

**Tribal Opioid Abatement Use Report  
2023 Distribution**

**Tribal Abatement Fund Trust II  
Trust Agreement Pursuant to the Debtors' Fourth Amended Joint Plan of Reorganization of  
Mallinckrodt plc and its Debtor Affiliates Under Chapter 11**

**Dated April 18, 2024**

**The Hon. Mary L. Smith  
TAFT II Managing Director**

**Dr. Kathy Hopinkah Hannan  
TAFT II Director**

**The Hon. Kevin K. Washburn  
TAFT II Director**

**I. INTRODUCTION**

This report is submitted pursuant to TAFT II Trust Agreement, Article 2, Powers and Trust Administration, Section 2.5, Tribal Opioid Abatement Reporting.

In 2023, TAFT II distributed a total of \$3,986,138 to address the opioid crisis in Indian Country.

TAFT II abatement funds were disbursed to Tribal beneficiaries in two cycles. For successful distribution, beneficiaries also needed to provide a payment election form that specified whether the payment should be made by check or wire transfer, and if by wire transfer, adequate information to make the wire transfer. The first cycle distribution was issued to Tribes in August 2023, and Tribes that submitted their payment election form after the August distribution received a distribution in December 2023.

Distributions to Alaska Tribes were automatically disbursed to their Tribal Health Organization (“THO”), unless they elected to receive their share directly. California Tribes were required to elect whether to transfer all or a portion of their allocation to an Inter-Tribal Health Program, Inter-Tribal Health Organization, or Tribal Health Consortium. In instances where the full allocation was sent to a Tribal Health Organization, an Inter-Tribal Health Program, Inter-Tribal Health Organization, or Tribal Health Consortium (“Consortium”), the duty to file a Tribal Opioid Abatement Use Report shifted to the entity receiving the distribution.

Distributed funds to Tribal beneficiaries under TAFT II should be used pursuant to the guidelines provided by Purdue Schedule B, Approved Uses and/or Schedule D, Tribal Abatement Strategies (“Purdue Approved Uses and Tribal Abatement”).

As of April 18, 2024, 337 Tribes / THOs / Consortiums filed a Tribal Opioid Abatement Use Report with the Directors. Of the 15 Tribes that had not filed their reports, 2 are represented Tribes and 13 are unrepresented.

**II. TABLE OF REPORTED USES OF FUNDS**

While the tribal beneficiaries have been issued separate payment from each of the Tribal Abatement Fund Trusts (TAFTs), they pooled the resources developed from the TAFTs for abatement and prevention purposes. Thus, the reporting of the uses of funds from each TAFT is undifferentiated.

Of the total 337 Tribes who responded timely to the requirement to report fund usage or planned usage, most respondents indicated that they had not yet expended or fully expended the funds, but that they planned to use the funds for approved uses. 69 of the 337 Tribes certified that they fully expended the funds for approved uses. A majority of the reporting Tribes stated that they had only recently received the funds, and therefore were not yet able to

formalize a plan to use the funds by the January 2024 reporting deadline. All Tribes confirmed that they would use the funds only to support abatement, treatment or prevention of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions. Additionally, some Tribes stated a specific intended use for the funds in their brief statement explaining their plans for using the funds.

Tribes described how their planned use of funds aligned with evidence-based or evidence-informed strategies, with details unique to their cultural identity, geographic location, or existing abatement and treatment strategies. Below is a summary of the reported uses and planned uses by the reporting Tribes.

<b>Certification of Use</b>	<b>% of Tribes Reporting</b>
Tribes that certified that they expended all funds for approved uses	20.5%
Tribes that had not determined a final plan for using the funds but confirmed that the funds would be expended on approved uses only.	79.5%
<b>Identified Categories of Use</b>	<b>% of Tribes Reporting<sup>1</sup></b>
To treat Opioid Use Disorder (OUD)	35.3%
To support people in treatment and recovery	46.6%
To connect people who need help to the help they need (Connections to Care)	18.1%
To address the needs of criminal justice-involved persons	11.6%
To address the needs of pregnant or parenting women	10.1%
To prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids	7.7%
To prevent inappropriate use of opioids	22.3%
To prevent overdose deaths and other harms (Harm Reduction)	23.4%
First responders	8.6%
Leadership, planning, and coordination	13.9%
Training	13.9%

<sup>1</sup> Many Tribes reported more than one use / strategy.

