

Establishing A Policy To Maximize And Prioritize The Procurement Of Safe, Effective And Comprehensive Outpatient And Substance Use Disorder Withdrawal And Stabilization Services In And For The County Of Ulster

Referred to: The Laws, Rules and Government Services Committee (Chairman Kovacs and Legislators Gavaris, Hansut, Harmon, Kitchen, Levine, and Uchitelle), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Minority Leader Kevin A. Roberts offers the following:

WHEREAS, on March 15, 2018, the County brought a civil lawsuit in Ulster County Supreme Court (Index No. 18-903) alleging that deceptive marketing practices of prescription opioid manufacturers and distributors contributed to the opioid epidemic; and

WHEREAS, the County's lawsuit was thereafter transferred to Suffolk County Supreme Court (Index No. 400000/2017) along with similar lawsuits brought by other counties in the State of New York (the "New York Action"); and

WHEREAS, the County was also made a part of the negotiation class in the National Prescription Opiate Litigation in the Northern District of Ohio (MDL No. 2804) (the "National Action"); and

WHEREAS, settlement agreements with certain defendants were reached in the New York Action and the National Action; and

WHEREAS, pursuant to Resolution No. 273 of 2023, the Ulster County Legislature approved the execution of a contract with Samadhi Center, Inc. to operate an outpatient and substance use disorder withdrawal and stabilization services program, partially or fully funded by settlement funds received by the County from the New York State and/or National Opiate litigation; and

WHEREAS, the said contract became effective January 1, 2023, and expired by its own terms as of December 31, 2023; and

WHEREAS, there are opiate litigation settlement funds remaining following termination of the said contract for treatment and recovery services; and

WHEREAS, individuals, families and communities in Ulster County continue to suffer the negative and harmful effects resulting from substance abuse including, in the most severe cases, untimely deaths from substance overdoses; and

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WHEREAS, the Ulster County Legislature, pursuant to Ulster County Charter §C-11, is the legislative, appropriating and policy-determining body of the County; and

WHEREAS, pursuant to § C-74(B)(4) of the Ulster County Charter, the Ulster County Purchasing Director shall perform such other and related duties as shall be required and delegated by the County Executive or County Legislature; and

WHEREAS, the Ulster County Legislature finds that individuals in Ulster County undergoing treatment for, and recovery from, substance use disorders should have immediate access to the most comprehensive, safe and effective treatment options available, and that to ensure the procurement of same it is necessary to issue a Request for Proposal on behalf of Ulster County to maximize the scope of potential vendors as the quality of services may be limited by continued use of a single vendor; now, therefore, be it

RESOLVED, that it is hereby the policy of Ulster County to maximize and prioritize the procurement of safe, effective and comprehensive outpatient and substance use disorder withdrawal and stabilization services in and for the County of Ulster; and, be it further

RESOLVED, that the Director of Purchasing shall within sixty (60) days of adoption of this Resolution, issue a Request for Proposal (RFP) on behalf of Ulster County to seek a vendor(s) to operate an outpatient and substance use disorder withdrawal and stabilization services program in Ulster County to be partly or wholly funded by the remaining Opiate litigation settlement funds; and, be it further

RESOLVED, that prior to the RFP document being public, the Chair of the Legislature, or the Chair's designee(s), shall have the opportunity to provide input on the RFP document; and, be it further

RESOLVED, the Chair of the Legislature, and designees as determined by the Chair, shall serve as a members of the RFP evaluation committee; and, be it further

RESOLVED, that no section of this resolution shall be interpreted as augmenting the existing Legislative process for expenditures; and, be it further

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RESOLVED, upon conclusion of the RFP process, a contract for execution shall be presented to the Ulster County Legislature within 60 days, as well as any required resolution amending the 2024 budget to fund such contract with the remaining Opiate litigation settlement funds, for consideration pursuant to § A2-5(A)(15) of the Ulster County Charter,

and move its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 9 NOES: 11
(Ayes: Legislators Corcoran, Hansut, Kovacs, Levine, Litts, Lopez, Maloney, Roberts, and Walls)
(2 Abstentions: Legislators Gavaris and Nolan)
(Absent: Legislator Kitchen)

Defeated in Committee: Laws, Rules and Government Services on April 11, 2024

Petition to Discharge successfully executed

FINANCIAL IMPACT:

\$472,793.73 – APPROXIMATE UNEXPENDED, PREVIOUSLY AUTHORIZED FUNDS FOR TREATMENT FOR OPIOID USE DISORDER SUPPORT IN TREATMENT & RECOVERY

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution DEFEATED by the Ulster County Legislature on the 14th Day of May in the year Two Thousand Twenty-Four, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 15th Day of May in the year Two Thousand Twenty-Four.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature