

ORDINANCE NO. ORD-2025- 30

ADMINISTRATION OPIOID RESTITUTION FUNDS
WASHINGTON COUNTY, MARYLAND

RECITALS

WHEREAS, opioid overdoses are a national crisis responsible for more than 80,000 deaths annually in the United States.¹

WHEREAS, a significant amount of illicit drugs now includes fentanyl. Fentanyl is a synthetic opioid which is 50 times more potent than heroin and 100 times stronger than morphine.²

WHEREAS, research shows that people who have had at least 1 overdose are more likely to have another.²

WHEREAS, Washington County has identified substance abuse as one of the top three health priorities affecting residents.³

WHEREAS, public health experts have estimated that the overdose death rate is 64.6 deaths per 100,000 population, with a more than 2:1 overdose death rate for males compared to females.⁴

WHEREAS, overdose deaths have contributed to the decrease in life expectancy of Washington County residents for the past ten years.³

WHEREAS, more than 800 Washington County residents have lost their lives to overdose in the past ten years.⁵

WHEREAS, while overdose deaths have seen an overall decrease in the past few years, the administration of Naloxone has seen a steady increase with an almost 60% increase in Emergency Medical Services (EMS) administered doses between 2022 and 2023.⁵

WHEREAS, overdose deaths are preventable and access to substance use disorder services, as well as educating the community on how to help prevent overdose deaths, can reduce the number of deaths and improve the quality of life of residents.

¹ <https://www.cdc.gov/overdose-prevention/about/understanding-the-opioid-overdose-epidemic.html>

² <https://www.cdc.gov/overdose-prevention/prevention/>

³ <https://healthywashingtoncounty.com/reports-data/>

⁴ <https://washcohealth.org/wp-content/uploads/2025/03/2023-WCHD-Health-Report-2.pdf>

⁵ <https://health.maryland.gov/dataoffice/Pages/mdh-dashboards.aspx#Overdose>

WHEREAS, it is in the best interests of the County and its residents that its programs and policies support substance use disorder services for individuals and communities impacted by the overdose crisis.

WHEREAS, increases in overdose-related deaths and the hardships that they cause communities across the County, among all demographic groups, threaten the well-being of the entire County.

WHEREAS, the Opioid Restitution Funds may be used for the following purposes:

- Harm reduction, including social determinants of health;
- Treatment and recovery, including wrap-around services;
- Education and preventing new initiation of opioid use disorder; and
- Addressing needs of special populations.

NOW THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Washington County, Maryland that the following shall govern the administration of Opioid Restitution Funds received by Washington County.

1. The County will establish a segregated account, "the Washington County Opioid Restitution Fund," (hereafter referred to as "the Fund") to manage proceeds received from opioid litigation. The Fund will be established with the County Department of Budget and Finance. The Fund shall operate as a dedicated fund to be administered by the County's Office of Grant Management (hereafter referred to as "OGM"). The Department of Budget and Finance is authorized to create sub-funds or sub-accounts as may be necessary to appropriate or implement the purposes of this Ordinance
2. Utilization of Funds.
 - a. Monies in the Fund shall be spent only for permissible expenditures for substance use disorder abatement purposes as outlined in the National Settlement Agreement and the State-Subdivision Agreement Between the State of Maryland and Local Governments on Proceeds Relating to the Settlement of Opioids Litigation (the "State-Subdivision Agreement"), upon the recommendation of the Director of Grant Management and with final approval from the Board of County Commissioners, such as:
 - i. Programs, services, and supports that address substance use prevention, treatment, recovery, and harm reduction, including the social determinants of health, and that redress or prevent other harms caused by the opioid epidemic;
 - ii. Infrastructure required for such programs, services, and supports;
 - iii. The oversight, planning, assessing, and monitoring of these programs, as well as expenses associated with managing, investing, and disbursing monies in the Fund; and

