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THE SENATE
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April 26, 2021
Governor Andrew Cuomo
NYS Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

The Senate Republican Minority Conference is deeply troubled by the lack of a “lockbox” funding mechanism for the \$32 million garnered from the recent McKinsey settlement by the New York State Attorney General. These settlement monies need to be placed into a fund specifically administered for new programs to combat opioid addiction in New York State.

Though the Executive has pledged to expend all \$28 million of the settlement received in FY 2022 on opioid recovery, treatment, and prevention, we are alarmed about the lack of specifics in the FY 2022 Enacted Budget. We are unsatisfied with the nebulous appropriation of \$32 million in the Aid to Localities bill of the Enacted Budget and deeply concerned that the money will instead be swept into the general fund to supplant existing state funding. The need for transparency is paramount.

The Senate Republican Minority Conference was pleased to see the Senate Majority include an Article VII provision, Part OO, in their one-house budget bill, which would have established an Opioid Settlement Fund. This fund would have safeguarded the McKinsey settlement and all future settlements. However, we were disappointed to see the Democratic Majorities in the Legislature and the Executive omit this proposal from the final FY 2022 Enacted Budget.

It is clear that many New Yorkers have suffered greatly due to the opioid epidemic. Due to the pandemic, we are once again seeing tragic spikes in use and overdoses. New York State must meet this historic moment by creating an independent fund charged with the disbursement of the McKinsey settlement and any future settlements. This fund must only be utilized for new recovery, treatment and prevention programs and be overseen by individuals in recovery and their families. Anything less is an affront to the victims of the opioid epidemic in New York.

Sincerely,

A handwritten signature in black ink that reads 'Robert G. Ort'.

Senator Robert Ort
Minority Leader, Senate Republican Conference



Senator Peter Oberacker
Ranker, Committee on Alcoholism and Substance Abuse



Senator Fred Askhar
52nd District



Senator Phil Boyle
4th District