



MEMORANDUM

Date: September 2, 2022

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Lesher 
County Administrator

Re: **Opioid Settlement**

Today we received notice of a completed electronic funds transfer of \$1.5 million as part of the larger national settlement. We anticipate approximately \$48.5 million to come into Pima County and local jurisdictions over the next 18 years as part of a legal settlement by pharmaceutical companies and distributors to mitigate the harm caused by the opioid epidemic. The settlement agreement between the State Attorney General and the participating jurisdictions that was approved by the Board of Supervisors and identifies the Health Department as the lead administrative entity for the County.

This is one of a number of revenue opportunities to address some of the pressing needs for the prevention and treatment mental health and substance abuse. These additional resources available under the State's Medical Marijuana program as well as Adult Use (Recreational) Marijuana tax revenue. The attached memorandum from Dr. Cullen summarizes these opportunities and lays out a strategy to engage a range of stakeholders in the public discussion and planning to occur under the auspices of the Board of Health. It also broadly summarizes the legal and statutory limitations for the use of such funds and discusses a strategy for priority setting to ensure the best and highest use of these finite resources.

Intergovernmental agreements with partner jurisdictions that govern the local use of opioid settlement resources will be forthcoming to the Board for your approval in the next 45 days. At that time, I will ask that the Board delegate authority to the Administrator to sign-off on opioid settlement related agreements valued at \$250,000 or less. All other contracts or plans in excess of that amount will come to the Board for their approval.

JKL/dym

Attachment

c: The Honorable Laura Conover, Pima County Attorney
Francisco García, MD, MPH, Deputy County Administrator and Chief Medical Officer
Carmine DeBonis, Jr., Deputy County Administrator
Steve Holmes, Deputy County Administrator
Sam Brown, Chief Deputy, Pima County Attorney's Office – Civil Division
Terry Cullen, MD, MS, Public Health Director, Health Department
Paul R. Horwitz, MD, Chair, Pima County Board of Health President

Date: August 25, 2022

To: Jan Leshner
County Administrator

From: Theresa Cullen, MD, MS 
Health Department Director

Re: Addressing Community Mental Health and Substance Use Disorder in Pima County

Three new sources of funding have become available to address the community mental health needs associated with substance use disorder in Pima County. It is appropriate to engage in public planning and discussion to ensure the best and highest use of these finite resources and complement existing Health Department efforts. (Attachment 1)

One Arizona Opioid Settlement Funds – Beginning in late 2022, Pima County and partner jurisdictions will receive approximately \$48.5 million over the next 18 years as part of a legal settlement by pharmaceutical companies and distributors to mitigate the harm caused by the opioid epidemic. The settlement agreement between the State Attorney General and the participating jurisdictions identifies the Health Department as the lead administrative entity for the County. The first allotment of these resources will occur this month.

Under this agreement participating jurisdictions (the towns of Marana, Oro Valley and Sahuarita and the cities of Tucson and South Tucson) have the option of pooling their resources with the County for joint collaborative programming led by the Health Department or receive a lump sum payment. At a minimum, if no cities or towns wish to collaborate in the distribution of funds, Pima County will receive \$35 million to be administered by the Health Department.

The approved use of opioid settlement dollars as stipulated under the One Arizona IGA, Exhibit 1, include the following categories:

- Treat Opioid Use Disorder
- Support People in Treatment and Recovery
- Connect People Who Need Help to the Health They Need (Connections to Care)
- Address the Needs of Criminal-Justice Involved Persons
- Address the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome
- Prevent Over-Prescribing and Ensure Appropriate Prescribing and Dispensing of Opioids
- Prevent Misuse of Opioids
- Prevent Overdoes Deaths and Other Harms
- First Responders
- Leadership, Planning and Coordination
- Training
- Research

