

135.190A Opioid antagonist medication fund.

1. An opioid antagonist medication fund for first responders is created within the state treasury under the control of the department. The fund shall consist of moneys appropriated to or deposited into the fund.

2. Moneys in the fund are appropriated to the department for the purchase, maintenance, and replacement of opioid antagonist medication administered by first responders to persons experiencing an opioid-related overdose. The department is authorized to designate moneys in the fund for the purchase, maintenance, and replacement of opioid antagonist medication used by the department or other entities under [this section](#).

3. First responders may contact the department for the procurement of opioid antagonist medication. The department shall keep a record of the distribution of moneys from the fund.

4. The fund may consist of available federal or state moneys available, as well as any available opioid lawsuit settlement moneys. Funds may be transferred between other state agencies and the fund as appropriate.

5. Notwithstanding [section 8.33](#), moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert but shall remain available for expenditure for the purposes designated unless federal regulations otherwise require. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the fund shall be credited to the fund.

6. The department shall submit a report to the general assembly on or before December 31 of each year which shall contain a list of deposits and expenditures from the fund for the prior fiscal year and the amount of carryover funds, if any, to be distributed in the next fiscal year.

7. For purposes of [this section](#):

a. “*First responder*” means an emergency medical care provider, a registered nurse staffing an authorized service program under [section 147A.12](#), a physician assistant staffing an authorized service program under [section 147A.13](#), a fire fighter, or a peace officer as defined in [section 801.4](#) who is trained and authorized to administer an opioid antagonist.

b. “*Opioid antagonist*” means the same as defined in [section 147A.1](#).

c. “*Opioid-related overdose*” means the same as defined in [section 147A.1](#).

[2022 Acts, ch 1121, §4](#); [2023 Acts, ch 19, §159](#)

Referred to in [§12.51](#)

Subsection 6 amended