

Cherokee Nation Code Annotated

Title 68: Revenue and Taxation

Chapter 10: Cherokee Nation Public Health and Wellness Fund Act

§ 1005. Use of Opioid Settlement Funds

Cite as: 68 CNCA § 1005

A. Behavioral Health Capital Fund:

1. The Council of the Cherokee Nation authorizes the use of Opioid Settlement funds for the purposes of behavioral health capital projects relating to addiction treatment within the Cherokee Nation Reservation, as follows:

a. Fiscal Year 2023: \$20,000,000

b. Fiscal Year 2024: \$25,000,000

c. Fiscal Year 2025: \$20,000,000

d. Fiscal Year 2026: \$8,500,000

e. Fiscal Year 2027: \$4,000,000, plus any theretofore available Opioid Settlement funds not previously identified and authorized by this act, plus all interest attributable to all Opioid Settlement Funds.

2. Beginning in Fiscal Year 2026, the Council authorizes the expenditure of up to \$2 million authorized in § 1005 (A) (1) of this subsection for the purpose of the construction of residential transitional living facilities and related capital expenses to assist Cherokee Nation citizens who are formerly incarcerated, provided:

a. The Principal Chief determines that the incidence of incarceration of Cherokee Nation citizens during all time periods relevant to this Act or relevant to the underlying Opioid Settlements was substantially influenced by substance use disorder and communicates such determination to the Council, in writing, and

b. The Principal Chief provides the Council, in writing, with a plan to sustainably operate said transitional living facilities, which may include but may not be limited to the utilization of funds authorized under § 1005 (C) of this subsection.

3. Funds authorized but unexpended under subsection A of this subsection may be carried over indefinitely into subsequent fiscal years.

B. Behavioral Health Innovative Addiction Recovery Programs Fund

1. The Council Authorizes Cherokee Nation Health Services and Cherokee Nation Public Health Department to develop pilot drug addiction treatment and prevention programs, or to provide matching funds for any third party grant for such purposes, using Opioid Settlement funds in the amount of \$1,000,000 per fiscal year for fiscal years 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032, provided:

a. Funds authorized but unexpended under this Section of the Act may be carried over into subsequent fiscal years authorized under this Section of the Act.

2. Cherokee Nation Health Services and/or Cherokee Nation Department of Public Health shall provide the Council, annually commencing with fiscal year 2024, with a report summarizing projects funded under this section of the Act, the efficacy of such projects and such other information as shall advise the Council of the effectiveness of expenditures.

C. Career Services Addiction Recovery Employment Programs Fund

1. The Council Authorizes Cherokee Nation Career Services and/or such other department as the Principal Chief may determine can effectuate the purposes and policies of this Act, to develop pilot programs to provide employment, job training or emergency economic assistance for Cherokee Nation citizens in addiction recovery programs, or to provide matching funds for any third party grant for such purposes, using Opioid Settlement funds in the amount of \$1,000,000 per fiscal year for fiscal years 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031 and 2032, provided:

a. Funds authorized but unexpended under this Section of the Act may be carried over into subsequent fiscal years authorized under this Section of the Act.

2. The Council authorizes Cherokee Nation Career Services through the Coming Home Reentry Program, to fund property acquisition, operations, security, facility repair and maintenance and equipment associated with the operation of residential transitional living facilities authorized under Section (A) (2) of this subsection, beginning in fiscal year 2026, for an amount not to exceed \$2 million, until exhausted, provided:

a. This authorization is conditioned upon the Principal Chief submitting to the Council a plan, in writing, for the operations of said facility upon exhaustion of said funds.

3. Cherokee Nation Career Services shall provide the Council, annually commencing with fiscal year 2024, with a report summarizing projects funded under this section of the Act, the efficacy of such projects and such other information as shall advise the Council of the effectiveness of expenditures.

D. Behavioral Health Scholarship Fund:

1. The Council of the Cherokee Nation Authorizes the use of Opioid Settlement funds to create a \$5 million scholarship endowment through the Cherokee Nation Foundation paid in Fiscal Year 2023;

2. The Council of the Cherokee Nation authorizes a committee to negotiate an agreement with the Cherokee Nation Foundation, said committee:

a. Shall consist of the Principal Chief or his designee, the Speaker of the Council or his designee member of the Council of the Cherokee Nation, and a third committee member selected by the foregoing members who shall be a citizen of the Cherokee Nation;

b. Shall negotiate said agreement to meet the following objectives: (1) establish a perpetual source of undergraduate and / or graduate scholarship assistance for Cherokee Nation students pursuing degrees in behavioral health fields, (2) provide, without imposing any applicant residency requirement, a preference for scholarship recipients who demonstrate a likelihood of providing professional service within the Cherokee Nation Reservation and (3) provide an enhanced educational grant option for applicants agreeing to work for Cherokee Nation in relevant professional fields for a period of grant pay back;

c. Shall negotiate said agreement for a term not to exceed 15 years, subject to renewal at the option of the Principal Chief on such extended terms as the Principal Chief may negotiate consistent with the purposes and policies of this Section of the Act;

d. Shall report draft of said agreement (including such extensions or new terms negotiated pursuant to §1005 (D)(2)(iii) to the Council of the Cherokee Nation Committee on Education for a period of no less than 15 days and no more than 45 days before the agreement goes into effect.

Historical Data

LA 13-22, eff. April 11, 2022. Amended LA 02-23, eff. February 26, 2023. Amended LA 02-23, eff. February 26, 2023. Amended LA 27-25, eff. September 25, 2025. Amended LA 09-26, eff. February 26, 2026.