

Pennsylvania Opioid Misuse and Addiction Abatement Trust Operating Procedures of the Dispute Resolution Committee

On June 20, 2024, the Pennsylvania Opioid Misuse and Addiction Abatement Trust (the “Trust”) passed a unanimous resolution establishing a Dispute Resolution Committee (the “DRC”) to review any appeal(s) filed by a beneficiary of the Trust pursuant to Section VIII.G of the Order of the Commonwealth Court entered July 12, 2022 (the “Trust Order”).

The DRC will review and decide appeals made to the Trust. This will occur by resolution of the DRC at a public meeting to occur within sixty (60) days of such appeal and shall be the final response by the Trust. See Trust Order, Section VIII.G.

The following operating procedures shall govern meetings of the DRC:

1. It is the present intention of the DRC that all public meetings will be held virtually with link(s) to be provided to (a) any beneficiary whose appeal will be heard during the relevant meeting and (b) to the public via publication on the Trust’s website.
2. The DRC will provide the beneficiary with a copy of the materials previously provided to the Trust and relevant to the current appeal. Such materials shall include any report and supporting materials submitted to the Trust, any correspondence between the Trust and the beneficiary related to the program that is the subject of the appeal, and any additional information submitted by the beneficiary to the Trust relating to such program(s), all of which shall constitute the record on which a determination by the DRC will be made.
3. A beneficiary will be afforded thirty (30) minutes to present any and all information relevant to their appeal, inclusive of any time to address questions from members of the DRC. This time limitation may be expanded, depending on the complexity of the appeal, in the sole discretion of the DRC.
4. Only the beneficiary or its authorized representative(s) may present evidence and/or argument during meetings of the DRC.
5. Upon completion of any appeal presentation by the beneficiary(ies) and/or their designated representative(s), the DRC may meet in Executive Session to consult with its counsel or other professional advisor(s).
6. The DRC will issue a final response to any appeal at its public meeting, which shall constitute the final response of the Trust. See Trust Order, Section VIII.G.
7. If the DRC’s final response does not resolve the beneficiary’s appeal, the beneficiary may petition the Commonwealth Court for a resolution of its appeal. See Trust Order, Section VIII.G.