

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

Vermont is set to receive **\$140 million** (\$139,545,706.35) in opioid settlement funds—equal to nearly one-fifth 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 is not underutilized. **Vermont 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.

Vermont reserves 85 percent (\$125,152,823.05) of funds for use by the state and allocates the remainder to subdivisions.<sup>1</sup> The state's share of funds is ultimately allocable by the legislature to the Department of Health. The Department is tasked with submitting a spending plan to the legislature, informed by recommendations made by the 16-person Opioid Settlement Advisory Committee.<sup>2</sup> Upon allocation, the Department shall disburse funds from the Opioid Abatement Special Fund for use in support of a prescribed list of abatement activities. **The legislature should amend the statute to expand the approved list of priorities, and should consider reserving final appropriation authority, rather than bulk appropriations to the Department.** The Committee recommended allocating \$800,000 for homeless shelters, including for harm reduction tools, \$300,000 for one county to “center[] the perspective and voices of people with lived experience” in order to reduce overdoses, \$100,000 for youth intervention among “LGBTQIA, BIPOC, Low SES, disabled, neurodivergent, etc.” people, and \$550,000 for permanent supportive housing projects.<sup>3</sup>

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<sup>1</sup> With the exception of the McKinsey and Publicis settlements, in which the state controls 100 percent of funds. Endo and Mallinckrodt are split between the nonregional appropriation, which receives 70 percent of funds, and the “one standard region,” which receives the remainder. Most likely, these are both allocated to the state.

The state 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 Vermont.

## 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. Vermont currently has only **1.9 state psychiatric beds** per 100,000 people for civil patients.<sup>45</sup> Treatment Advocacy Center recommends a rate of 30-60 beds per 100,000. Even counting non-public secure psychiatric beds, Vermont still falls short of the minimum.<sup>6</sup> 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.**
  - 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 of community resources with crisis networks such as the Lifeline to support those in need or provide guidance for concerned loved ones.

## VERMONT

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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)
\$125,152,823.05	\$139,545,706.35	\$40,619,890.25	\$44,227,731.64	\$6,977,285.32

### 2021 National Opioid Settlement

*Vermont v. Cardinal Health, Inc. and McKesson Corporation (Distributors)*

- [Final Consent Judgment \(Cardinal / McKesson\)](#)
  - Exhibit A "Distributor Settlement Agreement" [p. 12]
- State of Vermont v. Cardinal Health, Inc. and McKesson Corporation, Superior Court, Chittenden Unit, Case No. 279-3-19 Cncv

*Vermont v. Amerisourcebergen (Distributors)*

- [Final Consent Judgment \(Amerisourcebergen\)](#)
  - Exhibit A "Distributor Settlement Agreement" [p. 11]
- State of Vermont v. Amerisourcebergen Corporation, Superior Court, Chittenden Unit, Case No. 22-CV-01353

*Vermont v. Janssen*

- [Final Consent Judgment](#)
  - Exhibit A "Jassen Settlement Agreement" [p. 13]
- State of Vermont v. Johnson & Johnson, et al., Superior Court, Chittenden Unit, Case No. 22-CV-1582

### 2022 National Opioid Settlement

*Vermont v. CVS*

- [Final Consent Judgment](#)
  - [Exhibit A "agreement dated as of December 9 2022"](#)
- State of Vermont v. CVS Pharmacy, Inc., et al., Superior Court, Chittenden Unit, Case No. 24-CV-00037

*Vermont v. Walgreens*

- [Consent Judgment](#)
  - [Exhibit A "agreement dated as of December 9 2022"](#)
- State of Vermont v. CVS Pharmacy, Inc., et al., Superior Court, Chittenden Unit, Case No. 24-CV-00037

*Vermont v. Walmart*

- [Final Consent Judgment](#)
  - [Exhibit A "agreement dated as of November 14 2022"](#)
- State of Vermont v. CVS Pharmacy, Inc., et al., Superior Court, Chittenden Unit, Case No. 24-CV-00037

*Vermont v. Allergan*

- [Final Consent Judgment](#)
  - [Exhibit A "Allergan Public Global Opioid Settlement Agreement"](#)
- State of Vermont v. Allergan Limited, et al., Superior Court, Chittenden Unit, Case No. 24-CV-00121

*Vermont v. Teva*

- [Final Consent Judgment](#)
  - [Exhibit A "Allergan Public Global Opioid Settlement Agreement"](#)
- State of Vermont v. Allergan Limited, et al., Superior Court, Chittenden Unit, Case No. 24-CV-00121

**Other Coalition Opioid Settlements**

*Vermont v. McKinsey*

- [Final Consent Judgment](#)
- [McKinsey Allocation Amounts](#)
- State of Vermont v. McKinsey & Company, Inc. United States, Superior Court, Chittenden Unit, Case No. 21-CV-00175

*Vermont v. Mallinckrodt*

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

*Vermont v. Publicis*

- [Consent Judgment](#)
- State of Vermont v. Publicis Health, LLC, Superior Court, Washington Unit, Case No. 24-CV-00400

*Vermont v. Endo*

- [Global Public Trust Agreement](#)
- [Notice of Abatement Distribution](#)

## 2025 National Settlements

### *Vermont v. Purdue*

- [missing documentation]
- State of Vermont v. Purdue Pharma L.P., et al., Superior Court Chittenden Civil Division, Case No. 757-9-18-CRCV [unconfirmed]

### *Vermont v. Mylan*

- [missing documentation]

### *Vermont v. Hikma*

- [missing documentation]

### *Vermont v. Amneal*

- [missing documentation]

### *Vermont v. Apotex*

- [missing documentation]

### *Vermont v. Indivior*

- [missing documentation]

### *Vermont v. Sun Pharmaceuticals*

- [missing documentation]

### *Vermont v. Alvogen*

- [missing documentation]

### *Vermont v. Zydus*

- [missing documentation]

## Independent Settlements

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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> 18 V.S.A. § 4774. <https://legislature.vermont.gov/statutes/section/18/093/04774>.

<sup>3</sup> Vermont Department of Health, "Opioid Abatement Special Fund Recommendations for Fiscal Year 2026."

<https://www.healthvermont.gov/sites/default/files/document/dsu-vdh-funding-memo-fy2026.pdf>.

<sup>4</sup> Treatment Advocacy Center, "Vermont Psychiatric Beds Report." 2023. <https://www.tac.org/wp-content/uploads/2023/10/Vermontbedsinformation.pdf>.

<sup>5</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>6</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).