



**Public Health**  
Prevent. Promote. Protect.

**Grand Forks Public Health**

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[www.grandforksgov.com/publichealth](http://www.grandforksgov.com/publichealth)

October 19, 2023

Ms. Pam Sagness  
Executive Director, Behavioral Health  
North Dakota Department of Health and Human Services  
600 East Boulevard Ave  
Bismarck, ND 58505-0250

Dear Ms. Sagness,

I am writing on behalf of Grand Forks Public Health, which serves the political subdivisions of the City of Grand Forks and Grand Forks County. As part of our commitment to addressing the opioid crisis in our community, we have developed a comprehensive plan for the utilization of the opioid settlement funds allocated to both the City of Grand Forks and Grand Forks County.

I am pleased to inform you that our plan has received unanimous approval from the respective City Council and County Commission, and we are now eager to share it with the North Dakota Department of Health and Human Services, in accordance with the requirements set forth in North Dakota law.

**City of Grand Forks**

1. Allocate funds to support a transformation of the community mental health coordinator to a hybrid mental health coordinator and prevention educator.
  - a. This role would seek to provide a behavioral health primary prevention focused curriculum to school aged children in the City of Grand Forks, starting with pilot schools first
  - b. This role would be up to 0.5 FTE
2. Support the Opioid Response Coordinator position
  - a. This would further empower this role to manage a complex opioid funding environment and support additional advocacy
3. Support Grand Forks Withdrawal Management Center
  - a. This would help enhance the opioid specific services and education for the center which is the only 24 hour availability of safe withdrawal services for people who use opioids

**Grand Forks County**

1. Establish a Medications for Addiction Treatment Program at Grand Forks County Correctional Center

- a. Service would continue existing medications for addiction treatment care plans
  - b. Funds would be used to support the rapid intrafacility transport of inmates for clients receiving MAT and those receiving addiction counseling services at the facility
2. Support the establishment of a Medications for Addiction Treatment Program at Grand Forks County Correctional Center by establishing a 340b medication discount program
  - a. Accessing 340b medication discounts would significantly decrease the cost of providing medications for addiction treatment, ensuring long term viability of a program.
3. Support Community Medical Services to ensure continued availability of methadone as a treatment for opioid use disorder in Grand Forks County and at Grand Forks County Correctional Center
4. Support Inspire Pharmacy's program to fill client affordability gaps for medications for addiction treatment
  - a. This program was approved and funds expended prior to the establishment of the requirement in North Dakota law for reporting of opioid settlement expenditure plans.
5. Support Grand Forks Public Health's APC Project Syringe Service Program to purchase supplies for program participants
  - a. This program was approved and funds expended prior to the establishment of the requirement in North Dakota law for reporting of opioid settlement expenditure plans.

We are committed to transparency and accountability in the use of these funds, and we believe that our plan is aligned with the broader objectives of addressing the opioid crisis in North Dakota.

Thank you for your attention to this matter. We look forward to continued collaboration with the North Dakota Department of Health and Human Services Behavioral Health Division to make a positive impact on the opioid crisis in our community.

Sincerely,



Tess Wall

Director, Grand Forks Public Health

Enclosures: Opioid Settlement Plan Presentation – City of Grand Forks, Opioid Settlement Staff Report – City of Grand Forks, Opioid Settlement Plan Presentation – Grand Forks County



**City of Grand Forks  
Staff Report**

**APPROVED & ACCEPTED**  
*by City Council*  
*Maureen Storstad*  
09/18/2023  
Maureen Storstad  
City Auditor

**Committee of the Whole – September 11, 2023  
City Council – September 18, 2023**

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**Agenda Item:      Opioid Settlement Plan**

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**Submitted by:      Tess Moeller, Public Health Director  
                         Michael Dulitz, Opioid Response Coordinator**

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**Staff Recommended Action: Approve spending plan and necessary budget amendments for City and County Opioid Settlement Funds**

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**Committee Recommended Action:** Motion by Vein, seconded by Lunski to move to City Council with a recommendation to approve. Motion carried unanimously.

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**Council Action:** Motion by Osowski, seconded by Weigel to approve consent agenda. Motion carried unanimously.

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**BACKGROUND:** In early 2019, the City of Grand Forks entered litigation against several pharmaceutical, distribution, and retail companies believed to have contributed to the opioid epidemic as part of a multi-district litigation case. This resulted seven completed settlements and three pending settlements. The first settlement payments started to arrive in 2022. The settlements are split between states and political subdivisions and include requirements on how the settlement funds are spent, with most of those funds required to be spent on mitigation of the opioid epidemic. Additionally, the SB2014 was signed into law during the past legislative session. This articulates public health units involvement in the planning and spending of opioid settlement funds with additional reporting requirements to the state.

**ANALYSIS AND FINDINGS OF FACT:** Settlements have been reached with seven of the 10 entities engaged in settlement discussions, with settlements pending with Mallinckrodt, Endo, and Purdue Pharmaceuticals. Based on analysis of the completed settlements, Grand Forks is set to receive approximately \$850,000 over the next 18 years. Pending settlements could increase that amount by approximately \$125,000 to \$200,000. Initial estimates of the completed settlements include yearly settlement payments of \$50,000 – 75,000 through 2030, with payments decreasing in later years.

Grand Forks Public Health (GFPH) seeks to utilize the city’s opioid settlement funds to engage in enhanced behavioral health prevention activities, targeting youth prevention through Mental

Health Matters. Funds will also be allocated to ensure local administration of settlement funds and latitude to engage with policy makers. In addition, approval is sought for necessary budget amendments for GFPH to accept and manage the county's opioid settlement funds based on a spending plan approved by the County Commission. Finally, GFPH has engaged with the State's opioid settlement committee to advocate for continued funding to local public health units to support our growing prevention, treatment, and recovery infrastructure.

