



Agenda Item # 27
Date 11/3/21

October 12, 2021

Bob Missel, Chairperson
DODGE COUNTY
435 N Park, Rm 102
Fremont, NE 68025

RE: Opioid Litigation Settlements

Dear Chairperson Missel,

This letter is intended to provide you and the remainder of the county's leadership with additional information regarding two legal settlements recently entered into by the Attorney General against a manufacturer and several distributors of prescription opioid drugs. The first settlement concerns Johnson & Johnson. The second settlement concerns prescription drug distributors: McKesson, Cardinal Health, and AmerisourceBergen (collectively referred to as the "distributors"). Both settlement agreements contain similar terms and can be read in their entirety at the following website: <https://nationalopioidsettlement.com>.

Both settlement agreements involve distributions of money on an annual basis to both a state fund and allow direct distributions of money on an annual basis to certain political subdivisions (referred to as "participating subdivisions"). You are receiving this letter because each Nebraska county is listed as a "participating subdivision" under both settlement agreements.

The monetary distributions under both settlement agreements are maximized for both the state's share and each participating subdivision's "direct share" when all participating subdivisions "sign on" to or execute each of the two settlement agreements. It is important to note that participating subdivisions must sign on to these settlement agreements in order to receive their direct share *as well as* to be eligible to receive any additional distribution or grant from the state's share. Participating subdivisions that do not sign on to these agreements will not only not receive their direct share but will also not be eligible to receive any additional distribution or grant from Nebraska's Opioid Recovery Fund.

Further details regarding your county's direct share, the state's Opioid Recovery Fund, and how you can sign on to these settlements are provided below. In order to ensure that Nebraska and each of its participating subdivisions are able to realize their maximum payments under these settlements, we are asking you to provide your response before December 31, 2021.

The direct share percentage for each participating subdivision in Nebraska is found in "Exhibit G" of each settlement agreement which is accessible on the nationalopioidsettlement.com website.

Conclusion: What Your County Can Do Next

The Attorney General's Office is happy to answer any questions that your county has regarding these settlements.

Your county has several options for response to these settlement agreements:

1. "Sign on" to both of these agreements using the forms provided by the National Administrator and thereby make your county eligible to receive its direct share and potentially receive additional funds from Nebraska's Opioid Recovery Fund;
2. "Sign on" to both agreements but elect to contribute your county's direct share to Nebraska's Opioid Recovery Fund for use within your Behavioral Health Region;
3. Elect to not "sign on" to these agreements and forego both your county's direct share and forego distributions from Nebraska's Opioid Recovery Fund to your county.

Again, the more participating subdivisions that sign on to these agreements, the more money will come to both your county, other political subdivisions throughout the state, and the state of Nebraska as a whole.

We appreciate your consideration of this matter and again respectfully request your response through the sign-on process at <https://nationalopioidsettlement.com> or by contacting the undersigned before December 31, 2021.

Sincerely,
DOUGLAS J. PETERSON
ATTORNEY GENERAL OF NEBRASKA



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cc: Jon Cannon, Executive Director
Nebraska Association of County Officials