

Massachusetts'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 Commonwealth of Massachusetts present an **unprecedented opportunity for generational investment** in treatment capacity for chronic substance abuse (CSA) and severe mental illness (SMI).

Massachusetts is set to receive **more than \$1.1 billion** (\$1,119,012,109.19) in opioid settlement funds—equal to nearly one-fifth of the commonwealth's share of the monumental Tobacco Master Settlement Agreement.¹ 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 commonwealth must ensure that this opportunity for treatment investment is not underutilized. **Massachusetts 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.

Massachusetts reserves 60 percent (\$453,946,551.49) of funds for use by the state and allocates the remainder to subdivisions.² The commonwealth's share is held in the Opioid Recovery and Remediation Fund, allocable by the Executive Office of Health and Human Services in consultation with the 20-member Advisory Council.³ In the latest report of uses of funds, the Council allocated \$4.5 million in FY24 and plans to allocate an additional \$16 million in FY25 to equity initiatives, including “center[ing] BIPOC voices throughout the grantmaking and capacity building process”; nearly \$7 million for low-barrier shelter; and \$10.5 million in FY24 with an additional \$24.5 million planned for FY25 for service expansion and enhancement.⁴ Though the last priority sounds the most promising, this total is broadly inclusive of useful priorities such as expanding hospital-based CSA programming and not-as-impactful programs such as the provision of injection supplies. **The commonwealth**

¹ With the exception of the McKinsey, Publicis, and Endo settlements, in which the state controls 100 percent of funds. Mallinckrodt is also entirely distributed to the state, but 64-70 percent of funds must be spent regionally.

should amend statute and vest ultimate allocation authority in the legislature in order to invest in statewide treatment capacity.

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

Certified Community Behavioral Health Clinics (CCBHCs)

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

- **Solution: Fund the development and expansion of CCBHCs.**
 - o Expand the CCBHC footprint with an emphasis on a team-based approach to co-occurring disorders.
 - o Create a stepped approach to SMI/CSA treatment with services provided by the CCBHCs.
 - o 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. Massachusetts currently has only **8.0 state psychiatric beds** per 100,000 people available for civil (i.e., non-criminal) patients.^{5,6} Treatment Advocacy Center recommends a rate of 30-60 beds per 100,000. Even counting non-public secure psychiatric beds, Massachusetts still falls short of the minimum.⁷ Secure beds are a costly but necessary expenditure to protect patients with severe psychiatric disorders and the public at large.

- **Solution: Fund the expansion of civil psychiatric beds.**
 - o Invest in expanding state hospital capacity.
 - o Move forensic (criminal) commitments to a jail-based restoration facility.
 - o 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. This is especially true for low- to medium-acuity mental health crises. In order for CCBHCs and state psychiatric bed expansions to have the largest impact, there must be an immediate triage of low-acuity patients from higher-need patients, or else investments in these facilities 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.**
 - o Expand community-based recovery centers, including voluntary short-term respite housing, especially for young adults.
 - o Leverage CCBHC resources to develop comprehensive mobile crisis response teams in conjunction with police crisis intervention teams (CIT).
 - o Support integration of community resources with crisis networks such as the Lifeline to support those in need or provide guidance for concerned loved ones.

MASSACHUSETTS

[Download all Massachusetts opioid settlement documents](#)

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STATE-CONTROLLED FUNDS	ALL FUNDS	2025 EOY FUNDS RECEIVED - STATE	2025 EOY FUNDS RECEIVED - ALL	Av. Receipt (All Funds) / Yr (*20)
\$453,946,551.49	\$1,119,012,109.19	\$162,646,917.15	\$389,773,286.30	\$55,950,605.46

2021 National Opioid Settlement

Massachusetts v. Distributors

- [Final Consent Judgment](#)
 - [Exhibit 1 "Distributor Settlement Agreement"](#)
 - [Exhibit 2 "Massachusetts State-Subdivision Agreement"](#)
- Commonwealth of Massachusetts vs. Cardinal Health, Inc., et al., Suffolk County Superior Court, Case No. 2284CV00926

Massachusetts v. Jassen

- [Final Consent Judgment](#)
 - Exhibit 1 "Janssen Settlement Agreement" [p. 10]
 - Exhibit 2 "Massachusetts State-Subdivision Agreement" [p. 519]
 - Exhibit 3 "Johnson & Johnson Settlement Release" [p. 529]
- Commonwealth of Massachusetts vs. Johnson & Johnson, et al., Suffolk County Superior Court, Case No. 2284CV01041

2022 National Opioid Settlement

Massachusetts v. CVS

- [Final Consent Judgment](#)
 - [Exhibit A "agreement dated as of December 9 2022"](#)
 - [Exhibit B "Massachusetts State-Subdivision Agreement"](#)
- Commonwealth of Massachusetts vs. CVS Pharmacy, Inc., Suffolk County Superior Court, Case No. 2484CV00508