## **SUPPORT MATERIALS**

Presentation



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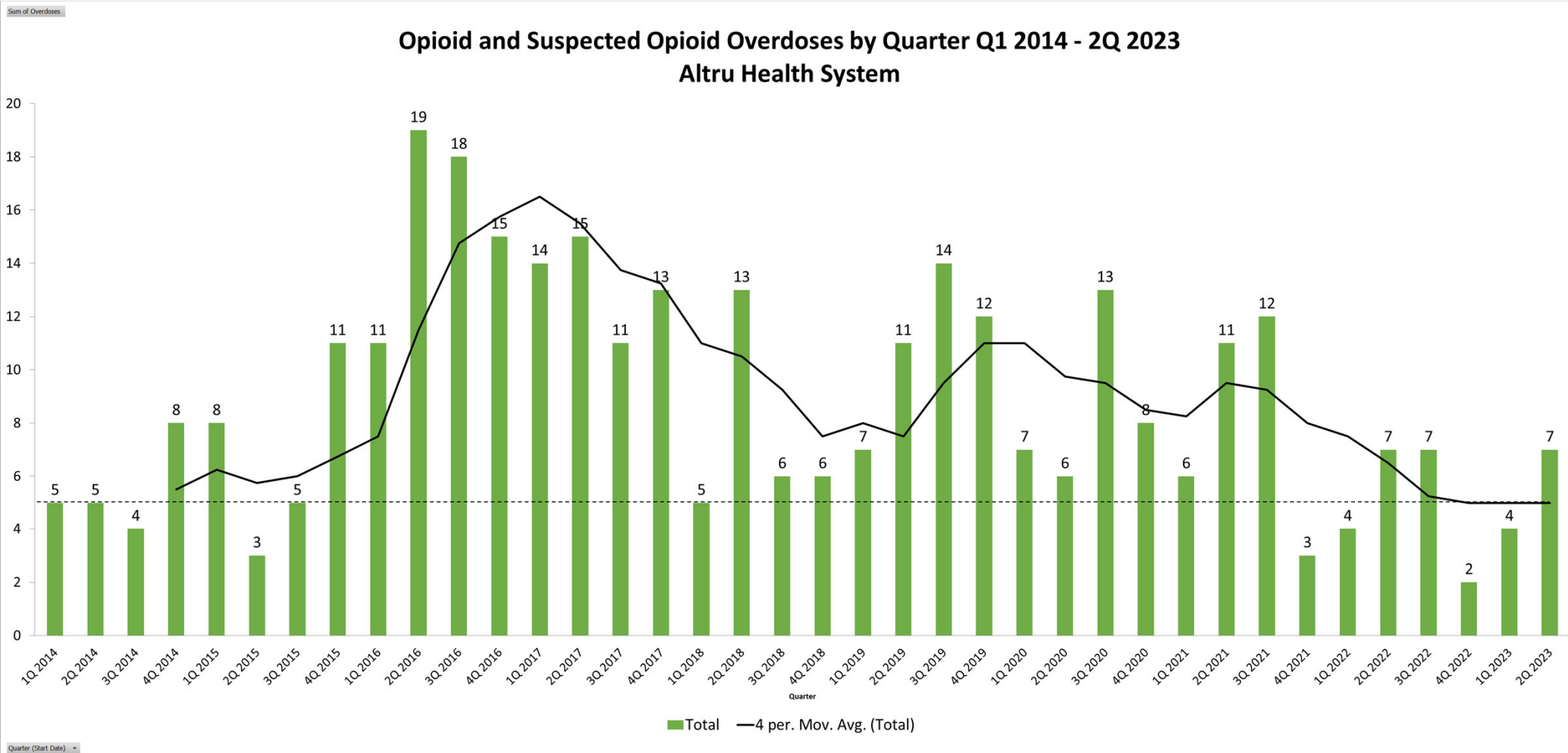
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**Grand Forks Public Health**

# Opioid Settlement Strategy

Michael Dulitz, MPH, NRP  
Opioid Response Coordinator  
Grand Forks Public Health