Ongoing Marijuana Sales Tax Monies – In 2020, Arizona passed the Marijuana Legalization Initiative (Proposition 207), legalizing the possession and use of marijuana for adults age 21 and older. As part of the act, a portion of revenue from an excise tax and license fees are allocated to local health departments to fund a range of initiatives or programs through the creation of Justice Reinvestment Fund. Stipulated areas eligible for support are: 1) public and behavioral health, including substance use prevention, intervention and treatment; 2) restorative justice, jail diversion, workforce development, technical assistance/mentoring services for communities with high rates of arrest and incarceration; 3) addressing the underlying causes of crime, reducing drug-related arrest, and reducing the prison population; and 4) creating/developing technologies and programs to assist with restoration of civil rights and expungement of criminal records. The Health Department proposes to develop programming relevant to item 1 and 2 above. Revenue for the first year is approximately \$500,000.

SB 1847 Limited-Time Medical Marijuana Monies – The Pima County Health Department will be receiving \$60,333 quarterly (\$241,332 annually) for the next three years in one-time funding from state tax proceeds from the sale of medical marijuana. The funding is a result of passage of Senate Bill 1847, which was signed into law on June 30, 2021. This law requires the Arizona Department of Health Services to distribute \$500,000,000 from the medical marijuana fund in proportion to population. The funding is earmarked for public health issues and communities affected by drug addiction and incarceration. County health departments are afforded broad flexibility for the use of these resources to support public health investment using these one-time funds.

Proposed Approach

To inform the strategic use resources to be managed by the Pima County Health Department, we propose a comprehensive, community-informed approach that will prioritize strategies and programs as well as to allocate new resources to address Pima County's significant substance misuse challenges and behavioral health needs.

Opioid Settlement Funds

The Board of Health provides statutory oversight of the public health function in Pima County. It is empowered to determine priority investment areas, as well as to engage and seek the input of community experts. As such, it is in the best position to provide the advisory function to the Public Health Director and to serve as the mechanism for public and jurisdictional input as proscribed in the One Arizona Inter Governmental Agreement.

I will propose that the Board of Health empanel a Substance Misuse Advisory Committee. This entity would be composed of 4 current Board of Health Members selected by the Board and also include community representatives with subject matter expertise on various aspects of behavioral health and substance abuse treatment and prevention.

The subcommittee membership should include at least one member who lives in each of Pima County's five county supervisor districts and one member who resides in each of the jurisdictions. Given that about 20% of the population lives in rural and unincorporated Pima County, proportional representation should be included in the subcommittee. The subcommittee's membership should also reflect the broad racial and ethnic diversity of Pima County.

Although the final membership would be up to the Board of Health, ideally the subcommittee will include the following:

- Providers with expertise in areas such as substance misuse treatment, co-occurring mental health disorders, and medication-assisted treatment
- Individuals harmed by opioid use or their family members
- Organizations/agencies that support the behavioral health or substance misuse needs of families such as faith organizations and advocacy or peer-support organizations
- Experts in the needs of youth involved in the child welfare system
- Expertise in serving the mental health needs of minority communities
- Experts on the behavioral health or substance misuse needs of older adults
- Experts in crisis stabilization
- Experts in addressing the needs of pregnant women with substance abuse disorder
- Law enforcement and first responders

Subcommittee meetings will be publically noticed and accessible to the public. As part of the sub-committee orientation, the Health Department will provide staffing as well as information on best practices identified by the CDC for addressing the opioid and other substances misuse, as well as priorities identified by the Arizona Department of Health Services and the Pima County Health Department.

Subcommittee members will be asked to prioritize programmatic areas (from Exhibit A of the One Arizona IGA) for funding based on the following criteria are:

- CDC recognized evidence-based best or promising practices;
- Address the needs of those most at-risk for opioid use, substance use disorder, and mental health challenges (as informed by data);
- Augment rather than supplant existing programs or funding;
- Build capacity among community-based organizations and providers to address identified needs (rather than create new programs or fund government programming);
- Assess and inform the process and impact metrics that will be utilized to measure program effectiveness.

