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State announces resource center to aid local opioid settlement spending



By Emily Bader (<https://themainemonitor.org/author/emilybader/>)
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Experts and advocates have already raised concerns about some localities' spending decisions.



The resource center evolved from a letter the chairs of the legislature's health and human services committee sent to Maine's Attorney General and the Maine Recovery Council with their priorities for the distribution of the opioid settlement funds. Photo by Gabe Souza.

The attorney general's office is putting nearly \$2.5 million toward a resource center that will offer assistance to Maine counties, cities and towns as they decide how to spend opioid settlement funds, Attorney General Aaron Frey told *The Maine Monitor* in an exclusive interview.

In June, Frey's office signed a contract with the University of Southern Maine's Catherine Cutler Institute to support the development of a resource center dedicated to helping the state's 39 counties, cities and towns – or "direct share subdivisions" – that are set to receive approximately \$66 million in opioid settlement funds over 18 years.

The research and data generated by the center will be made available to the public in an effort to boost transparency and help communities make informed spending decisions. The contract is for five years.

The money the attorney general's office is using to fund the center and the money going to the direct share subdivisions comes from [settlements](https://themainemonitor.org/maine-will-receive-at-least-235-million-in-settlements-from-companies-accused-of-fueling-the-opioid-crisis/) (https://themainemonitor.org/maine-will-receive-at-least-235-million-in-settlements-from-companies-accused-of-fueling-the-opioid-crisis/) reached with nearly a dozen pharmaceutical manufacturers, distributors and retailers accused of "supercharging" the opioid epidemic.

Maine expects to receive about \$230 million across 18 years, though that number may increase when several pending bankruptcy cases are finalized.

On Thursday, the U.S. Supreme Court [blocked Purdue Pharma's bankruptcy plan](https://www.instagram.com/p/C8ueszHMNN9/?img_index=1) (https://www.instagram.com/p/C8ueszHMNN9/?img_index=1) that would have added billions of dollars to the settlements nationwide, but would have given the Sackler family immunity from future litigation.

It will likely be years before a resolution is reached and states like Maine see any money from the OxyContin maker.

"While today's Supreme Court decision means we have more work to do, my office will continue to litigate to obtain resources from the Sacklers to save lives and fight the opioid epidemic," Frey said in a statement after the ruling. "Make no mistake about our resolve: Confronting the devastation of the opioid epidemic requires that we work to hold accountable those bad actors who are responsible for it, which includes the Sackler family."

Frey's office signed memoranda of understanding with more than 50 counties, municipalities and school districts that were party to the massive multidistrict litigation case that led to the settlements.



Attorney General Aaron Frey announced a \$2.5 million investment in a resource center housed at USM to aid local opioid settlement spending. Screenshot from Zoom.

Under these agreements, Maine's share of the more than \$50 billion that will be distributed nationally will be divided into three funds: 50 percent to the Maine Recovery Council, 3 percent of which must be spent on special education programming in schools; 30 percent to direct share subdivisions that were party to the lawsuits or have a population of at least 10,000; and 20 percent to the attorney general's office.

"While it's a significant amount of money, it is limited," Frey said. "The crisis is such that it is going to be so important that the way in which these resources are directed today, that it provides that foundation so that over the next 18 years these resources do end up addressing the harm that all of these defendants caused."

Supplement, not supplant

The settlement agreements say the funds must be used for "opioid abatement," and provide a long list of [approved uses](https://www.maine.gov/ag/docs/Maine%20Subdivision%202023%20Memorandum%20of%20Understanding%20Regarding%20from-increasing-access-to-medication-for-opioid-use-disorder-for-incarcerated-people-to-expanding-treatment-and-recovery-services-for-pregnant-or-postpartum-women-with-substance-use-disorder,-and-flooding-communities-with-free,-easy-to-access-naloxone,-the-overdose-reversing-drug.) (https://www.maine.gov/ag/docs/Maine%20Subdivision%202023%20Memorandum%20of%20Understanding%20Regarding%20from-increasing-access-to-medication-for-opioid-use-disorder-for-incarcerated-people-to-expanding-treatment-and-recovery-services-for-pregnant-or-postpartum-women-with-substance-use-disorder,-and-flooding-communities-with-free,-easy-to-access-naloxone,-the-overdose-reversing-drug.