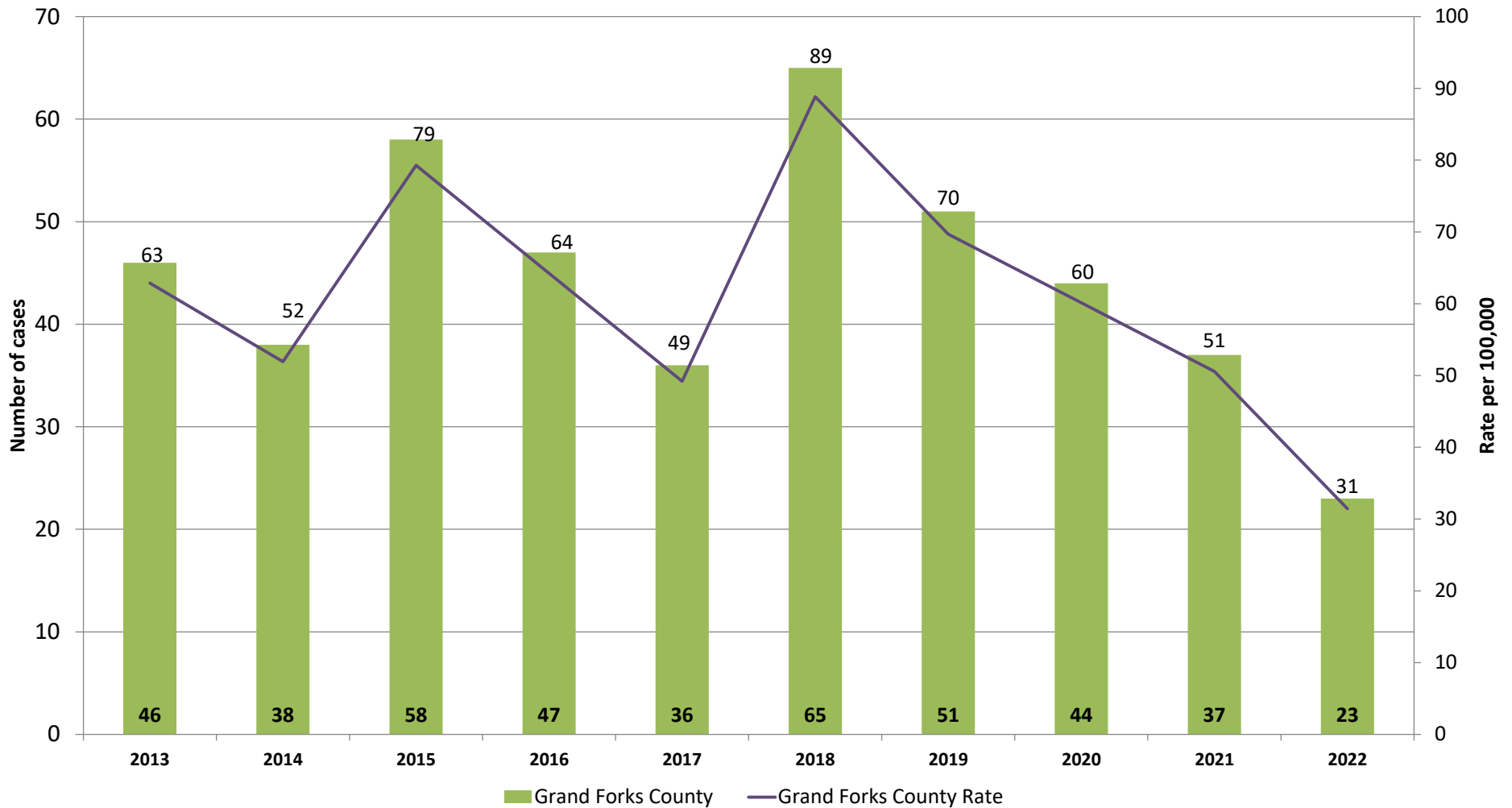
# Current Situation





# Current Situation

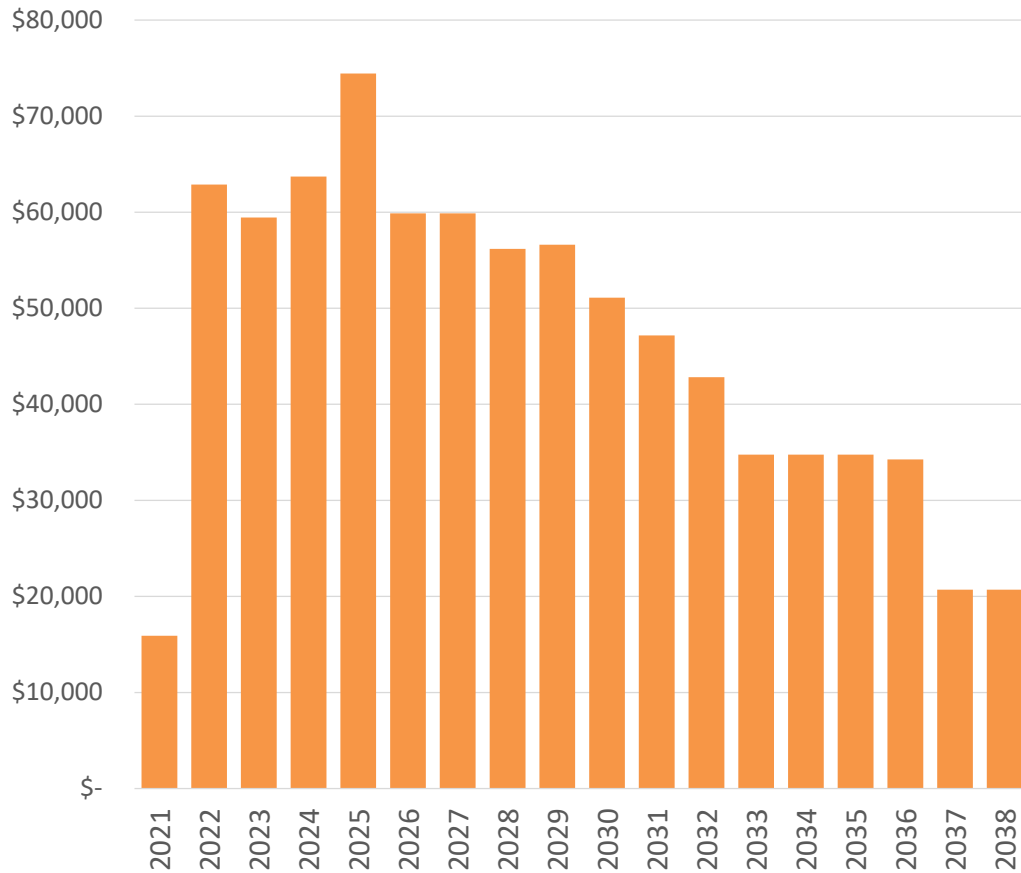
## Hepatitis C Cases and Rates, 2013 - 2022





# Estimated Settlement

Estimated Opioid Settlement Payments by Year  
City of Grand Forks



City of Grand Forks Opioid Settlement Estimated Settlement Amounts		
Company	Settlement	Distributed over (Years)
Opioid Distributors	\$355,000	17
Janssen	\$105,000	11
CVS	\$87,000	10
Walgreens	\$94,000	14
Walmart	\$56,000	6
Teva	\$95,000	13
Allergan	\$51,000	7
Mallinckrodt	Pending	
Endo	Pending	
Purdue	Pending	
<b>Total</b>	<b>\$845,000</b>	<b>17</b>

