

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

Washington is set to receive **more than \$1 billion** (\$1,171,598,361.89) in opioid settlement funds—equal to over one-third of the state's share of the monumental Tobacco Master Settlement Agreement.<sup>1</sup> With twenty-one separate settlements and with 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. **Washington 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.

Washington reserves 50 percent (\$599,829,822.63) of opioid settlement proceeds for use by the state and allocates the remainder to subdivisions.<sup>2-i</sup> The state's share is held in the opioid abatement settlement account and only may be spent following appropriation by the legislature.<sup>3</sup> Statute also requires the state to transfer the greater of 20 percent of the prior year's deposits or \$7.75 million to a tribal-focused allocation account. The state does not publish an annual report on spending, making oversight difficult. The state's budget bill provides limited insight, with some allocations lacking a corresponding explanation of intended use.<sup>4</sup>

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

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

## 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.

- **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. Washington currently has only **5.5 state psychiatric beds** per 100,000 people available for civil patients.<sup>5-6</sup> Treatment Advocacy Center recommends a rate of 30-60 beds per 100,000. Even counting non-public secure psychiatric beds, Washington still falls short of the minimum.<sup>7</sup> Secure beds are costly, but a necessary expenditure to protect patients with severe psychiatric disorders and the public at large.

- **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, 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.

- **Fund community-based mental health response resources.**
  - Build out 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.

## WASHINGTON

[Download all Washington 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)
\$599,829,822.63	\$1,171,598,361.89	\$223,488,470.24	\$418,915,657.66	\$58,579,918.09

### 2021 National Opioid Settlement

*Washington v. Distributors*

- [Distributors Washington Settlement Agreement](#)
  - II. "Conditions to Effectiveness of Agreement" [p. 3]
  - IV. "Settlement Payments" [p. 5]
  - Exhibit G "Final Consent Judgment and Dismissal with Prejudice" [p. 25]
  - [Exhibit H "Distributor Global Settlement Agreement"](#)
- [Amendment to Distributors Washington Settlement Agreement](#)
- [Allocation Agreement Governing the Allocation of Funds Paid by the Settling Opioid Distributors in Washington State](#)
  - Exhibit 1 "Distributors Settlement" [p. 10]
  - Exhibit 3 "One Washington Memorandum of Understanding Between Washington Municipalities" [p. 54]
- State of Washington v. McKesson Corporation, et al., King County Superior Court, Case No. 19-2-06975-9 SEA

### 2022 National Opioid Settlement

*Washington v. CVS*

- [Final Consent Judgment](#)
  - [Exhibit A "agreement dated as of December 9 2022"](#)
  - [Exhibit B "Washington State Allocation Agreement Governing the Allocation of Funds Paid by Certain Settling Opioid Manufacturers and Pharmacies"](#)
- State of Washington v. CVS Health Corporation and CVS Pharmacy, Inc., King County Superior Court, Case No. 23-2-22052-8 SEA

*Washington v. Walgreens*

- [Final Consent Judgment](#)
  - [Exhibit A "agreement dated as of December 9 2022"](#)
- State of Washington v. Walgreen Co., King County Superior Court, Case No. 24-2-00510-2 SEA

*Washington v. Walmart*

- [Final Consent Judgment](#)
  - [Exhibit A "agreement dated as of November 14 2022"](#)

- [Exhibit B “Walmart Global Opioid Settlement Agreement”<sup>ii</sup>](#)
- State of Washington v. Walmart Inc., King County Superior Court, Case No. 23-2-24891-1 SEA

#### *Washington v. Allergan*

- [Final Consent Judgment](#)
  - [Exhibit A “Allergan Public Global Opioid Settlement Agreement”](#)
  - [Exhibit B “Washington State Allocation Agreement Governing the Allocation of Funds Paid by Certain Settling Opioid Manufacturers and Pharmacies”](#)
- State of Washington v. Allergan Limited, et al., King County Superior Court, Case No. 23-2-22025-1 SEA

