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April 20, 2023

**Submitted to the DC Council Committee of the Whole
FY 2024 Budget Support Act of 2023**

**Testimony of Vanessa Batters-Thompson,
Executive Director of DC Appleseed Center for Law and Justice**

Thank you for the opportunity to testify regarding the Fiscal Year 2024 Budget Support Act of 2023. My name is Vanessa Batters-Thompson, and I am the executive director at DC Appleseed Center for Law and Justice. The DC Appleseed Center for Law and Justice (“DC Appleseed”) is a non-profit, non-partisan organization that aims to make the District a better place to live and work for all through litigation, teamwork, and advocacy. Throughout our history, we have taken on some of the District’s toughest problems, developed proposed solutions to those problems, and then worked to get our proposed solutions adopted and implemented. During its history, DC Appleseed worked closely with the DC government to address the HIV epidemic in DC, including fighting against Congressional intervention into local funding for syringe services programs (“SSPs”).

DC Appleseed is very concerned by provisions in B25-0202, the Mayor’s Fiscal Year 2024 Budget Support Act of 2023, which would take funds intended for opioid abatement to make up the District’s budget shortfall. Due to litigation between the District and manufacturers of opioid drugs, DC will receive substantial funds to prevent, treat, and address opioid usage in DC. These opioid litigation proceeds should be used for their intended purposes – not for

Affiliations listed only for identification purposes

balancing the budget. DC Appleseed urges the DC Council to reject the Mayor's proposed transfer of \$2,082,410 from DC's Opioid Abatement Fund to the unassigned fund balance of the General Fund.

In recent years, the opioid epidemic inflicted immense damage on communities across the country. Today, DC remains locked in a battle against opioid use and dependency. In 2021, DC had the highest rate of fatal drug overdoses per 100,000 residents in the country. In 2022, the District had 448 opioid-related fatal overdoses – up from 427 in 2021, and 411 in 2020. In an average month in DC, 37 people die from opioid overdoses. According to DC's Chief Medical Examiner, 85% of all opioid overdoses occur among Black people, with the majority of individuals residing in Wards 5, 7, and 8. Fentanyl, which has become dramatically more available in the last five years, was involved in 96% of DC's opioid deaths last year. Unfortunately, the spread of fentanyl is unlikely to end within the foreseeable future.

Opioid-related deaths are preventable, and opioid dependency is a treatable medical condition. In addition, opioid use is associated with greater risk of HIV infection, and strategies to prevent opioid use can help to prevent the spread of HIV. However, substantial funds are required to tackle the opioid epidemic within DC. Outpatient, medication-assisted treatment for opioid disorders can cost between \$5,980 and \$14,112.00 per year, according to a Department of Defense analysis. Adjusted for inflation, inpatient detox treatment costs on average \$141,001 per person and residential treatment costs \$50,469 per person. Notably, academic and government experts agree that providing robust treatment options to people experiencing opioid dependency generates significant health benefits while being cost-saving for communities, once costs from the health care and criminal justice systems are considered.

Thanks to the work of DC's Office of the Attorney General, funds exist to tackle DC's opioid crisis. DC's Office of the Attorney General worked in collaboration with other states to hold the opioid industry accountable through litigation. Through several legal settlements, the District may receive more than \$49 million over the next eighteen years. DC signed several settlement agreements which vary in their exact language, but these agreements generally require DC to spend these funds only on opioid remediation or abatement. In recognition of these obligations, the Council passed two laws last year (D.C. Law 24-315, the Opioid Litigation Proceeds Amendment Act of 2022, and D.C. Law 24-167, the Opioid Abatement Fund Establishment Act of 2022) ensuring the funds are used in compliance with the settlement agreements. The Mayor's proposal to use opioid litigation proceeds to close a general budget shortfall violates the spirit and intent of both of these laws.

DC Appleseed urges the DC Council to ensure our opioid abatement funds remain available for their intended purpose, including safe syringe access which has a major impact on prevention of HIV. In the midst of an unprecedented health crisis of opioid deaths, we simply cannot afford to divert these critical funds to the unassigned fund balance of the General Fund of the District of Columbia. Thank you for rejecting the Mayor's recommendation to do so in the Fiscal Year 2024 Budget Support Act of 2023.

Thank you for your time and consideration. I would be happy to answer any questions regarding these important health equity matters in DC, and I can be reached at the contact information below.

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