



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3439, **Version:** 1

Subject:

Approval and Authorization, Re: Brevard County as “Qualified County” under Florida Opioid Settlement Plan

Fiscal Impact:

Final amount from the various settlements is unable to be determined at this time. The Florida Attorney General has estimated approximately \$2.2 million in potential settlement funds for opioid abatement in Brevard County.

Dept/Office:

Housing and Human Services

Requested Action:

It is requested that the Board of County Commissioners (1) review and approve the draft Interlocal Agreement governing the Regional Opioid Settlement Funds with eligible municipalities as edited to reflect the Board’s Implementation Option, (2) approve the County Manager to sign Interlocal Agreements with eligible municipalities upon County Attorney Office and Risk Management approval, and; (3) approve the Brevard County Opioid Misuse Abatement Plan as submitted by the Brevard Prevention Coalition’s Opioid Task Force; (4) authorize the Housing and Human Services Department as the agency to be responsible for the administration, oversight, implementation, and monitoring of the Brevard County Opioid Settlement Funds; (5) authorize the Housing and Human Services Department to take all additional actions necessary to ensure Brevard meets the State’s criteria for a “Qualified County”; (6) provide staff direction regarding Implementation Options; and, (7) authorize the Housing and Human Services Department to conduct a Request for Proposal (RFP) process.

Summary Explanation and Background:

According to Project Opioid’s report, “The COVID-19 Overdose Crisis: A Pandemic Fueling an Epidemic in Florida in 2020”, Brevard County has the fifth highest rate (38.38) of overdose deaths per 100,000 in the state and has seen an 18% increase from 2019. The Brevard County Board of County Commissioners has taken steps to address this issue including joining litigation efforts against pharmaceutical manufacturers. On May 18, 2021, the Board of County Commissioners authorized a Resolution to commit to participating in the State of Florida’s Memorandum of Understanding regarding the use and distribution of opioid settlement funds (the Florida Plan).

In order for Brevard County to maximize the amount of opioid settlement funds available to it under the Florida Plan, Brevard County must meet the State criteria to be a “Qualified County.” If Brevard County is not designated a qualified county, then the majority of the funding it would have received will be directed to a Regional Entity, providing services in a service area likely to include multiple Counties.

In order to be a qualified county, Brevard County must:

(1) Have an opioid taskforce for which it is a member or operates in connection with its cities or others on a local or regional basis

Currently, the Brevard Prevention Coalition has an Opioid Misuse Task Force (OMTF) and the County is a member (represented by the Housing and Human Services Department) of the task force.

(2) Have an abatement plan that has been either adopted or is being utilized to respond to the opioid epidemic

At the request of the Housing and Human Services Department (HHS), the OMTF has created a Brevard County Opioid Misuse Abatement Plan (attached), which if adopted by Brevard County, would meet the requirement for the County to have an abatement plan to respond to the opioid epidemic.

(3) Be currently either providing or is contracting with others to provide substance abuse prevention, recovery, and treatment services to its citizens

Brevard County, through HHS, is contracted to provide prevention, recovery, and treatment services to residents. These services include a substance abuse hotline (prevention, recovery, and treatment) and juvenile and adult drug courts (recovery and treatment). These programs are funded through a combination of General Fund and grant funds.

(4) Either has or enters into an agreement related to the expenditure of Opioid Funds with a majority of Municipalities (Majority is more than 50% of the Municipalities' total population)

Brevard County has a population of 606,612 (per the 2020 census) and 382,954 reside within the boundaries of our sixteen Municipalities. This criterion requires Brevard County to enter into Interlocal Agreements (IA) with Municipalities whose population equates to more than 191,477 (50% of total Municipality population). The goal is to have an IA with every Municipality within Brevard.

While the State has not formally declared when the cut-off will be for determining who is a qualified county, it is possible (based upon information articulated during a conference call) the status could be determined as early as December 31, 2021.

Implementation Options

Option 1 - Utilize the Together in Partnership Advisory Board to annually prioritize activities in the abatement plan for inclusion in Request for Proposals and as the selection committee to recommend activities/agencies for funding to the Board of County Commissioners.

Option 2 - Create a standing subcommittee (including representation from municipalities) under the Together in Partnership Advisory Board to annually prioritize activities in the abatement plan for inclusion in Request for Proposals and utilize Together in Partnership as the selection committee to recommend activities/agencies for funding to the Board of County Commissioners.

Option 3 - Create a new Advisory Board (including representation from municipalities) to annually prioritize activities in the abatement plan for inclusion in Request for Proposals and as the selection committee to recommend activities/agencies for funding to the Board of County Commissioners.

Option 4 - Other process as defined by the Board of County Commissioners.

These requested actions will enable the County to be considered a "Qualified County" under the Florida Plan and proactively provide the County and staff the flexibility to respond to the State expeditiously. It also provides the framework for oversight and allocation of funds in a manner that meets County procurement

requirements and the State's guidelines regarding the expenditure of funds on "Core Strategies" and "Approved Uses" (attached). It is estimated that if all the opioid litigation settlements are approved, and the Florida Plan is implemented, at least one of the settlement agreements would disburse settlement funds to the State of Florida as early as April 2022.

Clerk to the Board Instructions:

None