Massachusetts v. Walgreens

- [Final Consent Judgment](#)
 - [Exhibit A "agreement dated as of December 9 2022"](#)
 - [Exhibit B "Massachusetts State-Subdivision Agreement"](#)
- Commonwealth of Massachusetts vs. Walgreen Co., Suffolk County Superior Court, Case No. 2484CV00507

Massachusetts v. Walmart

- [Final Consent Judgment](#)
 - [Exhibit A "agreement dated as of November 14 2022"](#)
 - [Exhibit B "Massachusetts State-Subdivision Agreement"](#)
- Commonwealth of Massachusetts vs. Walmart Inc., Suffolk County Superior Court, Case No. 2484CV00506

Massachusetts v. Allergan

- [Final Consent Judgment](#)
 - [Exhibit A "Allergan Public Global Opioid Settlement Agreement"](#)
 - [Exhibit B "Massachusetts State-Subdivision Agreement"](#)
- Commonwealth of Massachusetts vs. Allergan Limited, et al., Suffolk County Superior Court, Case No. 2384CV02787

Massachusetts v. Teva

- [Final Consent Judgment](#)
 - [Exhibit A "Teva Global Opioid Settlement Agreement"](#)
 - [Exhibit B "Massachusetts State-Subdivision Agreement"](#)
- Commonwealth of Massachusetts vs. Allergan Limited, et al., Suffolk County Superior Court, Case No. 2384CV02787

Other Coalition Opioid Settlements

Massachusetts v. McKinsey

- [Consent Judgment](#)
- [McKinsey Allocation Amounts](#)
- Commonwealth Of Massachusetts vs. McKinsey & Company, Inc. United States, Suffolk County Superior Court, Case No. 2184CV00258

Massachusetts v. Mallinckrodt

- [NOAT II Agreement](#)
- [GPM Notice](#)
- [Notice of Abatement Distribution](#)
- [Notice of Abatement Distribution \(City of Boston\)](#)

Massachusetts v. Publicis

- [Consent Judgment](#)
 - [\[Clean copy of Consent Judgment \(lacks Court signature\)\]](#)
- Commonwealth of Massachusetts vs. Publicis Health, LLC, Suffolk County Superior Court, Case No. 2184CV01055

Massachusetts v. Endo

- [Global Public Trust Agreement](#)
- [Notice of Abatement Distribution](#)
- City of Quincy vs. Purdue Pharma LP et al. Suffolk County Superior Court, Case No. 1984CV00264 - removed to U.S. District Court

2025 National Settlements

Massachusetts v. Purdue

- [missing documentation]
- Commonwealth of Massachusetts v. Purdue Pharma L.P., et al., Superior Court of Suffolk County, Case No. 1884-cv-01808 (BLS2) [unconfirmed]

Massachusetts v. Mylan

- [missing documentation]

Massachusetts v. Hikma

- [missing documentation]

Massachusetts v. Amneal

- [missing documentation]

Massachusetts v. Apotex

- [missing documentation]

Massachusetts v. Indivior

- [missing documentation]

Massachusetts v. Sun Pharmaceuticals

- [missing documentation]

Massachusetts v. Alvogen

- [missing documentation]

Massachusetts v. Zydus

- [missing documentation]

Independent Settlements

¹ KFF. "Actual Tobacco Settlement Payments Received by the States (in millions)." Accessed 8 September 2025.

² "Massachusetts State-Subdivision Agreement for Statewide Opioid Settlements."

<https://drive.google.com/file/d/1sEBdD7pplby19NpdJfXDVgPB9mWH70pT/view?usp=sharing>.

³ M.G.L. § 35000. "Opioid Recovery and Remediation Fund."

<https://malegislature.gov/Laws/GeneralLaws/Part/TitleI/Chapter10/Section35000>.

⁴ Executive Office of Health and Human Services, "FY2024 Opioid Recovery and Remediation Fund Annual Report." 1 October 2024. <https://www.mass.gov/doc/fy24-orrf-annual-report-0/download>.

⁵ Treatment Advocacy Center, "Massachusetts Psychiatric Beds Report." 2023. <https://www.tac.org/wp-content/uploads/2023/10/Massachusettsbedsinformation.pdf>.

⁶ United States Census Bureau, "2023 American Community Survey – Total Population."

[https://data.census.gov/table/ACSDT1Y2023_B01003?_a=population&t=Population+Total&q=010XX00US\\$0400000](https://data.census.gov/table/ACSDT1Y2023_B01003?_a=population&t=Population+Total&q=010XX00US$0400000).

⁷ 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.