



City of Pittsburgh

510 City-County Building
414 Grant Street
Pittsburgh, PA 15219

Text File

Introduced: 11/10/2022

Bill No: 2022-0957, **Version:** 1

Committee: Committee on Finance and Law

Status: Passed Finally

Resolution providing for the creation of the Opioid Misuse Abatement Trust Fund and setting conditions for the deposit and expenditures from said trust fund.

WHEREAS, following settlement in litigation at *City of Pittsburgh v. Purdue Pharma, L.P. et al.*, Case No. 18-006153, as coordinated in *In Re Opioid Litigation, No. 2017-00895* (Delaware County, PA) stemming from *In Re: National Prescription Opiate Litigation* Case No. 1:17-md-2804 in the US District Court for the Northern District of Ohio, MDL 2804 initially as to the Defendants McKesson Corporation, Cardinal Health, Inc. and AmeriSource Bergen Corporation, Johnson and Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., and related litigation, parties have agreed to a settlement of claims wherein the Pennsylvania Opioid Misuse and Addiction Abatement Trust shall receive settlement funds, hold such funds until payment, and then disburse such funds pursuant to the terms and conditions set forth in Pennsylvania's Intrastate Opioid Trust & Allocation Order;

WHEREAS, the City of Pittsburgh was authorized to enter into this settlement pursuant to Resolution 123 of 2022, effective March 30, 2022.

WHEREAS, the Pennsylvania Opioid Misuse and Addiction Abatement Trust is set to provide approximately eighteen years of fiscal aid to Counties and Municipalities throughout Pennsylvania to aid in opioid misuse abatement;

WHEREAS, the City of Pittsburgh will receive these future direct payments as directed by Pennsylvania's Intrastate Opioid Trust & Allocation Order previously authorized by the parties;

WHEREAS, monies deposited will be allocated to the City pursuant to the formula set forth in Pennsylvania's Intrastate Opioid Trust & Allocation Order, less costs associated with administration of the Pennsylvania's Opioid Misuse and Addiction Abatement Trust;

WHEREAS, the City will spend funds from this settlement in accordance with the purposes of the Pennsylvania's Opioid Misuse and Addiction Abatement Trust and within eighteen months of receipt of the funds; and

WHEREAS, the City of Pittsburgh now wishes to create the appropriate trust fund for acceptance of these funds;

Be it resolved by the Council of the City of Pittsburgh as follows:

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Section 1. The City Controller is hereby authorized to create a trust fund account to be designated as the “Opioid Misuse Abatement Trust Fund.” Revenue received from the Pennsylvania Opioid Misuse and Addiction Abatement Trust will be deposited into this trust fund.

Section 2. Monies deposited into said Opioid Misuse Abatement Trust Fund will cover expenses and uses set forth by the general guidelines established by set forth in Pennsylvania’s Intrastate Opioid Trust & Allocation Order.

Section 3. An appropriate signatory to be designated by the Mayor of the City of Pittsburgh shall sign and submit initial and yearly required certificates, including the Litigating Subdivision Certification of Use of Funds, a W-9, and payment instructions, to the Office of the Attorney General, and shall ensure that the funds are spent within the time period proscribed by the Opioid Trust & Allocation Order,

Section 4. The Opioid Misuse Abatement Trust Fund shall be established within the Office of Management and Budget. Other departments may utilize this fund with written permission from the Director of the Office of Management and Budget and with authorized legislation, if appropriate.