the best practice for each of the uses as this may not match current programming

**(d) Annual development of or amendment to the framework for the submission of recommendations for board assessment. Recommendations to be presented to the board shall at least include:**

- i. The OASAS Opioid Settlement Fund Advisory Board Recommendation Form.
- ii. Current funding source.
- iii. Evidence for the program.
- iv. Evidence that stakeholders have weighed in on the program.
- v. As the board recognizes it would be unethical for funds to be disbursed to any one organization, all recommendations must include evidence that the funds are to be distributed through a competitive Request For Proposal (RFP) process that is fair and accessible especially to organizations with a prioritization for unserved and underserved communities.

**(e) Annual development of or amendment to the rubric of estimated funding allotments for each of the allowable uses within the overlay of a public health lens**

~~Board members agree to:-~~

- ~~• Disclose any real or perceived conflicts of interest that may be associated with any recommendations discussed by the Board.~~
- ~~• Operate with no preconceived funding amounts that must be allocated to any specific permissible use category.~~
- ~~• Submit recommendations for consideration that are evidence based and identify techniques for evaluation of effectiveness.~~
- ~~• Make recommendations in accordance with the categories outlined above, unless the Board votes to adopt additional permissible uses in response to the changing nature of substance use in New York State.~~
- ~~• Assist in the development of an annual report detailing the recommendations and evaluation of previous funding utilization.~~