Numbers may not add up due to rounding

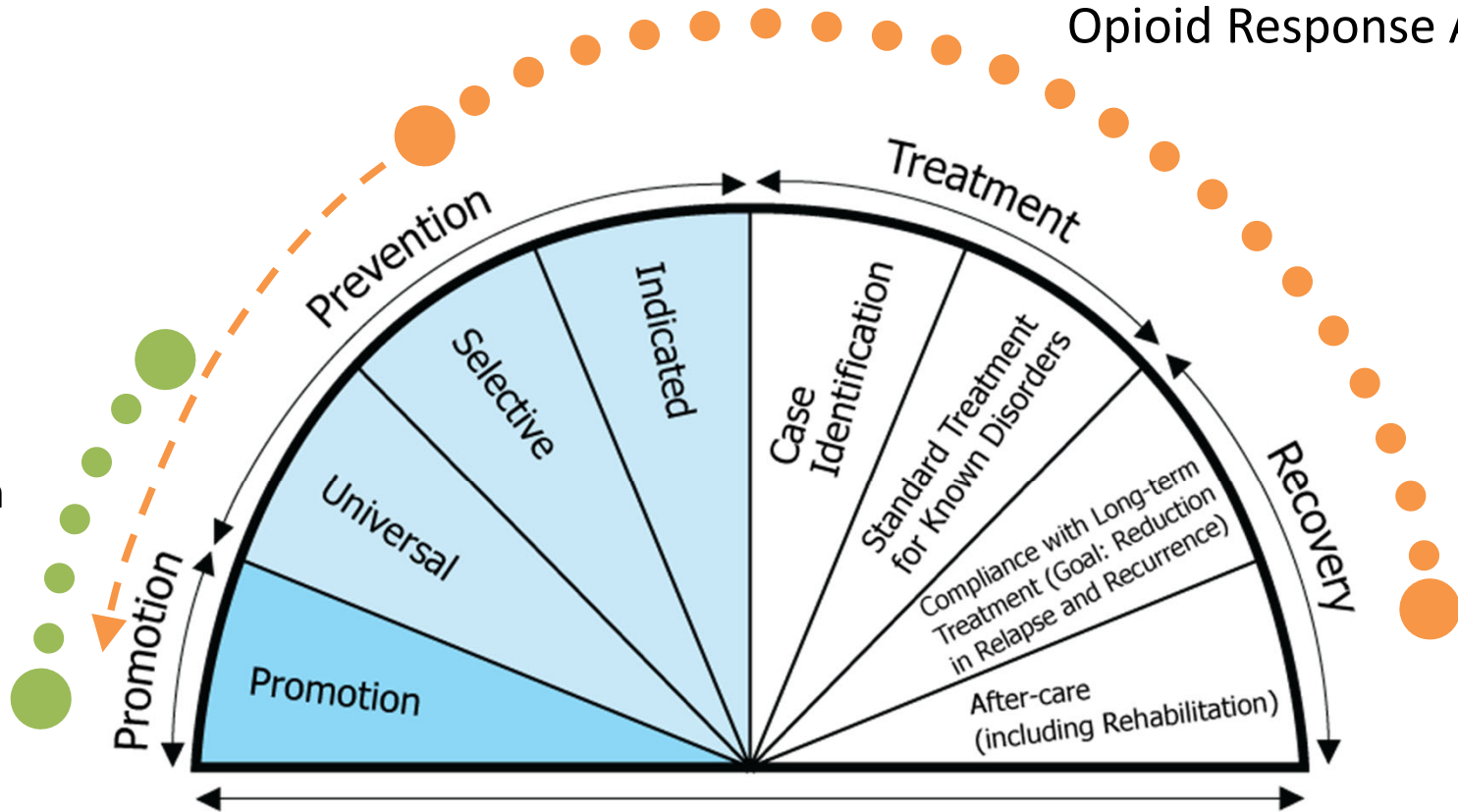




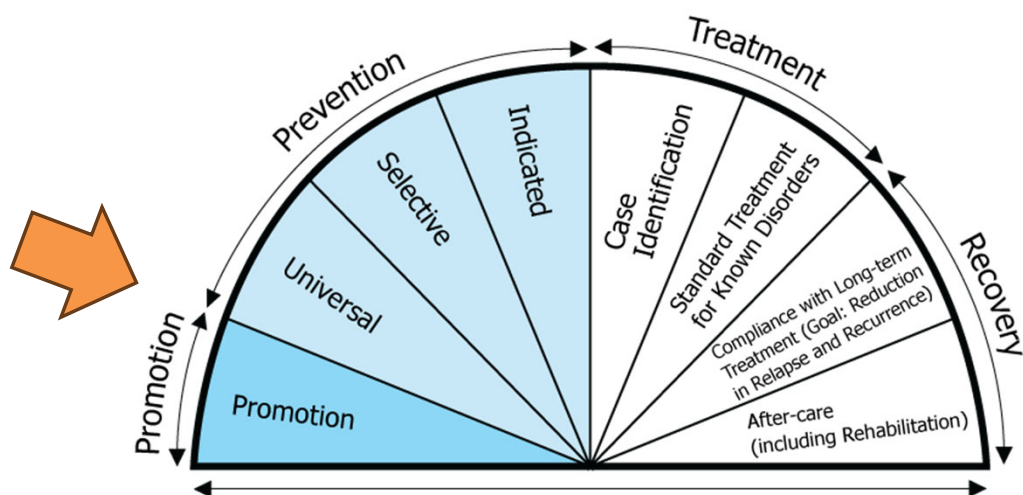
# Community Efforts

Grand Forks Public Health  
Opioid Response Activities

Grand Forks  
Substance  
Abuse  
Prevention  
Coalition,  
Mental Health  
Matters, and  
others



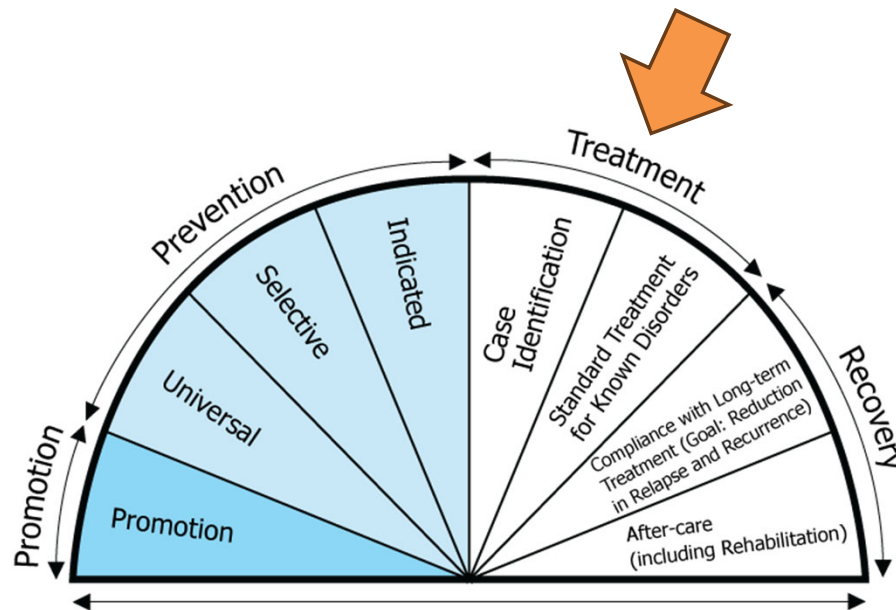
# Behavioral Health Prevention



- Universal Prevention and Promotion
- Align prevention frameworks
  - School based prevention programming
  - Blue Zones
- Mental Health Matters
  - Up to 1.0 FTE in 2024
  - 0.5 FTE 2025-2030

