

NATIONAL OPIOID SETTLEMENT DASHBOARD

Data and Methodology

Updated July 15, 2024

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Background

In early 2023, researchers from National League of Cities (NLC) and the National Association of Counties (NACo) collaborated to collect data from the first national opioid settlement where the Distributors and J&J settled for a combined \$26 billion dollars. These data collection efforts became the basis for an initial [Opioid Settlement brief](#), and that underlying data was updated in late 2023 and early 2024 for the [National Opioid Settlement Dashboard](#).

After publishing the National Opioid Settlement Dashboard in late May, researchers updated parts of the underlying dashboard's data to promote accuracy in opioid settlement reporting. Please see "Data Update" section below.

Data Collection and Methodology

Researchers accessed settlement information and documentation through the [National Opioid Settlement](#) website, which publicly houses the [Distributors](#) and [Janssen](#) settlement agreements as well as the [state participation](#) memorandums of understanding (MOUs). Using these settlement agreement documents, researchers compiled a list of all eligible subdivisions (primarily cities and counties) as well as each subdivision's share of their state's opioid settlement.

Researchers used the state-specific [Opioid Settlement Tracker](#)¹ dashboard to gather data on participating subdivisions and the total settlement amount states are to receive from J&J and/or the Distributors settlements. Where applicable, researchers evaluated press releases and Attorney General statements from each state to track the state's total settlement amount.

¹ Christine Minhee, J.D., OpioiSettlementTracker.com

Researchers parsed the state MOU settlement agreements to understand each state's individual breakdown of settlement funds. While the allocation greatly by state, the default settlement distribution formula is as follows: 70% of settlement is allocated to a state abatement account, 15% of settlement is allocated to the state, and 15% of the total settlement is allocated to participating local governments (also called subdivisions, or in other words, cities and counties). However, the specific settlement breakdown varied widely across states, and many states allocated a higher portion of the settlement to local governments. Researchers conducted quality control checks to ensure that each state's allocation was accurate as per their settlement documentation.

Researchers then calculated the amount each participating subdivision was allocated based on the share of the state's settlement outlined in state MOU or J&J/Distribution settlement agreements, the state's total settlement amount, and the share allocated to local governments. Researchers repeated this process for 46 states and Washington, DC. This resulted in a list of all participating subdivisions (cities and counties) in all eligible states that were allocated money in the Distributors and J&J national opioid settlement, as well as the estimate of how much money each local government is expected to receive.

Data Considerations

Researchers rounded local government settlements to the nearest thousand dollar. Any local government that is estimated to receive less than \$1,000 total is listed as "(Blank)" on the settlement tool. Local governments that were not allocated money in this national settlement can find tailored opioid investment strategies by selecting "Not Listed" in the city and/or county drop-down menus.

There are three states not included in this analysis. Alabama, Delaware, and Louisiana did not specify distribution to local governments at the time of data collection and thus are excluded from this analysis. Note that Colorado was not included in the original dashboard due to a lack of clarity in the MOU; in our July 2024 data update (see below), researchers were able to access settlement data for the state's participating local governments from BrownGreer and included Colorado data in the dashboard.

Political subdivisions originally classified as consolidated city-counties, boroughs, fire protection districts (in Nevada), and/or borough-counties (in Alaska) have been re-classified as **counties** in this analysis so they can be understood as a larger governance unit relative to cities. (Example: Philadelphia, a consolidated city-county, is classified as a county in this dashboard). **Cities** in the settlement data include all municipality types, including cities, villages, towns, townships, and districts.

This dashboard only reflects settlement funds for state and local governments. Non-local government settlement recipients were dropped from the dataset, including state government entities, state backstop funds, qualified opioid settlement funds, health "Regions" in Colorado and Nebraska, law firms/attorneys, administrative funds, and in the case of Idaho, health districts spanning multiple counties.

Note that the District of Columbia and Rhode Island only awarded settlements at the city level; no county governments in these states were awarded funds. Arizona, Hawaii, Iowa and Utah only awarded settlements at the county level; no city governments in these states were awarded funds.

West Virginia is technically not a settling state as defined in the national Distributors and J&J settlement because they reached an individual opioid settlement with J&J and the Distributors, reached prior to the national settlement. These settling amounts are included in this dashboard to reflect that the Distributors and J&J are distributing these settlement funds to local governments.