#### *Washington v. Teva*

- [Final Consent Judgment](#)
  - [Exhibit A “agreement dated as of November 22, 2022”](#)
  - [Exhibit B “Washington State Allocation Agreement Governing the Allocation of Funds Paid by Certain Settling Opioid Manufacturers and Pharmacies”](#)
- State of Washington v. Teva Pharmaceuticals Industries USA Inc., and Cephalon, Inc., King County Superior Court, Case No. 23-2-22025-1 SEA

### **Other Coalition Opioid Settlements**

#### *Washington v. Kroger*

- [Final Consent Judgment](#)
  - [Exhibit A “agreement dated as of March 22, 2024”](#)
  - [Exhibit B “Washington State Allocation Agreement Governing the Allocation of Opioid Settlement Funds Paid by Kroger”](#)
    - Exhibit 1 “One Washington Memorandum of Understanding Between Washington Municipalities” [p. 9]
  - [Status of Local Governments Identified in Settlement Sign-on](#)
- Washington State v. Rite Aid Corp., et al., King County Superior Court, Case No. 22-2-20910-1

#### *Washington v. Mallinckrodt*

- [NOAT II Agreement](#)
- [GPM Notice](#)
- [Notice of Abatement Distribution](#)
- [Notice of Abatement Distribution \(Clark County\)](#)
- [Notice of Abatement Distribution \(King County\)](#)
- [Notice of Abatement Distribution \(Pierce County\)](#)
- [Notice of Abatement Distribution \(Spokane County\)](#)

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<sup>ii</sup> This seems to be an error. The reporter likely meant to refer to the Washington State Allocation Agreement.

*Washington v. Publicis*

- [Final Consent Judgment](#)
  - State of Washington v. Publicis Health, LLC, King County Superior Court, Case No. 24-2-02363-1

*Washington v. Endo*

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

**2025 National Settlements**

*Washington v. Purdue*

- [missing documentation]
- State of Washington v. Purdue Pharma L.P., et al., Superior Court of King County, Case No. 17-2-25505-0 SEA [unconfirmed]

*Washington v. Mylan*

- [missing documentation]

*Washington v. Hikma*

- [missing documentation]

*Washington v. Amneal*

- [missing documentation]

*Washington v. Apotex*

- [missing documentation]

*Washington v. Indivior*

- [missing documentation]

*Washington v. Sun Pharmaceuticals*

- [missing documentation]

*Washington v. Alvogen*

- [missing documentation]

*Washington v. Zydus*

- [missing documentation]

## Independent Settlements

### *Washington v. Janssen*

- [Janssen Washington State-Wide Opioid Settlement Agreement](#)
  - Exhibit H “One Washington Memorandum of Understanding Between Washington Municipalities” [p. 69]
- State of Washington v. Johnson & Johnson et al., King County Superior Court, Case No. 20-2-00184-8

### *Washington v. McKinsey*

- [Final Stipulated Consent Judgment](#)
- State of Washington v. McKinsey & Company, Inc. United States, King County Superior Court, Case No. [ ]

### *Washington v. Albertsons*

- [missing documentation]
- State of Washington v. Rite Aid Corp. et al., King County Superior Court, Washington State, Case No. 22-2-20910-1 SEA

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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> Washington entered into several allocation agreements. See Cicero Institute, “Washington Opioid Lawsuit Documents.” [https://drive.google.com/drive/folders/1I3\\_GYkDR272qa7dl0ZlQxmbolsa\\_P2SD?usp=sharing](https://drive.google.com/drive/folders/1I3_GYkDR272qa7dl0ZlQxmbolsa_P2SD?usp=sharing).

<sup>3</sup> RCW § 43.79.483. <https://app.leg.wa.gov/RCW/default.aspx?cite=43.79.483>.

<sup>4</sup> WA SB 5167 (2025). <https://lawfilesexternal.leg.wa.gov/biennium/2025-26/Pdf/Bills/Senate%20Passed%20Legislature/5167-S.PL.pdf?q=20250514093302>.

<sup>5</sup> Treatment Advocacy Center, “Washington Psychiatric Beds Report.” 2023. <https://www.tac.org/wp-content/uploads/2023/10/Washingtonbedsinformation.pdf>.

<sup>6</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>7</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).