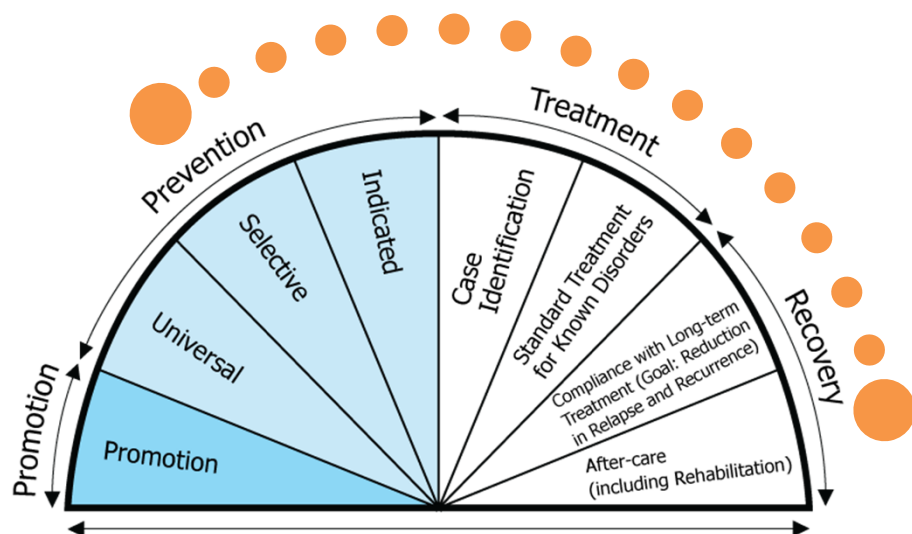


# Withdrawal Management



- Support withdrawal management center
  - 24/7 availability
  - Provides stability
- Enhance education, services, and viability
- Short term funding
  - \$50,000 in 2024
  - \$10,000 in 2025

# Opioid Response Program



- Administration of Opioid Settlement
- Allows for legislative advocacy
  - Improve behavioral health integration
    - Certified Community Behavioral Health Clinics
  - State settlement funds
- Up to 0.5 FTE in 2024
  - SOR to Settlement Transition
- 0.1 FTE through 2025-2030
  - Remainder of FTE
    - SOR Grant
    - Opioid Settlement
    - Based on need

# Bringing it together

Proposed Expenditures – 2023 – 2030 City of Grand Forks Opioid Settlement			
	Estimated Expenditures	City Total	Ending Balance
2023	\$ 9,787	\$ 129,329	\$ 119,542
2024	\$ 152,001	\$ 59,501	\$ 27,041
2025	\$ 67,205	\$ 74,420	\$ 34,256
2026	\$ 59,017	\$ 59,890	\$ 35,129
2027	\$ 60,887	\$ 59,890	\$ 34,132
2028	\$ 62,819	\$ 52,503	\$ 23,817
2029	\$ 64,813	\$ 56,619	\$ 15,623
2030	\$ 66,874	\$ 51,098	\$ (153)
2031		\$ 51,098	\$ 52,389
2032		\$ 42,825	\$ 95,215
2033		\$ 34,767	\$ 129,982
2034		\$ 34,767	\$ 164,749
2035		\$ 34,767	\$ 199,516
2036		\$ 34,260	\$ 233,775
2037		\$ 20,692	\$ 254,467
2038		\$ 20,692	\$ 275,159
2039		\$ 20,692	\$ 295,851

- Proposed City Strategy
  - Support prevention through broad programming with Mental Health Matters
  - Withdrawal Management
  - Settlement Administration
- County Strategy
  - Support MAT at GFCCC
  - 340b and Community Medical Services Support
- State Strategy
  - Support existing opioid response work and capacity building

# Questions?



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Grand Forks Public Health



UNIVERSITY of MARYLAND  
SCHOOL OF NURSING

## ASSUMPTIONS:

- *If addiction is seen as a moral failing, it will be condemned.*
- *If seen as a deficit in knowledge, it will be educated.*
- *If the addiction is viewed as an acceptable aberration, it will be tolerated.*
- *If the addiction is considered illegal, it will be prosecuted.*
- *If viewed as an illness, it will be treated.*
- *Social policies mirror these different views with strategies ranging from prohibition and criminalization to hospitalization and mandated treatment.*