Dashboard Creation

To create the dashboard, researchers categorized each local government into one of five financial buckets based on their total settlement amount. See tables below.

Researchers developed tailored opioid investment recommendations to guide cities' opioid settlement investments in accordance with these settlement award buckets.

Table 1A: Settlement Buckets for Cities (May 2024, original dashboard data)

	Settlement Amount Bucket	Number of Cities
No Settlement Awarded ("Not Listed" in drop-down menus)	N/A	All cities not listed in dashboard
Less than \$1,000 Settlement	<\$1,000	788 cities
Low Settlement	\$1,000 - \$10,000	2,246 cities
Medium Settlement	>\$10,000 - \$115,000	2,011 cities
High Settlement	>\$115,000	2,496 cities
Total		7,541 cities

Table 1B: Settlement Buckets for Counties (May 2024, original dashboard data)

	Settlement Amount Bucket	Number of Counties
No Settlement Awarded ("Not Listed" in drop-down menus)	N/A	All counties not listed in dashboard
Less than \$1,000 Settlement	<\$1,000	2 counties
Low Settlement	\$1,000 - \$250,000	930 counties
Medium Settlement	>\$250,000 - \$1,000,000	882 counties
High Settlement	>\$1,000,000	992 counties
Total		2,806 counties

Table 2A: Updated Settlement Buckets for Cities (July 2024, dashboard data update)

	Settlement Amount Bucket	Number of Cities
No Settlement Awarded ("Not Listed" in drop-down menus)	N/A	All cities not listed in dashboard
Less than \$1,000 Settlement	<\$1,000	332 cities
Low Settlement	\$1,000 - \$10,000	1,038 cities
Medium Settlement	>\$10,000 - \$115,000	1,683 cities
High Settlement	>\$115,000	2,031 cities

Total	5,084 cities
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Table 2B: Updated Settlement Buckets for Counties (July 2024, dashboard data update)

	Settlement Amount Bucket	Number of Counties
No Settlement Awarded ("Not Listed" in drop-down menus)	N/A	All counties not listed in dashboard
Less than \$1,000 Settlement	<\$1,000	4 counties
Low Settlement	\$1,000 - \$250,000	974 counties
Medium Settlement	>\$250,000 - \$1,000,000	872 counties
High Settlement	>\$1,000,000	870 counties
Total		2,710 counties

Data Update (July 2024)

After the dashboard was published in May 2024, researchers updated the underlying data to promote accuracy and up-to-date data using public payment information from BrownGreer, the settlement payment administrator.

Methodology

After downloading the state-specific data from [BrownGreer's website](#), researchers calculated the total allocated settlement amount for participating localities (cities and counties). Researchers calculated a total settlement amount for each locality by adding the total allocated amount from the J&J settlement to the total allocated amount for the Distributors settlement: this total settlement amount is displayed in NLC's dashboard. For some localities, the amount paid thus far (2022-2023) differs from the amount allocated; researchers made note of this but are only using the total allocated settlement amount in the dashboard.

Reduction in Number of Total Localities In Dashboard

Note that the total number of localities included in the National Settlement Dashboard has decreased from the original publication (7,541 cities, Table 1A; 2,806 counties, Table 1B) to the data update (5,084 cities, Table 2A; 2,710 counties, Table 2B). Researchers have identified several potential reasons for this change:

- The original dashboard included all localities listed in the settlement state MOU documents, regardless of if the city or county had signed on to participate in the settlement. This data update now reflects only the localities that have signed on to participate in the settlement.
 - For instance, Baltimore City, Maryland is "pursuing independent litigation against J&J and is not eligible to receive funding through Maryland's settlement agreement."² Baltimore City was included in the original dashboard but is no longer included in the dashboard update.

² Opioid Restitution Fund Settlement Overview. Stop Overdose Maryland.
<https://stopoverdose.maryland.gov/orf-settlement-overview/>

- For localities receiving less than \$10,000 of total settlement funds in total, it's possible that their settlements were re-allocated to their county based on guidelines stated in each respective state settlement agreement.
 - For instance, in Indiana, "Localities entitled to less than \$5,000 in annual distributions will have their amounts reabsorbed by their counties."³
- Finally, the Arkansas localities that were previously included in the dashboard are now excluded due to their settlement fund allocation process through the Arkansas Opioid Recovery Partnership (ARORP).