Research	5.0%
General Tribal Abatement Strategies	40.4%
Other	2.1%
Undeclared / planning stage	33.2%

**III. FUND USES APPROVED BY THE COURT SETTLEMENT**

The Purdue Approved Uses and Tribal Abatement document provided a non-exclusive list of examples of treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions in several categories of evidence-based or evidence-informed programs or strategies. Schedules B and D of the settlement can be found on the Tribal Opioid Settlement portal [here](#). The list is quite comprehensive, but it is explicitly non-exclusive, meaning that Tribal Beneficiaries have some flexibility in how to deploy funds as long as the use is directly related to Opioid Use Disorder and any co-occurring Substance Use Disorder or Mental Health conditions.

**IV. THEMES, CHALLENGES AND EXAMPLES OF PLANNED USES**

In reviewing the reporting form submissions, common challenges emerged that were shared by many Tribes. These common challenges include the following:

- Prioritizing the need to hire staff to serve as an administrator of the funds to approve the expenditure of the funds and needing to hire counselors and experts in addressing OUD and related issues.
- Focusing on youth as an affected population and focusing on young people as potential partners in education and outreach efforts.
- Addressing needs for updated infrastructure, in terms of electronic database infrastructure, and rural geographic challenges, to support tribal efforts in abating the opioid epidemic.
- Providing housing to support those in opioid use disorder treatment and recovery as well family members of those persons suffering from OUD or and any co-occurring Substance Use Disorder or Mental Health (SUD/MH).
- Culturally competent strategies to address, treat, and support those affected by the opioid crisis.

- Public education and discussion spaces for greater community input on treatment, recovery, and support methods.

**A. PRIORITIZING HIRING STAFF**

A number of the Tribes described as their first step developing staffing to approve the fund usage as compliant with the Tribe's plan and settlement guidelines.

- The Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada, plan to hire an opioid settlement fund coordinator to ensure funds are spent according to planned budget and narrative created on 01/12/24. Two additional staff will be onboarded, one of which will be a part-time high school senior, to assist with educating youth and teens about the opioid epidemic.
- The Caddo Nation of Oklahoma plans to hire a lead facilitator/planner to recruit a team of facilitators to create and deliver various recovery program offerings within the community. The Nation's aim is to support numerous 12-step groups, cultural ceremonies, exercise groups, and gender-based cultural activity groups.
- The Peoria Tribe of Indians of Oklahoma will hire a Recovery Outreach Specialist (ROS) or utilize current Peer Recovery Support Services staff to provide outreach, prevention, and linkage to care to expand the availability of treatment services for OUD and any co-occurring conditions to its citizens and to other Native Americans seeking treatment services.
- The Alabama-Coushatta Tribe of Texas plans to hire a Health Director in early 2024, who will be able to develop the abatement program to deploy the abatement funds for approved uses.

**B. FOCUS ON YOUTH**

Several Tribes detailed their planned use of funds to engage youth, both in their outreach and as leaders and teachers of their anti-opioid efforts. This emphasis on engaging with youth and addressing the needs of children and families reached several of the categories outlined in the court's Schedule B list of Approved Uses.

- The Cow Creek Tribe plans to distribute Narcan in collaboration with the 18 school districts in Douglas County. Cow Creek also plans to offer school-based prevention assembly programs at local high schools to raise awareness of the dangers of OUD.
- The Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada, have indicated that they will support members of the senior population who have undertaken the responsibility for the care of grandchildren due to parents being impacted by opioid addiction and overdose and to educate the community. Duck Valley also plans to hire a part-time high school senior to assist with educating youth and teens about the opioid epidemic.

- The Chicken Ranch Rancheria of Me-Wuk Indians of California plans to open a Transitional Age Youth (TAY) Shelter for unsheltered youth. Abatement funds will be used to provide residents (youth 18-25) in-house opioid prevention services and on-site classes. The Rancheria plans to partner with the Red Feather MAT Medical Center to offer educational and prevention services. It also plans to implement culturally competent integrated treatment models to better reach the youth that live at our homes and work to make all programming culturally grounded in community prevention.
- The Confederated Tribes of the Colville Reservation's response highlights supporting children's services by funding housing and other residential services related to children removed from the home and/or placed in foster care due to custodial opioid use.
- The Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin intended to deploy funds to support regional, inter-tribal adolescent treatment and recovery centers for youth.