The guidance stipulates that the money should be used on evidence-based programs that supplement, not supplant, existing funding.

But designing evidence-based programs for treatment, prevention, harm reduction and recovery requires a level of expertise and access to resources that may be out of reach for some Maine counties and towns.

In the two years since settlement payments began, a number of subdivisions have reached out to the attorney general's office for assistance, Frey said.



Distributing naloxone, the overdose reversing drug, is an approved use of the opioid settlement money. Above, vials of intramuscular naloxone are provided by harm reduction organization Maine Access Points. Photo courtesy Chasity Tuell.

In a survey conducted by the [Maine Recovery Council](https://themainemonitor.org/mrc-community-grant-application/) (https://themainemonitor.org/mrc-community-grant-application/) late last year, municipalities noted they could use assistance in conducting a needs assessment, support for creating a grant process to distribute funds and community engagement training.

The attorney general's office said the resource center will help the subdivisions conduct comprehensive needs assessments, plan evidence-based programs, develop measurable objectives for their spending and more — all at no cost to the subdivisions.

The center will also create publicly available “community profiles” and a data dashboard.

“One of the things that I've been very concerned about is just making sure that everybody is on the same page about how these resources can go out and be used in a supplemental way to help address the crisis,” Frey said.

Questionable spending decisions

Earlier this year, *The Monitor* found that [some of the subdivisions' spending decisions](https://themainemonitor.org/opioid-settlement-statewide-spending/) (https://themainemonitor.org/opioid-settlement-statewide-spending/) have already begun to raise concerns among experts and advocates. Saco and Falmouth, for instance, have each spent about \$20,000 in settlement funds on handheld drug-checking devices for their police departments.

While the departments claim they purchased the devices for “officer and victim safety,” and to quickly and accurately identify substances in an overdose situation, experts doubt the accuracy of the tools.

“Those handheld devices are worse than bad, they are plain dangerous,” Dr. Nabarun Dasgupta, a senior scientist researching street drugs at the University of North Carolina's school of public health, told *The Monitor* earlier this year.

The TacticID-N Plus and TruNarc devices, purchased by Saco and Falmouth, respectively, are “garbage,” Dasgupta said.

The devices use a technology called Raman spectroscopy, which works fine in limited, often lab-controlled circumstances, in which a sample only has one or two substances present, he added. But with street drugs, which often have multiple substances present in a single sample, the drug-checking devices often miss substances and can produce false positives.

“They're not scientific tools. They're legal tools for cops to be able to arrest people,” Dasgupta said.

Ever since opioid settlement payments started hitting bank accounts, companies like the ones that make the TactiD-N Plus and TruNarc devices have gone on marketing campaigns to encourage government officials to buy their products, a 2023 investigation by [KFF Health News](https://kffhealthnews.org/news/article/opioid-settlement-money-corporations-cash-cow/) (<https://kffhealthnews.org/news/article/opioid-settlement-money-corporations-cash-cow/>) found.

In general, advocates have warned against spending opioid settlement funds on “law enforcement personnel, overtime or equipment.” Yet *The Monitor* found that nearly a third of the state’s subdivisions have spent money on law enforcement and jail programs.

It is up to the counties, cities and towns to decide how to spend their 30 percent of the funds, so long as they follow the guidance on approved uses. Unlike the Recovery Council, the subdivisions are not required to publicly disclose their spending outside the usual public access laws, according to the MOUs.



Dr. Nabarun Dasgupta, a street drug researcher at the University of North Carolina at Chapel Hill, holds a fentanyl sample sent to his lab for analysis. Photo courtesy Pearson Ridley.

RELATED STORY: [As opioid settlement funds reach Maine, opinions arise over how best to use them](https://themainemonitor.org/as-opioid-settlement-funds-reach-maine-opinions-arise-over-how-best-to-use-them/)
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And although the list of approved uses is hefty and detailed, it is still [open to interpretation](https://themainemonitor.org/as-opioid-settlement-funds-reach-maine-opinions-arise-over-how-best-to-use-them/) (<https://themainemonitor.org/as-opioid-settlement-funds-reach-maine-opinions-arise-over-how-best-to-use-them/>).