- iv. Evaluations of effectiveness and outcomes reporting for programs, services, supports, and resources for which monies from the Fund were disbursed.
 - b. Funding decisions will be made upon the recommendation of the Director of Grant Management and finalized upon approval from the Board of County Commissioners.
 - c. Monies in the Fund shall be disbursed to both governmental and non-governmental entities for County initiatives and community-based programs which comply with the National Settlement Agreement and State-Subdivision Agreement.
 - i. County programs seeking funds will be required to submit a grant intake form.
 - ii. County departments seeking funds for programs may request funding through the annual budget process along with sufficient justification.
 - iii. Applicants and fund requests are required to outline adequate plans for data tracking and reporting that align with the requirements outlined in the notices of funding availability.
 - d. Fund disbursements to community-based organizations shall be made through Notice of Funding Availability (NOFA) process which will outline the steps required in the application process.
- 3. To ensure restitution funds are utilized in a manner of adherence with Section 2 of this Ordinance and in a manner that supports the County's coordinated efforts to reduce overdose deaths and address hardships the opioid crisis has caused, the County will publish the following key documents:
 - a. A comprehensive County-wide overdose reduction strategy based on evidence at least once every two years to guide overall effort is to reduce overdoses.
 - b. A substance use community needs assessment at least once every two years to inform use of funding as it relates to the expansion of existing services, closing gaps in existing services, or identifying new needs.
 - c. A plan at least once every two years for robust and ongoing community engagement to ensure regular opportunities for people, including people affected by substance use disorders, to provide input to the County. This plan may be updated in part between major updates.
 - d. A transparency and accountability plan at least once every two years for the opioid restitution funds. This plan may be updated in part between major updates. The plan will include a public-facing dashboard that provides information on programs receiving funds that will be updated at least annually.
 - e. An annual report submitted to the Board of County Commissioners on funded programs and program performance.
- 4. To support efforts related to restitution funds the County will create a new position, Opioid Restitution Manager, reporting to the Director of Grant Management, to coordinate and manage the application process and preparing data and reporting on

the County's response and progress in addressing the overdose epidemic. The duties of the Opioid Restitution Program Manager may include, but are not limited to:

- a. Project management and coordination to support the County-wide response to the overdose crisis.
- b. Coordinate and manage NOFA.
- c. Develop grant agreements with, disburse funding to, and provide grant monitoring and oversight to funded organizations in partnership with the Director of Grant Management.
- d. Ensuring robust public involvement, accountability, and transparency in allocating and accounting for the monies in the Fund.
- e. Providing feedback and reporting on alignment among funding requirements and community engagement and publishing annual reports on spending.
- f. Maintain a public facing dashboard that provides performance data on programs receiving funds.

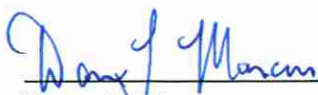
Nothing in this Ordinance shall be construed to contravene any federal or state law, regulation, or County provision. Nothing in this Ordinance shall affect or alter existing statute powers of any state or local agency or be construed to transfer or alter existing state or local authority.

The Board of County Commissioners reserves the right to rescind any or all parts of this Ordinance or issue a new order revising this Ordinance, if this Ordinance is not complied with or unfit it is in the public health interest of the citizens of Washington County to rescind or modify the Ordinance.

If any provision of this Ordinance or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Ordinance shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Ordinance are severable.

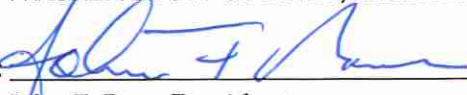
ADOPTED this 21st day of October, 2025.

ATTEST:


Dawn L. Marcus

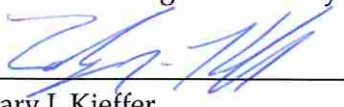
BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY:


John F. Barr, President

County Clerk

Approved as to legal sufficiency:



Zachary J. Kieffer
County Attorney

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