

**Item Title:** Approve Resolution Authorizing Wake County’s Participation in the National Opioid Remnant Defendants Settlement

**Specific Action Requested:**  
**That the Board of Commissioners:**

- 1. Authorizes Wake County to participate in the national Opioid Remnant Defendants Settlement; and**
- 2. Authorizes the County Attorney, or their designees to execute all documents necessary to effectuate the County’s participation in the settlement.**

**Item Summary:**

**Purpose:** The Board of Commissioners is requested to approve a resolution authorizing Wake County to participate in an additional national opioid settlement with six regional distributors and dispensers referred to as the Remnant Defendants. Participation will allow Wake County to receive additional settlement funds to support opioid remediation activities.

**Background:** A new national opioid settlement has been reached with six regional distributors and dispensers, referred to as the Remnant Defendants, with a total value of approximately \$97.6 million. Unlike prior opioid settlements presented to the Board, this settlement does not flow through the State of North Carolina or the NC Memorandum of Agreement (MOA). Instead, it is a direct national settlement in which eligible local governments, including Wake County, may opt in to receive funds.

Wake County is eligible to participate in this settlement based on its population and is not a litigant in the underlying legal actions. Participation does not require the County to pursue claims but instead allows it to opt in to receive an allocated share of settlement funds.

Wake County’s estimated share of this settlement is approximately \$165,930, subject to final participation levels and settlement-related adjustments. Funds must be used for opioid remediation purposes consistent with the settlement agreement.

**Strategic Plan:** This action supports Community Health and Wellbeing Goal 3: By 2029, 5% more residents asked will indicate low barriers to healthcare and behavioral health services, such as access to providers, insurance coverage, affordability, and appointment wait times.

Fiscal Impact: Approval of this resolution is expected to result in approximately \$165,930 in additional opioid settlement revenue to Wake County, subject to final settlement participation and net distribution calculations. A future agenda item will be brought forward to appropriate these funds for specific behavioral health projects.

**Additional Information:**

This action authorizes Wake County to participate in a national opioid settlement with six regional distributors and dispensers, referred to as the Remnant Defendants. These entities include Associated Pharmacies, Inc. and American Associated Pharmacies; J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc., including certain subsidiaries. Participation is voluntary; if Wake County does not elect to participate, it will not receive any portion of these settlement funds.

The settlement provides for a combined \$97.625 million in payments if participation thresholds are met. Funds will be distributed directly to participating eligible local governments based on a national allocation formula. Wake County's allocation percentage is approximately 0.17%, resulting in an estimated gross share of approximately \$165,930. Final distributions may vary based on participation levels and settlement-related costs. Payments are contingent on national participation thresholds being met and the settlement becoming effective. The settlement is expected to result in a one-time payment to participating local governments, rather than multi-year distributions as seen in prior opioid settlements.

Because this settlement is not governed by the North Carolina MOA, it is not subject to the same state-level allocation and oversight structure as prior opioid settlements.

Funds received through this settlement must be used for opioid remediation purposes consistent with the national settlement agreement. These allowable uses are broadly aligned with Wake County's existing opioid settlement funding plan, including prevention, treatment, recovery support, and other evidence-based strategies to address the impacts of the opioid epidemic. This settlement represents an additional opportunity to align resources with Wake County's broader strategy to strengthen how systems work together to address substance use and support recovery.

If funds are received, Wake County intends to incorporate these resources into its existing opioid settlement planning and budgeting process, with timing and specific allocations to be determined through future Board action.

**Attachments:**

1. Resolution
2. Wake County FY26-FY27 Opioid Settlement Funding Plan