– DiClemente, 2006, p. vii



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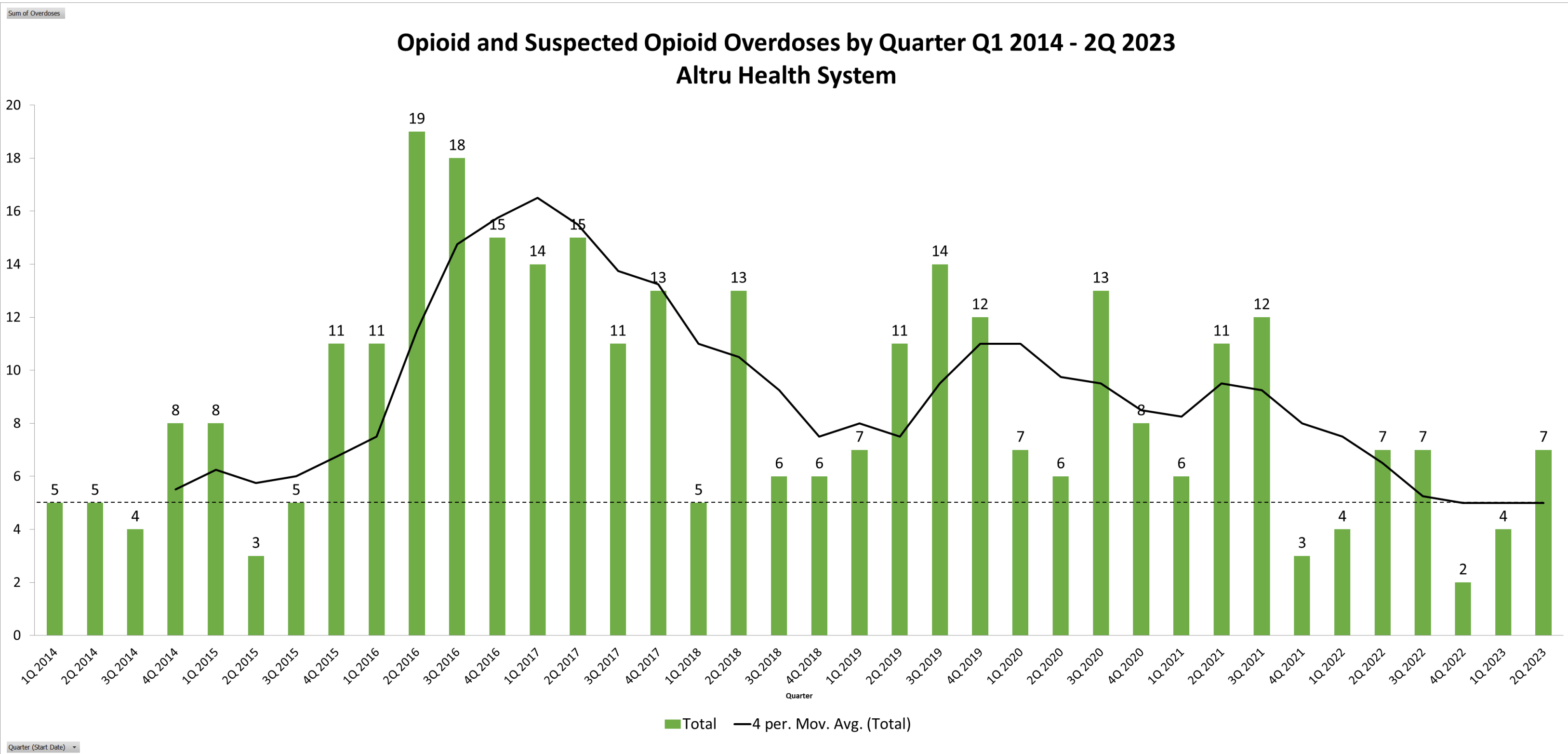
**Grand Forks Public Health**

# Opioid Settlement Strategy

Michael Dulitz, MPH, NRP  
Opioid Response Coordinator  
Grand Forks Public Health