### **C. INFRASTRUCTURE**

Tribes highlighted their intent to improve their data and technological systems to enable improved treatment services. Tribes also mentioned how the funds would help address geographic isolation from care due to their rural locations.

- The Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California plan to address an outdated Electronic Health Record (EHR) system and implement a software system that is compatible with the Indian Health Service systems to work in concert on establishing a Medication-Assisted Treatment (MAT) effort in hopes of gaining a Tribal Opioid Response (TOR) grant to maintain long-term program sustainability.
- The Caddo Nation of Oklahoma also plans to engage stakeholders, including courts, education, and housing services, to implement improvements to an outdated Electronic Health Record (EHR) system. Caddo plans to introduce a software system that is compatible with the Indian Health Service. The Caddo Nation also plans to sustain this system with additional funding from a TOR grant. The Nation plans to use the funds for hiring and installation of the new EHR software by mid-2024.
- The Bishop Paiute Tribe is using funds to address the geographic challenges of its rural location. The Tribe entered a cost share agreement for Emergency Medical Services with a nearby city and county to provide emergency care and life-flight transportation to a larger hospital in Reno, NV, when the local hospital cannot address the patient's condition.
- The Pueblo of Acoma, in New Mexico, plans to expand telehealth capabilities as part of the development of a MAT program. Because the Pueblo is located in a rural area that is approximately 50 miles away from a major metropolitan area, it will utilize any remaining

funds on efforts to recruit qualified providers who are trained to provide culturally responsive and trauma-informed treatment to Acoma community members.

**D. HOUSING**

Housing for people in treatment and recovery was a high priority. Many Tribes reported that the funds will support housing for recovering individuals and affected families.

- Cow Creek Tribe is considering offering housing initiatives as a part of a comprehensive approach to addressing the opioid crisis. In addition, the Tribe is planning to provide recovery supportive housing, emergency housing funds (hotels while awaiting treatment), and to purchase housing for an Oxford-style supportive program.
- The Delaware Nation will be assisting family members while the addicted person is in an inpatient treatment facility or residential facility for recovery by providing \$500.00 per month for up to 6 months to assist with documented needs for food, gasoline or utilities.
- The Leech Lake Band of the Minnesota Chippewa Tribe, Minnesota is using the funds to support the “Ahnji-Be-Mah-Diz” recovery program for the Band’s opioid response. The funding will be used to expand the men's inpatient program from 40 beds up to 56, and to begin a women's program. In addition, the Band plans to build and operate a detox facility and provide ongoing support for all recovery meetings.
- The Torres Martinez Desert Cahuilla Indians of California plan to utilize the funds to support the “Tiny House Project,” with a specific focus on tribal members affected by the opioid epidemic. With the construction of these homes, the Tribe seeks to address not only housing needs, but to build a community championing treatment, recovery, and stability for its members.
- The Eastern Shoshone Tribe of the Wind River Reservation, Wyoming used about half the received funds to purchase a 10-acre property on South Fork to be used to build recovery houses. The Tribe plans to provide the property, which includes a house, garage, and acreage to build “tiny houses,” to the Doya Natsu Healing Center- Eastern Shoshone Tribal Substance Use/ Behavioral Health Treatment Program. The plan is for the property to become a “tiny House village,” which serves as a Level 3.1 Transitional Living Treatment Facility: Sober Living for individuals needing sober supportive housing and workforce development towards a clean/sober lifestyle.

**E. TRIBAL STRATEGIES**

About half of the reporting Tribes recorded their intent to engage Tribal Abatement Strategies (Schedule D) as a means to support the remediation and abatement of the opioid crisis. These activities include traditional activities associated with cultural identity and healing, culturally competent integrated treatment models, culturally grounded community

prevention, peacekeeping and wellness courts, and community workforce development and training.

