

Opioid Abatement Collaboratives

Frequently Asked Questions



Introduction

Virtually all Massachusetts cities and towns are participating in statewide opioid settlements reached between the Massachusetts Attorney General (AGO) and the opioid industry participants (Defendants), pursuant to which the Commonwealth and its municipalities will receive Opioid Abatement Funds to mitigate the harms caused by the opioid epidemic. With funding amounts varying from one municipality to the next, some have decided to pool their funds in order to optimize the level of impact these monies will have across geographic regions and meet the public health needs of the residents they serve. The AGO and the Department of Public Health's (DPH's) Bureau of Substance Addiction Services (BSAS), strongly encourages municipalities to pool their opioid abatement funds by utilizing the Office of Local and Regional Health's (OLRH) Shared Service infrastructure or through some other formalized agreement. These groups of municipalities entering into formalized agreements are termed 'Opioid Abatement Collaboratives' (OAC), which have differing expenditure reporting requirements depending upon the amount of funds that are pooled.

Below is a Frequently Asked Questions (FAQ) on OACs and the associated expenditure reporting requirements.

What is an Opioid Abatement Collaborative (OAC)?

An OAC is defined as two or more municipalities who pool some or all their opioid abatement funds, either as part of an existing Public Health Excellence (PHE) Collaborative, or by entering into a new Intermunicipal Agreement (IMA) or other formalized agreement such as a Memorandum of Understanding (MOU).

What does it mean to pool funds?

Pooling funds means that municipalities send some or all of their opioid abatement funds to a host municipality, who is responsible for holding the funds in one account to be spent in a manner agreed upon by the municipalities.

Are there scenarios where an OAC is needed when using opioid abatement funds?

Yes. One scenario would be a municipal employee who works for some and/or all of the municipalities within the OAC, in which the municipality is paid by the others to cover staffing costs. Another scenario would be an OAC that procures services from an outside organization to serve some and/or all of the municipalities within the OAC, in which case the municipality procuring the services would be paid by some and/or all of the other municipalities to cover the costs.

What should a municipal OAC agreement include?

A municipal agreement should contain key elements such as: the municipalities involved in the agreement, the governance structure that dictates the persons responsible for making funding decisions and how those decisions get made, the roles and responsibilities of the municipalities, the scope of work jointly funded and the funding amounts contributed by each municipality, and the length of the agreement.

What key considerations should municipalities discuss with their potential partners prior to forming an OAC?

A few important items to discuss when determining whether to form an OAC are as follows:

- How will the governing body be configured, and who will serve on behalf of each municipality?
- Who will be consulted during the planning and decision-making process, and how will information be communicated both internally and externally?

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- How will the budget be decided and what is the cost-allocation formula?
- What measures will the governing body take to ensure alignment with the terms of the State Subdivision Agreement?
- What provisions are included in the scope of work, and how will programmatic deliverables be tracked and monitored?

If our PHE collaborative is pooling opioid funding, do we need a new, separate IMA?

If all municipalities in a PHE collaborative are participating, this process would be governed by the existing IMA, but an addendum may be necessary to add further details.

If we coordinate our opioid abatement activities with other municipalities, for example, by agreeing at an intermunicipal meeting that we will all send funds to the same treatment provider, are we considered an OAC?

No. This is an example of regional coordination, but it is not considered an OAC. An OAC requires that funds be pooled into one account and spent in accordance with decisions made by the governing body of the collaborative.

Do municipalities need to pool all their opioid funds to be an OAC?

No. Municipalities in an OAC may pool some or all their opioid funding with other municipalities.

What are the expenditure reporting requirements if a municipality is not part of an OAC?

Each municipality that receives funds totaling \$35,000 or more annually is required to submit an annual expenditure report. Municipalities that receive less than \$35,000 are strongly encouraged but are not required to submit an annual expenditure report. It is important to note that the Executive Office of Health & Human Services retains the right to change the reporting threshold.

What are the expenditure reporting requirements if a municipality is part of an OAC?

- *The Host Municipality:* If the OAC pools \$35,000 or more during the reporting fiscal year, the host agent (city/town) must file the annual report on behalf of all the municipalities for that fiscal year. The host municipality will be responsible for answering all fiscal and programmatic questions on the report.
- *Participating Municipalities:* Non-host municipalities that receive over \$35,000 or more during the reporting fiscal year will only need to submit a report on funds they received that were not pooled.

Is there technical assistance available for municipalities interested in forming an OAC?

Yes, CareMass can help municipalities navigate the fiscal and/or legal considerations associated with forming an OAC, including conducting consultations with existing PHE grantees, drafting and amending IMA and MOU, complying with municipal finance laws pertaining to fund appropriation and utilization, and establishing governance bodies.

For more information on municipal expenditure reporting requirements, please visit caremass.org/expenditure-reporting/. To request technical assistance or additional information, including questions on pooling funds, expenditure reporting, and drafting a formal fund sharing agreement, please fill out the request form available at caremass.org/request-training-assistance/ or send an email to abate@jsi.com.



More info and support:
CareMass.org