

## Arkansas's Opioid Settlements

The United States is in the midst of a crisis on its streets and in its communities as overdoses, homelessness, and disorder reach record levels. Yet settlement proceeds secured by the State of Arkansas present an unprecedented opportunity for generational investment in treatment capacity for chronic substance abuse (CSA) and severe mental illness (SMI).

Arkansas is set to receive **more than \$400 million** (\$468,527,800.19) in opioid settlement funds—equal to nearly a third of the state's share of the monumental Tobacco Master Settlement Agreement.<sup>1</sup> With twenty separate settlements and payments spread out over decades, the funds are **at risk of being squandered** through ad-hoc allocations to **diffuse and disorganized efforts**.

The state must ensure that this opportunity for treatment investment does not go underutilized. **Arkansas can make targeted investments in treatment capacity** that will **honor those who suffered** in the opioid crisis **and ensure accessible care** for decades to come.

Arkansas reserves 33 percent of funds (\$161,883,613.55) for the state's use and allocates the remainder to the qualified settlement fund for use by subdivisions.<sup>2,3</sup> It appears that the state attorney general is responsible for allocating the state's share of funds.<sup>4</sup> However, it's not clear that funds are being spent responsibly. While local governments, counties, and cities have formed the Arkansas Opioid Recovery partnership to coordinate local settlement spending efforts, there is no equivalent state-level coordination.<sup>5</sup>

The state must rein in the potential misallocation of these funds and prioritize investments in comprehensive treatment networks. **Three priorities** (Certified Behavioral Health Clinics, secure psychiatric beds, and community SMI/CSA response) **will ensure these funds have the largest impact on Arkansas**.

### ***Certified Community Behavioral Health Clinics (CCBHCs)***

CCBHCs are designed to ensure access to coordinated comprehensive behavioral health care and are stably-funded and supported by all recent presidential administrations. CCBHCs are a key response to the crisis and can augment other services such as police crisis response teams, homelessness outreach and services, and outpatient psychiatric commitment services.

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<sup>i</sup> With the exception of the McKinsey and Publicis settlements, of which the state controls 100 percent of funds.

- **Solution: Fund the development and expansion of CCBHCs.**
  - Expand the CCBHC footprint with an emphasis on a team-based approach to co-occurring disorders.
  - Create a stepped approach to SMI/CSA treatment with services provided by the CCBHCs.
  - Require CCBHCs to offer specific care pathways to meet the needs of individuals with co-occurring disorders.

### ***State Psychiatric Hospitals***

Inpatient beds in secure facilities are critical for serving the highest-acuity psychiatric patients. Arkansas currently has **0 state psychiatric beds** per 100,000 people available for civil (i.e., non-criminal) patients, with all beds reserved for forensic patients.<sup>6,7</sup> Treatment Advocacy Center recommends a rate of 30-60 beds per 100,000. Even counting non-public secure psychiatric beds, Arkansas barely meets the minimum.<sup>8</sup> Secure beds are costly, but a necessary expenditure to protect patients with severe psychiatric disorders and the public at large.

- **Solution: Fund the expansion of civil psychiatric beds.**
  - Invest in expanding state hospital capacity.
  - Move forensic (criminal) commitments to a jail-based restoration facility.
  - Apply for one of several Section 1115(a) waivers to expand Medicaid reimbursement for institutions for mental diseases (IMDs).

### ***Inpatient Stabilization Centers and Mobile Crisis Teams***

Emergency departments (EDs) are supposed to be a last-resort for times of true emergencies, but are increasingly used for all types of immediate-need medical care, especially true for low- to medium-acuity mental health crises. In order for the other two priorities to have the largest impact, there must be an immediate triage of low-acuity patients from higher-need patients, or else these investments will be drowned out, overburdened, and underutilized by those that need them most, just like emergency departments.

- **Solution: Fund community-based mental health response resources.**
  - Expand community-based recovery centers, including voluntary short-term respite housing, especially for young adults.
  - Leverage CCBHC resources to develop comprehensive mobile crisis response teams in conjunction with police crisis intervention teams (CIT).
  - Support integration with crisis networks such as the Lifeline to support those in need or provide guidance for concerned loved ones.

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<sup>1</sup> KFF. “Actual Tobacco Settlement Payments Received by the States (in millions).” Accessed 8 September 2025. <https://www.kff.org/health-costs/state-indicator/tobacco-settlement-payments>.

<sup>2</sup> “Arkansas Opioids Memorandum of Understanding.” [https://drive.google.com/file/d/1NQ\\_rfOg\\_jkL4zaKWQlyny1D6P4\\_zrtXh/view?usp=sharing](https://drive.google.com/file/d/1NQ_rfOg_jkL4zaKWQlyny1D6P4_zrtXh/view?usp=sharing).

<sup>3</sup> “Order Establishing the Arkansas Opioids Qualified Settlement Fund.” [https://drive.google.com/file/d/1Mjc1l1MblcEy\\_Pm1iSesMkj8su\\_TkLq-/view?usp=sharing](https://drive.google.com/file/d/1Mjc1l1MblcEy_Pm1iSesMkj8su_TkLq-/view?usp=sharing).

<sup>4</sup> Arkansas Opioid Recovery Partnership, “About Us.” <https://www.arorp.org/about/>.

<sup>5</sup> Arkansas Opioid Recovery Partnership, “About Us.” <https://www.arorp.org/about/>.

<sup>6</sup> Treatment Advocacy Center, “Arkansas Psychiatric Beds Report.” 2023. <https://www.tac.org/wp-content/uploads/2023/10/Arkansasbedsinformation.pdf>.

<sup>7</sup> United States Census Bureau, “2023 American Community Survey – Total Population.” [https://data.census.gov/table/ACSDT1Y2023.B01003?q=population&t=Population+Total&g=010XX00US\\$0400000](https://data.census.gov/table/ACSDT1Y2023.B01003?q=population&t=Population+Total&g=010XX00US$0400000).

<sup>8</sup> Silver, Shanti, “Estimating Psychiatric Bed Need in the United States,” p. 2-4. Treatment Advocacy Center Office of Research and Public Affairs. January 2024. [https://www.tac.org/wp-content/uploads/2024/03/TAC\\_ORPA\\_ResearchSummary1.24.pdf](https://www.tac.org/wp-content/uploads/2024/03/TAC_ORPA_ResearchSummary1.24.pdf).