



Office of

Attorney's Matters 05/21/2024

INDIAN RIVER COUNTY ATTORNEY

William K. DeBaal, County Attorney
Susan J. Prado, Deputy County Attorney

MEMORANDUM

TO: Indian River County Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator

FROM: William K. DeBaal, County Attorney

DATE: May 15, 2024

SUBJECT: Service Agreement with Southeast Florida Behavioral Health Network for Administration of Opioid Class Action Lawsuit Settlement Fund Allocation

At its meetings of December 12, 2023, and January 9, 2024, the Indian River County Board of County Commissioners (Board) considered recommendations made by the Public Safety Council for Criminal Justice, Mental Health and Substance Abuse ("Council") for allocations from opioid class action lawsuit settlement funds to local entities for opioid related abatement and treatment.

The County will receive \$1,841,140.00 for FY 2023-24. The amount of funds distributed under the agreement will be split with \$825,000 going to Coordinated Opioid Recovery (CORE) Services such as the local hospitals and first responders and \$1,016,140.00 going to the Organizations previously approved by the Board: Indian River County Sheriff, Substance Awareness Center, IRC Mental Health Collaborative, 19th Judicial Circuit Drug Court and Treasure Coast Homeless Council.

Because the County is small in population, under 300,00 residents, the terms of the settlement call for a third party, approved by the Florida Department of Children and Family Services, to receive the funds from the settlement and distribute those funds as directed by the government entity. For our County, the Southeast Florida Behavioral Health Network (Southeast) was selected to be the recipient of funds from the larger settlement with manufacturers and distributors of opioid prescription drugs.

Pursuant to the Agreement, the funds will be distributed on a cost reimbursement basis. The above cited Organizations selected to receive funds will submit an invoice to Southeast with a purpose and description of the services provided by the Organization. After approval of the invoice by Southeast, Southeast will remit payment to the Organization. The list of reimbursable services is found on Exhibit "A" attached to the Agreement. The County Attorney's Office has reviewed the Agreement and it has been approved as to form and legal sufficiency.

As the Board heard on January 9, Southeast distributes grant funds for a variety of different purposes to many service organizations in the Treasure Coast area. Since that time staff has learned that the payouts from the settlement funds and the awards allotted to the local entities can "roll over" to the next fiscal year and will not be swept up or deducted from future annual payouts.

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FUNDING. Any funds received by the Board will require a budget amendment will be submitted allocating the funds.

RECOMMENDATION. The County Attorney's Office recommends that the Indian River County Board of County Commissioners approve the Service Agreement with Southeast Florida Behavioral Health Network and authorize the Chairman to execute the Agreement on behalf of the Board.

Attachments: Service Agreement

Copies sent by email to: Amanda Busbin amanda.busbin@sefbhn.org