Addition of State Total Settlement

The updated dashboard contains a field stating the total **state** settlement allocation. This amount denotes the total state settlement allocation, including the funds allocated to state government, all county governments, all municipalities, and any non-governmental entities.

State-Specific Considerations

Many states opted to receive their settlement payments as a lump sum, which they would distribute to participating localities themselves. For these states, BrownGreer does not provide the breakdown of payments for these lump sum states, so researchers used our original calculation method described above. These states are:

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| • Arkansas | • Louisiana* |
| • Delaware* | • Nevada |
| • DC** | • New Hampshire |
| • Florida | • Oklahoma |
| • Hawaii | • Pennsylvania |
| • Indiana | • South Carolina |
| • Kansas | • Texas |

**Not included in NLC's dashboard due to insufficient data from the state MOUs.*

***DC elected to receive a lump sum payment, but the city of Washington, DC is a special case as it has no further subdivisions; it's the only locality of the territory. Researchers updated the DC settlement payments using BrownGreer data.*

Alabama is not included in the National Opioid Settlement dashboard because it settled separately from this national settlement. Delaware and Louisiana are also excluded from this dashboard due to insufficient MOU data; these states also elected to receive lump sum settlement payments.

West Virginia is not included in the BrownGreer data because it settled with Distributors and J&J prior to the national settlement, but NLC has chosen to include it in our dashboard for consistency with previous publications.

Consistent with the original methodological approach, NLC has excluded the following territories from analysis: American Samoa, Guam, N. Mariana Islands, Puerto Rico, and the Virgin Islands.

³ Indiana Opioid Settlement Fact Sheet. Arkansas Opioid Settlement Fact Sheet. Vital Strategies, in collaboration with OpioidSettlementTracker.com. <https://www.vitalstrategies.org/wp-content/uploads/Indiana-Opioid-Settlement-Fact-Sheet.pdf>

Each of these territories, with the exception of Puerto Rico, opted to receive a lump sum for further locality distribution.

Please note the dashboard update for all Arkansas localities. While the original dashboard included a list of individual cities and counties' settlement awards, the dashboard update takes into account Arkansas' unique settlement award process of the Arkansas Opioid Recovery Partnership (ARORP). ARORP, formed by the Arkansas Municipal League and the Association of Arkansas Counties, oversees and distributes 2/3 of the total Arkansas state funds so no funds are directly disbursed to local governments.⁴ The dashboard now includes one selection for Arkansas cities ("All Arkansas Cities") and one selection for Arkansas counties ("All Arkansas Counties"). The dashboard accordingly explains the ARORP process of evaluating project proposals instead of offering tailored investment recommendations for specific localities.

J&J Settlement Considerations

Under the J&J settlement, many states received Incentive A accelerated payments that paid out payments 1-5 as a single sum to participating localities in 2022. These states are:

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| • Alaska | • Idaho | • Massachusetts | • South Carolina |
| • Arkansas | • Illinois | • Michigan | • Tennessee |
| • Connecticut | • Indiana | • Minnesota | • Vermont |
| • Delaware | • Iowa | • New York | • Virginia |
| • DC | • Kansas | • North Dakota | • Wisconsin |
| • Georgia | • Kentucky | • Oregon | • Wyoming |
| • Hawaii | • Maine | • Rhode Island | |

Similarly, New Mexico received payments 1-11 as a full allocation in 2022 per a separate agreement with Janssen.

There are several states that are participating in the Distributors settlement but not the J&J settlement, as per BrownGreer's reporting data. These states are: New Hampshire, Nevada, Oklahoma, Texas and Washington.

Questions?

Contact researchdatainquiries@nlc.org with any questions or comments.

⁴ Arkansas Opioid Settlement Fact Sheet. Vital Strategies, in collaboration with OpioidSettlementTracker.com. <https://www.vitalstrategies.org/wp-content/uploads/Arkansas-Opioid-Settlement-Fact-Sheet.pdf>