

## **Opioid Abatement Collaborative (OAC)**

### ***Frequently Asked Questions (FAQs)***

#### **Overview**

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 harm caused by the opioid epidemic. Some municipalities have opted to pool their funds to optimize the level of impact that these monies will have across geographic regions to better serve the public health needs of their respective residents. 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 existing infrastructure available through the Office of Local and Regional Health's (OLRH) Shared Service Agreements or through some other formalized agreement.

Groups of municipalities that enter into formalized agreements are termed 'Opioid Abatement Collaboratives' (OAC), which have differing expenditure reporting requirements. Below is an FAQ on Opioid Abatement Collaboratives and the associated expenditure reporting requirements.

#### **What is an Opioid Abatement Collaborative (OAC)?**

An OAC is defined as two or more municipalities that dedicate some or all their opioid abatement funds to implement regional State Subdivision Agreement approved strategies pursuant to a formalized agreement either through an existing Public Health Excellence (PHE) Collaborative, or by entering 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 a municipality commits some or all their opioid abatement funds to regional strategies, and those funds are managed by a host municipality or external agent that is responsible for expending the funds in a manner that is agreed upon by the municipalities.

#### **Are there scenarios in which an OAC is needed when using opioid abatement funds?**

Yes. One scenario would be a municipal employee who works for some and/or all the municipalities within the OAC, in which one municipality is responsible for employing the staff person, and the other municipalities pay that municipality to cover staffing costs. Another scenario would be an OAC that procures services from an outside organization to provide a service to some and/or all the municipalities within the OAC, in which case the municipality procuring the vendor would be paid by some and/or all the other municipalities to cover the costs.

#### **What should an 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 that is jointly funded and the total amount of funding that is 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?
- 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 intermunicipal agreement (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 fund 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 a formal agreement stating how funds will be used 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 part of an OAC?**

- *The Host Community:* The host municipality (city/town) files the annual report on behalf of all the municipalities for that fiscal year. The host community will be responsible for answering all fiscal and programmatic questions. There are also instances when an OAC may use an external agent to file the annual report on behalf of the OAC.
- *Participating Municipalities:* Non-host municipalities only need to submit a report on funds they received that were not pooled.

It's important to note that the report is structured in a way that a host municipality will be able to complete the OAC portion on behalf of the OAC and then complete its own report. The same is the case for those municipalities participating in an OAC.

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

Yes, the Mosaic TTA program can help municipalities navigate the fiscal and/or legal considerations associated with forming an OAC, including conducting consultations with existing Public Health Excellence grantees; drafting and amending intermunicipal agreements and memorandums of understanding; complying with municipal finance laws pertaining to fund appropriation and utilization; and establishing governance bodies.

To request technical assistance or additional information, including questions on pooling funds, and drafting a formal agreement, please fill out the request form available at [Mosaic Municipal Training & Technical Assistance](#) or send an email to [muniTTA@rizema.org](mailto:muniTTA@rizema.org).