“There are some interventions or some expenditures that maybe have less efficacy in abating the crisis,” Frey said.

Frey said he hopes the resource center will help steer subdivisions away from that kind of spending.

“Different municipalities, different counties, they’re going to make decisions about how to best do what makes sense for their communities,” he said.

Boosting transparency

The Monitor [surveyed](https://themainemonitor.org/opioid-settlement-committee-process/) (<https://themainemonitor.org/opioid-settlement-committee-process/>) all 39 subdivisions earlier this year and found many have yet to determine a process for making these decisions, while others’ approaches varied greatly.

In Franklin County, commissioners abruptly disbanded the opioid settlement committee, which was tasked with soliciting proposals and making recommendations to commissioners. Several members told *The Monitor* they thought the committee hadn’t been structured properly.

In June, county commissioners [agreed to restart the group](https://www.sunjournal.com/2024/06/19/franklin-county-commissioners-accept-new-bylaws-for-opioid-advisory-committee/) (<https://www.sunjournal.com/2024/06/19/franklin-county-commissioners-accept-new-bylaws-for-opioid-advisory-committee/>) as the Opioid Settlement Advisory Committee, deciding to cap membership at five rather than nine. People interested in serving on the committee must submit an application that requires they disclose their criminal history and current employer, and list three references.

Bylaws are now [publicly posted](https://www.franklincountymaine.gov/opioid-settlement-funds/) (<https://www.franklincountymaine.gov/opioid-settlement-funds/>). The major difference from the previous version (which several former members told *The Monitor* they never received) is that members are barred from submitting an application

while serving on the committee and must recuse themselves from that review round if an organization they are associated with applies.

Frey said he hopes the resource center will help subdivisions “calibrate their spending in a productive way.”

RELATED STORY: [How are Maine counties and municipalities spending their opioid settlement funds?](https://themainemonitor.org/opioid-settlement-statewide-spending/)

(<https://themainemonitor.org/opioid-settlement-statewide-spending/>)

Making the research and data generated by the center publicly available is to not only boost transparency but provide other communities with information for their own spending decisions.

“The more education you have, sort of what works and what does work, it will become harder, I think, for a range of spenders we’ll say, to spend money on programs that are identified as not being evidence-based — that the evidence shows are not programs that are going to address the crisis,” Frey said.

The resource center evolved from a letter the chairs of the legislature’s health and human services committee sent to Frey and the Recovery Council last July with their priorities for the distribution of the opioid settlement funds, including a pitch for a research center within the University of Maine. Frey began meeting with the Cutler Institute in the fall.

The Cutler Institute will receive the first and largest funding installment — about half the total commitment — this summer. The establishment, startup and initial operations of the center are estimated to take about two years, according to the contract. The remainder of the funding will be dispersed in the second and third years.

In addition to the center, the attorney general’s office signed a contract in March with Eliot-based [Pinetree Institute](https://pinetreeinstitute.org/) (<https://pinetreeinstitute.org/>) to provide a one-time payment of \$60,000 to support the initial engagement and implementation of a York County Recovery Coalition.

The attorney general’s office has also allocated \$3 million to the Department of Health and Human Services for its OPTIONS (Overdose Prevention Through Intensive Outreach, Naloxone, and Safety) program to double the number of local liaisons — or service navigators — from 16 to 32, and has given \$2 million to the Office of Behavioral Health to support substance use programming that was at risk of losing funding.

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Emily Bader

Emily Bader is a health care and general assignment reporter for The Maine Monitor. She joined The Monitor in April 2023 from the Sun Journal in Lewiston, Maine, where she covered healthcare for two years and was a University of Southern California Center for Health Journalism Data Fellow. Prior to that, she was a staff writer for the Lakes Region Weekly in Cumberland County. Emily has earned several awards, including the Maine Press Association's Bob Drake Young Writer Award in 2021, the New England Newspaper & Press Association's Publick Occurrences Award in 2022 and most recently, the Maine Public Health Association's journalism award. Emily was born and raised in Los Angeles and earned her bachelor's degree in International Relations from Wellesley College.

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