- The Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada plans to use some of the funds to implement a program called, "Music is Prevention," which focuses on teaching youth and young adults about traditional and contemporary music. This program will teach young people how to drum, sing, learn songs, learn and practice traditional dances and use traditional instruments while providing prevention programming. As part of this program, the Tribe would purchase materials to make traditional drums and drumsticks and dance regalia. The funds will be used to purchase musical instruments, lessons, and identify individuals in the tribal community to serve as role models and teachers to the Tribe's young people while playing and teaching music.
- The Confederated Tribes of the Colville Reservation plans to use the funds to support traditional activities associated with cultural identity and healing, such as sweat lodges, traditional healers, and spiritual and traditional approaches to healing. Colville also plans to use peacekeeping and wellness courts and talking circles, as well as linguistic immersion programs and cultural activities.
- The Coyote Valley Band of Pomo Indians of California reported plans to hire an OUD / SUD Counselor in early 2024 to provide counseling, recovery case management, and comprehensive wrap-around services to people in treatment and recovery with OUD and co-occurring SUD/MH conditions. In addition, this Counselor will also provide cultural activities. Together with another staff member funded by other sources, the Counselor will train facilitators in Medicine Wheel & 12 steps for Men & Women, Medicine Wheel & 12 Steps for Youth, and White Bison Warrior Down Recovery Coaching. This counselor will hold quarterly community meetings to discourage or prevent OUD. These community meetings will feature experienced special guest speakers who are in recovery themselves and will include drug take-back disposal.
- The Eastern Aleutian Tribes plan to organize "Culture Camps," a collaborative effort between their seven governing Tribes, to preserve and promote their unique native cultures, while also seeking to develop cultural bonds that will prevent OUD.

**F. PUBLIC EDUCATION AND DISCUSSION SPACES**

Many Tribes cited using their funds on public education and discussion spaces touching upon different abatement strategies, from preventing OUD and other harms, to supporting those in recovery. These forums provide opportunities for direct community engagement in addressing the opioid epidemic and its consequences.

- The Red Lake Band of Chippewa Indians, in Minnesota, spent funds to host the Zhawenimin Summit in July 2023. This comprehensive crisis summit reflected the



Nation's effort to address the opioid crisis using a comprehensive, public health-based approach. At the Summit, attendees were given the opportunity to discuss existing opioid -centered programs and services, address the current availability of resources, and brainstorm additional solutions to address the opioid crisis.

- The Redwood Valley Little River Band of Pomo Indians of the Redwood Valley Rancheria in California is planning an educational conference on OUD prevention and awareness for local tribal community members. This conference will educate participants on the dangers of opioids and other prescription medications.
- The Native Village of Chitina plans to allocate a portion of its settlement money to host hybrid bi-weekly or monthly sobriety/recovery talking circles for tribal members. These talking circles will provide an opportunity for those affected by the opioid crisis to obtain support from survivors of the opioid crisis who are in recovery.
- The Hoonah Indian Association, in partnership with the Central Council of Tlingit and Haida Tribes of Alaska Community and the Behavioral Health Department, will host a "Men's Healing to Wellness" gathering for their community members affected by the opioid epidemic. This gathering will address holistic healing methods for treating opioid addiction, support recovery efforts through trauma transformation, educate on prevention and intervention, and discuss reintegration methods.

**V. OFF-SCHEDULE USES**

The vast majority of the Tribes reported fund uses or intended fund uses that fall within the settlement court's non-exhaustive list of approved uses, exemplified by the previous information. In a few circumstances, the use or planned uses described by the Tribe did not fall explicitly within Schedule B or D of the Purdue Approved Uses and Tribal Abatement. In some instances, the uses seem somewhat remote from addressing or preventing OUD. In these instances, the Directors are seeking additional information for clarification. If appropriate, the Directors will instruct that the funds must be repaid.

- A Tribe spent \$500 on the interment of a tribal member who passed due to an opioid overdose. In addition, a Tribe intends to use a portion of the funds to support funerals and family grief counseling.
- A Tribe plans to spend funds supporting cultural activities, in the tribal center, which the Village reports is in need of a new heating system.
- A Tribe used a portion of its funds on organizing a "Toys for Tots" event, citing that the event emphasized the importance of family/support systems during the holiday season without drugs and alcohol.

**VI. NON-REPORTING TRIBES, THOs AND CONSORTIUMS**

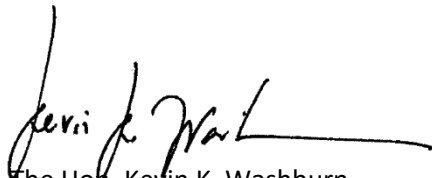
The Directors will continue to work to secure Tribal Opioid Abatement Use Reports from the remaining Tribes / THOs / Consortiums. If a Use Report is not received at the time of the 2024 Distribution in September 2024, the Directors will withhold the distribution until a Use Report is filed.



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