Subcommittee recommendations will be provided to the Board of Health for ratification, concurrence and communication to the Public Health Director. The Director will prepare these for Board of Supervisors' review and approval for funding.

Marijuana Tax Revenue

The same Subcommittee will inform the use of Marijuana Tax Revenue funds, with the added charge of addressing the specific mental health and substance misuse related needs of youth. These resources will build on existing Health Department programming and its partnerships with schools and youth serving organizations, especially those in communities with high levels of justice involvement in keeping with the legislative intent of this funding.

The subcommittee will be asked to review, prioritize and recommend funding for initiatives and organizations that:

- Expand our local understanding of the physical and mental health needs of youth, families, and community partners within K-12 education systems.
- Develop and support approaches that reduce physical and firearm violence and injury.
- Support the Behavioral Health Coalition (comprised of school leaders, behavioral health providers and community agencies) to collaborate and explore solutions to the barriers faced by youth in tending their emotional well-being.
- Expand training related to schools and community-based organizations on Youth Mental Health First Aid, harm reduction, trauma-informed care, suicide prevention and violence reduction.
- Strengthen schools' capacity to respond to medical emergencies including opioid overdose, anaphylaxis, respiratory emergencies, cardiac arrest and mental health crises such as suicidal ideation. Such work may include implementing a new standard of medical response preparedness in collaboration with Pima County School Superintendent and certifying schools in response-ready standards.
- Developing a communications approaches to reduce stigma and increase awareness and acceptance of mental health treatment and substance misuse interventions among youth.

Subcommittee recommendations will be provided to the Board of Health for ratification and communication to the Public Health Director, who will prepare them for action by the Board of Supervisors.

Limited-Time Medical Marijuana Revenue

These on-time resources have been awarded on a contract basis from the Arizona Department of Health. The Health Department proposes to use the funding to strengthen its ability to assess current public health needs, further refine its understanding of needs related to access to care, and strengthen the community's capacity to address behavioral health needs. Specifically, we propose to:

- *Improve understanding of community health needs* - The CDC Behavioral Risk Factor Surveillance System, is an annual telephone survey of US residents regarding health-related risk behaviors, chronic health conditions, and use of preventive service. *The Health Department will augment the Pima County sample size of the BRFSS from 875 to*

1375 respondents and add additional 4 questions. This permits the County and its partners to better understand, localize and respond to the needs of adults in this community in behavioral health, substance misuse, and accident/injury (including suicide) prevention in order to develop more tailored and localized approaches to addressing these complex issues.

- *Identify gaps in access to care* - Access to care was identified as a priority of the Community Health Needs Assessment in 2015, 2018 and 2021. *The Health Department will fund an analysis to better define its own role in addressing unmet physical and mental health needs through the provision of clinical services.* Such an assessment will examine how existing and planned stationary and mobile clinics and assets can be leveraged as part of the community mental health continuum of care. Organization, fiscal, legal and regulatory requirements and risk will be considered.
- *Trauma informed care training* -Trauma-informed training helps individuals understand the sources of trauma (such as violence, abuse, neglect, loss, disaster, war and other emotionally harmful experiences), and the lasting adverse effects on the individual’s functioning and mental, physical, social, emotional or spiritual well-being. *The Health Department will expand existing trauma-informed care training to schools, youth serving community-based organizations, and health providers working with youth.*

Attachments

Concur

Francisco Garcia, Deputy County Administrator

Date

APPROVED NOT APPROVED

Jan Leshner, County Administrator

Date

c: Dr. Paul R. Horwitz, Pima County Board of Health President

Attachment 1: Current Complementary Health Department Efforts

The Health Department is well-poised to implement the efforts outlined above. PCHD currently has 12 full-time staff that oversee five grants related to behavioral health and substance use: Overdose Data to Action (\$374,663/yr), State Opioid Response (\$401,025/yr), Arizona Parent Commission on Drug Education and Prevention (\$167,923/yr), Healthy People Healthy Communities (\$100,000/yr), and Implementing Overdose Prevention Strategies at the Local Level (\$444,223/yr). In addition, the Department's work with schools as part of the COVID-19 pandemic through a related grant (ELC COVID-19 for School Re-Opening grant) also supports work related to behavioral health among youth. As part of this grant-funded work, the Health Department analyzes data and produces reports such as the Pima County Overdose Review Annual Report, helping identify needed and inform strategy development in the county.