# Current Situation

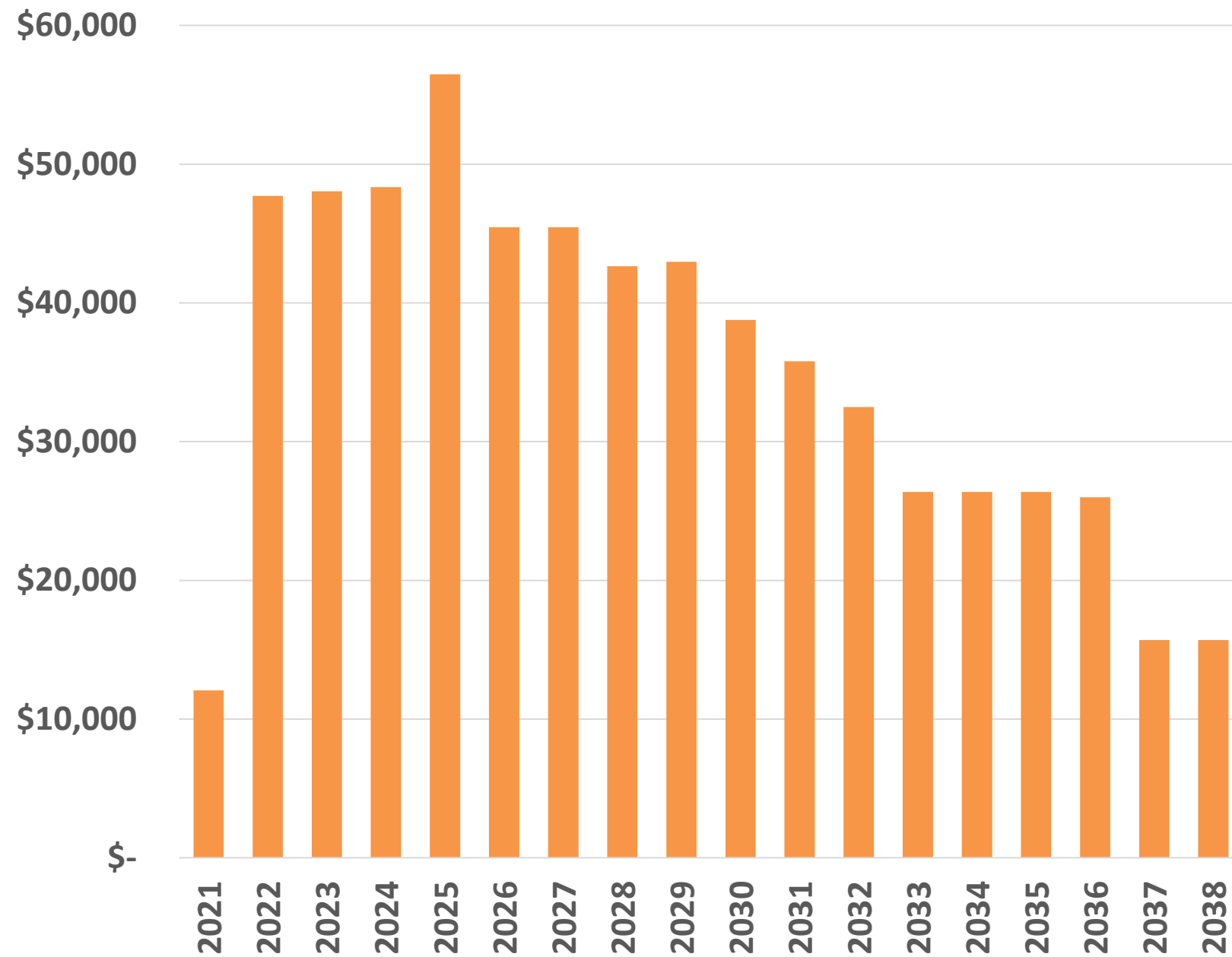






# Estimated Settlement

**Estimated Opioid Settlement Payments by Year**  
**Grand Forks County**



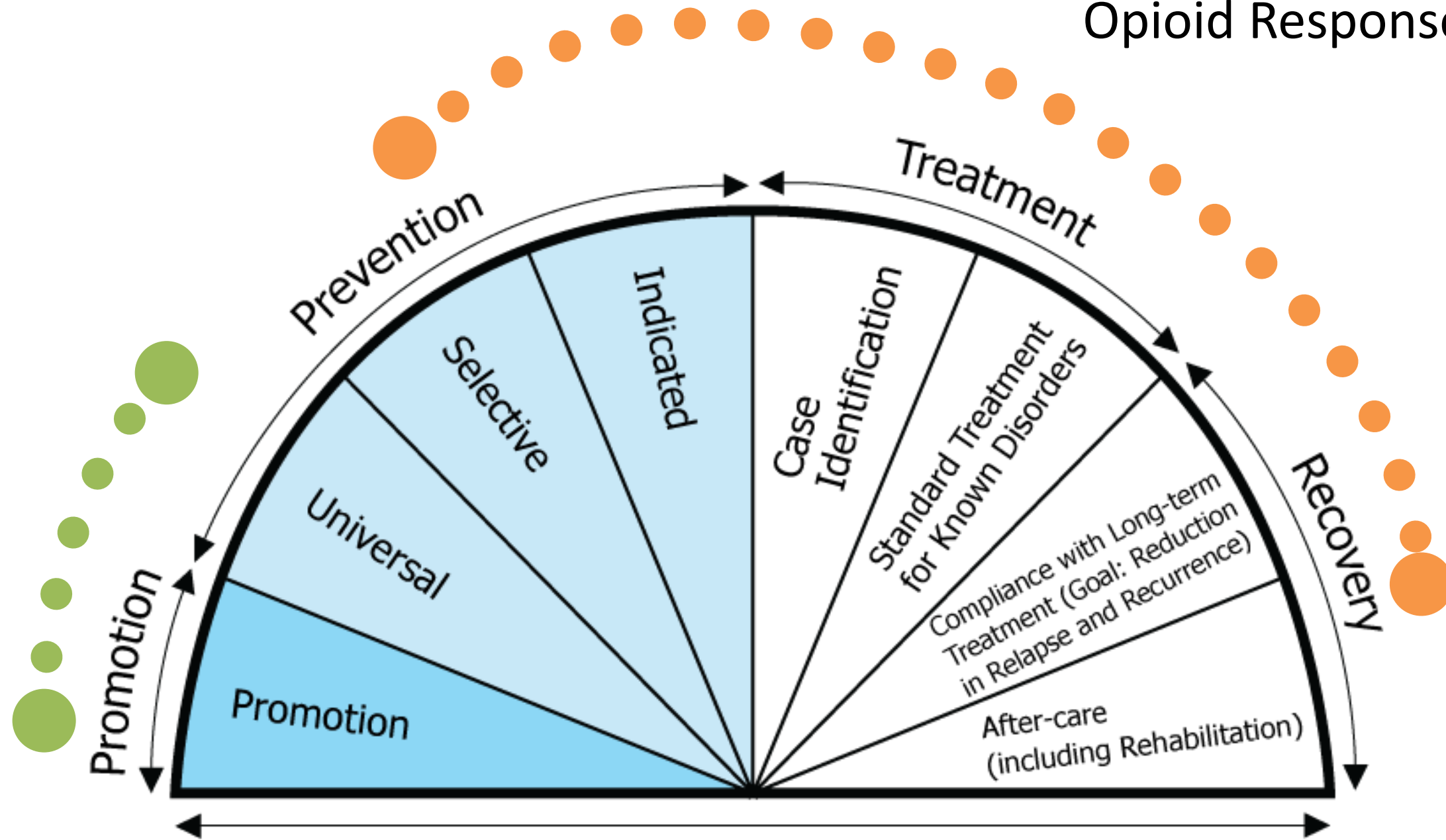
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Walmart	\$43,000	6
Teva	\$103,000	13
Allergan	\$53,000	7
Mallinckrodt	Pending	
Endo	Pending	
Purdue	Pending	
<b>Total</b>	<b>\$689,000</b>	<b>17</b>



