

ATTORNEY GENERAL[61]

Notice of Intended Action

**Proposing rulemaking related to national opioid settlement distribution
and providing an opportunity for public comment**

The Attorney General hereby proposes to adopt new Chapter 39, “National Opioid Settlement Distribution,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 12.51 and chapter 13.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2025 Iowa Acts, House File 1038, division I.

Purpose and Summary

This proposed rulemaking is intended to implement 2025 Iowa Acts, House File 1038, division I, by adopting rules to outline the Office of the Attorney General’s responsibilities in the distribution of funds from the State of Iowa’s Opioid Settlement Fund.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on February 18, 2026. A public hearing was held on the following date(s):

- March 10, 2026

No public comments were received.

Fiscal Impact

This proposed rulemaking has a fiscal impact to the State of Iowa. The financial impact of this proposed rulemaking will be the distribution of millions of dollars to combat the opioid crisis in the State of Iowa. How this funding will be utilized remains to be determined, but the Office of the Attorney General is focused on providing funding to impactful programs that will help people dealing with this crisis statewide, with the program lasting until June 30, 2030. There will be administrative costs incurred by the Office of the Attorney General in administering the disbursement of funds. The exact costs are not easily identifiable, but these costs have been provided for in Iowa Code section 12.51(2)“b”(6).

Jobs Impact

The distribution of opioid settlement dollars is likely to create new jobs across multiple industries in the State. While final allocations have not yet been determined, examples of those groups who could benefit from investment and see job growth include but are not limited to nurses, social workers, first responders, counselors, construction workers, telehealth providers, and more.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Attorney General for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking, which must be received by the Office of the Attorney General no later than 4:30 p.m. on June 30, 2026. Comments should be directed to:

Dan Breitbarth
Office of the Attorney General of Iowa
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa 50319-0106
Email: dan.breitbarth@ag.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Adopt the following **new** 61—Chapter 39:

CHAPTER 39
NATIONAL OPIOID SETTLEMENT DISTRIBUTION

61—39.1(12) Definitions. As used in this chapter, the following definitions apply:

“*Applicant*” means a person or entity that applies for funding from the department.

“*Application process*” means the set of rules, requirements, and procedures outlined in the notice of funding opportunity on the department’s website that applicants must follow to apply for opioid settlement funding.

“*Department*” means the department of justice and the Iowa attorney general’s office.

“*Eligible projects*” means projects that fall within the national opioid settlement’s listed core strategies and approved uses.

“*Fund*” means the state of Iowa’s opioid settlement fund as described in Iowa Code section 12.51.

“*Intended outcomes*” means the specific goals, impacts, or measurable results that a proposed project or program aims to achieve. These outcomes include but are not limited to prevention of opioid-related deaths, reduction of opioid misuse, and increased access to opioid-use disorder medications and services.

“*Notice of funding opportunity*” means the department’s solicitation for proposals for the use of opioid settlement dollars to support eligible projects.

“*Request*” means applications for funding submitted to the department by applicants.

61—39.2(12) Funding.

39.2(1) Requests. Requests containing eligible projects shall be submitted to the department in accordance with the notice of funding opportunity and application process. Each request shall include

the intended outcomes of the project or projects. The department may request additional information not listed on the notice of funding opportunity or application process from the applicants as required.

39.2(2) Awards. The department reserves the right to award funds to applicants, partially award funds to applicants, or withhold distribution of opioid settlement funds from applicants.

39.2(3) Individual contract requirement. Any applicant selected as a potential recipient of opioid settlement funds must execute an agreement with the department to complete the award. Any award of opioid settlement funds will be subject to any terms and conditions the department sets forth in that agreement. The failure to agree to contractual terms will result in no award.

39.2(4) Notification. The department is not required to notify each applicant regarding the approval or denial of the applicant's funding request.

61—39.3(12) Reporting and evaluation. Each applicant selected for an award is required to submit reports and other performance indicators following the instructions and methods requested by the department. At a minimum, each applicant selected for an award is required to submit an annual report on July 1 of each year that specifies whether the moneys awarded have achieved or are achieving the intended outcomes.

These rules are intended to implement Iowa Code section 12.51.