The Health Department also has experience working with the community to implement behavioral health and substance use-related strategies. This work includes contracting with several agencies across Pima County, including Hope Inc., Intermountain, Community Bridges Inc. and Tucson Indian Center to provide linkages to care and outreach to vulnerable populations.

The Health Department has experience supporting collaborative efforts aimed at addressing behavioral health and substance use disorder needs. As an example, the Health Department collaborated on the modification of an application that introduced adolescents to emotional well-being by connecting them to behavioral health providers. To date, over 1,600 children have received information from this application. Another relevant example is the Health Department's support of the Pima Behavioral Health Coalition. The coalition is comprised of 50 local community partners including behavioral health providers, youth-serving agencies, school districts, local jurisdictions, and the State departments of Health and Education. This group:

- Coordinates youth mental health first aid trainings to school staff this summer;
- Developed a universal form to expedite referrals between schools and providers;
- Develops a common shared directory to facilitate communication between schools and providers; Monitors school policies, and identifies new evidence-based models and practices in school-based mental health supports and education;
- Initiated a School Counselor Support Group; and
- Established a School Staff Workgroup focused on identifying the needs of school staff.

The Health Department has also been actively engaged in efforts to prevent overdoses, including:

- Providing targeted distribution of Naloxone, Fentanyl test strip and urine toxicology tests to community-based organizations, local coalitions, healthcare agencies, and members of the public who can reach individuals at risk for overdose;

- Offering Rapid Response Peer Support at critical intervention points in a variety of settings and through contracted partners;
- Offering overdose prevention trainings broadly across the community and cover a range of topics, including the use of Narcan.
- Increasing clinician awareness about prescription drug misuse and abuse (Rx360);
- Implementing the Strengthening Families Program, an upstream strategy that strengthens protective factors in families, in order to reduce substance misuse among children;
- Working collaboratively to implement the Dispose-A-Med initiative that promotes safe storage and use of prescription medication and links to the Sheriff's "Drug Take Back" events;
- Providing overdose prevention counseling and referral Medication Assisted Treatment through Health Department clinics;
- Conducting media campaigns including "One Pill Can Kill," "How to Identify and Opioid Overdose," and "Naloxone Saves Lives" increase community awareness of overdose risk associated with substance misuse; and
- Working with the PIMAHHELPLINE.ORG to help connect individuals and families with mental health and substance misuse services.

Attachment 2: Proposed Monitoring

In an effort to monitor Pima County's effectiveness in identifying and implementing strategies aimed at addressing the behavioral health and substance misuse needs of county residents. The evaluation of these investments will be informed by the advice and input of the subcommittee and the Board of Health.

At a minimum the Health Department will monitor and report annually on the following process measures:

- Number of schools stocked with Naxolone, Epi- pens, and rescue inhalers
- Number of Youth Mental Health First Aid trainings conducted
- Number of individuals trained in Mental Health First Aid
- Number of schools certified as Response Ready

The Department will also monitor and report on the following outcome measures:

- Opioid and non-opioid overdose fatalities per 100,000
- Years of potential life lost due to suicide
- Number of potential life lost due to drug overdose
- Top five leading causes of death by ten-year age groups
- Drug overdose and suicide rates per 100,000 by race/ethnicity
- Social vulnerability trends for drug overdose and suicide decedents
- Number of suicide deaths per 100,000