# Community Efforts

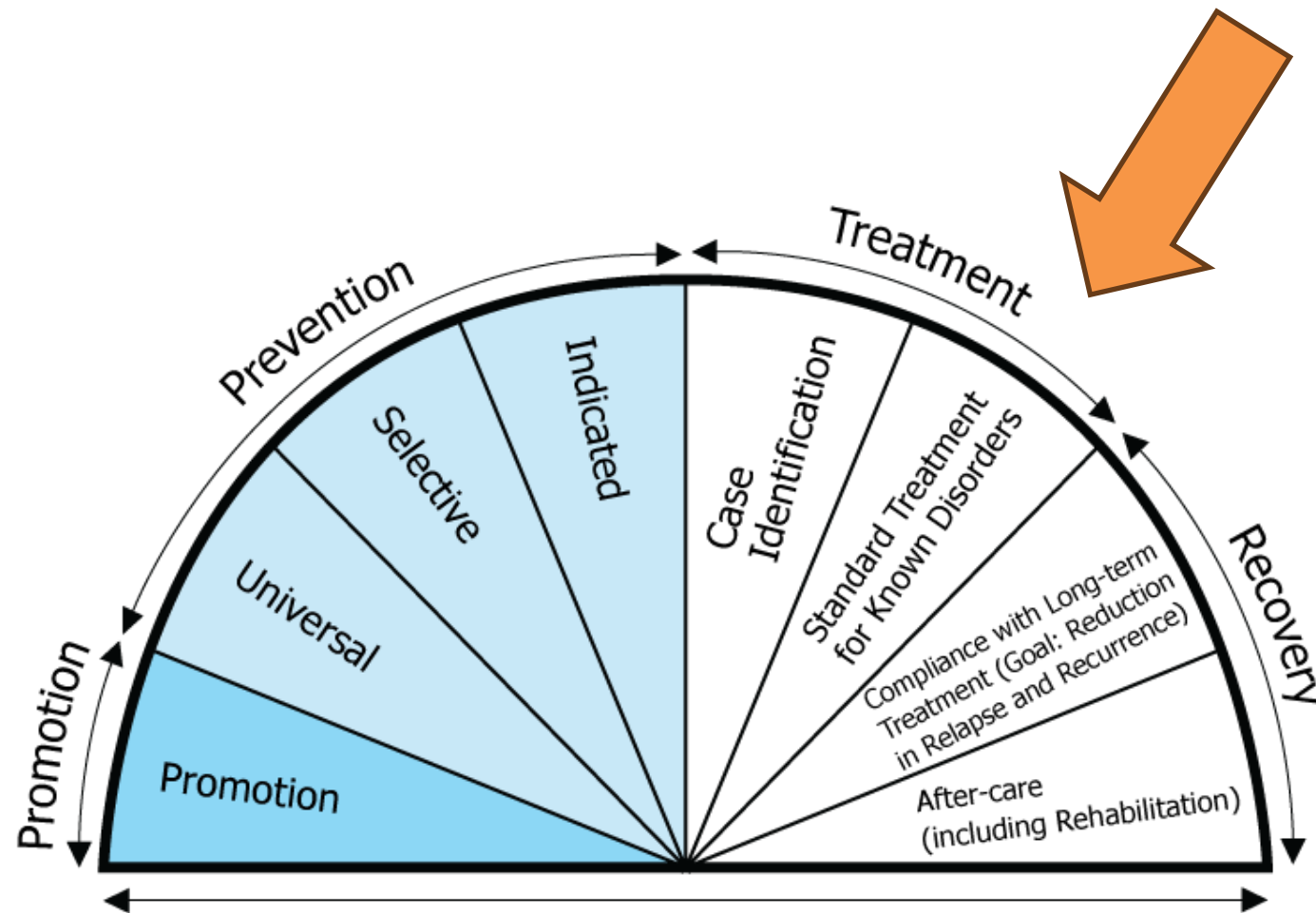
Grand Forks Public Health  
Opioid Response Activities

Grand Forks  
Substance  
Abuse  
Prevention  
Coalition and  
Others





# MAT at Correctional Center



- Medications for Addiction Treatment (MAT) is a standard of care for treatment of opioid use disorder
  - Existing MAT treatment plans are not continued at GFCCC
  - Concerns
    - Diversion
    - Cost
    - Regulation



# MAT at Correctional Center

**Landmark civil rights settlement ends after Whatcom County Jail successfully implements program to provide medications necessary to treat opioid use disorder**

News Release: Monday, August 1, 2022

**Lawsuit claims New Mexico prisons not giving inmates needed addiction medication**

by: [Curtis Segarra](#)

Posted: Dec 15, 2022 / 05:02 PM MST

Updated: Dec 16, 2022 / 08:55 AM MST

## Jefferson County jail sued over access to addiction treatment

WRVO | By [Associated Press](#)

Published March 2, 2022 at 7:41 PM EST



## Jefferson County to pay legal bill for jail inmate's lawsuit over drug treatment

WATERTOWN, New York (WWNY) - A judge's order helps Jefferson County Jail inmates have more access to drug addiction services. It comes at a cost to the county, which was ordered to pay some legal bills.

In a judge's order from 2 weeks ago, the county has been ordered to pay the inmate's \$160,000 legal bill.

- Legal Risk

- Failure to provide MAT may create legal risk related to:

- 8<sup>th</sup> Amendment “cruel and unusual punishment”
- 14<sup>th</sup> Amendment “Due process clause”

- Civil Rights Act of 1871

- Americans with Disabilities Act
- Tort

- Legal cases related to denying MAT are increasing

- Source: [Bureau of Justice Assistance – Managing Substance Withdrawal in Jails: A Legal Brief](#)

- Source: [Legal Action Center: Cases Involving Discrimination Based on Treatment with Medication for Opioid Use Disorder](#)



# Spending Plan



- Establish a MAT program at Grand Forks County Correctional Center
  - \$45,000 per year in 2024, escalating to \$53,800 per year in 2030
- Pursue 340b pricing for medications at GFCCC
  - One time: \$25,000
- Community Medical Services
  - One time: \$25,000
- Existing expenditures
  - SSP - \$4,000
  - MAT Medication Support - \$8,000



# Bringing it together

Proposed Expenditures – 2023 – 2030 Grand Forks County Opioid Settlement			
	Estimated Expenditures	County Total	Ending Balance
2023	\$ 62,000	\$ 101,079	\$ 39,079
2024	\$ 45,061	\$ 40,759	\$ 34,777
2025	\$ 46,412	\$ 56,476	\$ 44,841
2026	\$ 47,805	\$ 45,450	\$ 42,486
2027	\$ 49,239	\$ 45,450	\$ 38,696
2028	\$ 50,716	\$ 42,641	\$ 30,621
2029	\$ 52,238	\$ 42,968	\$ 21,351
2030	\$ 53,805	\$ 38,778	\$ 6,324
2031		\$ 35,800	\$ 42,124
2032		\$ 32,499	\$ 74,624
2033		\$ 26,384	\$ 101,008
2034		\$ 26,384	\$ 127,392
2035		\$ 26,384	\$ 153,776
2036		\$ 25,999	\$ 179,775
2037		\$ 15,703	\$ 195,478
2038		\$ 15,703	\$ 211,180
2039		\$ 15,703	\$ 226,883

- County Strategy
  - Support MAT at GFCCC
- Proposed City Strategy
  - Support prevention through broad programming with Mental Health Matters
  - Withdrawal Management
  - Settlement Administration
- State Strategy
  - Support existing opioid response work and capacity building



# Questions?



## ASSUMPTIONS:

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