

### 12.51 Opioid settlement fund.

1. As used in [this section](#) unless the context otherwise requires:

- a. “Administrative services organization” means the same as defined in [section 225A.1](#).
- b. “Behavioral health district” means the same as defined in [section 225A.1](#).
- c. “Department” means the department of health and human services.
- d. “District behavioral health advisory council” means the same as defined in [section 225A.1](#).

2. a. An opioid settlement fund is created in the office of the treasurer of state. The fund shall be separate from the general fund of the state and the balance in the fund shall not be considered part of the balance of the general fund of the state.

b. (1) The state portion of any moneys paid to the state as a result of a national settlement of litigation with entities that manufactured, marketed, sold, distributed, dispensed, or promoted opioids, made in connection with claims arising from the manufacturing, marketing, selling, distributing, dispensing, or promoting of opioids, shall be deposited in the fund.

(2) (a) For each fiscal year for the period beginning July 1, 2025, and ending June 30, 2030, of the total amount of the state portion of the moneys paid to the state as described in paragraph “b” and deposited in the fund, plus any interest and earnings on moneys in the fund, seventy-five percent is appropriated to the department and twenty-five percent is appropriated to the office of the attorney general for purposes of abating the opioid crisis in this state.

(b) Notwithstanding [section 8.33](#), moneys appropriated under subparagraph division (a) that remain unencumbered and unobligated at the close of each fiscal year shall not revert but shall remain available for expenditure for the purposes designated until June 30, 2030.

(c) Notwithstanding [section 12C.7, subsection 2](#), the interest or earnings on moneys appropriated under subparagraph division (a) are appropriated to the entity receiving the appropriation to be used for the purposes designated.

(3) The department and the office of the attorney general shall do all of the following:

(a) Review each administrative services organization’s proposed uses of the appropriated moneys for crisis response, early intervention, and treatment for opioid addiction, and recovery from opioid addiction, for the behavioral health district for which the administrative services organization has been designated.

(b) Disburse the moneys appropriated under subparagraph (2), subparagraph division (a), in accordance with the national opioid settlement agreements and [this section](#).

(c) Identify indicators and outcomes applicable to each disbursement to be used to determine if the services and activities that are funded achieve the intended outcomes, which may include prevention of opioid-related deaths, reduction of opioid misuse, and increased access to opioid use disorder medications and services.

(d) Submit an annual report on or before November 1 to the general assembly and the governor that contains all of the following for the immediately preceding fiscal year:

(i) Information related to each disbursement from the fund, and if the intended outcomes of each disbursement were achieved.

(ii) Input from each district behavioral health advisory council regarding disbursements from the fund, intended outcomes, and recommendations for future disbursements from the fund.

(iii) A list of the current opioid-related initiatives within the behavioral health district that are funded by moneys from the national settlements that are earmarked for or otherwise required to be transferred or distributed to counties, cities, or other local governmental entities.

(e) Adopt rules pursuant to [chapter 17A](#) to administer this paragraph.

(4) A recipient shall receive no more than one disbursement under paragraph “b”, subparagraph (3), subparagraph division (b).

(5) The department and the office of the attorney general may, but are not required to, ensure that moneys appropriated under subparagraph (2) are distributed equally to the administrative services organizations.

(6) The department and the office of the attorney general shall use no more than two and one-half percent of the moneys appropriated under subparagraph (2) for administrative costs.

c. [This subsection](#) does not apply to such moneys paid to the state that are earmarked for or otherwise required to be transferred or distributed to counties, cities, or other local governmental entities.

3. a. Moneys in the fund shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in [this section](#).

b. Moneys in the fund shall only be used for purposes of abating the opioid crisis in this state, which may include but are not limited to the purposes specified in [section 135.190A](#) for moneys in the opioid antagonist medication fund.

c. Notwithstanding [section 8.33](#), moneys in the fund that remain unencumbered or unobligated at the close of a fiscal year shall not revert. Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys in the fund shall be credited to the fund.

[2022 Acts, ch 1121, §1; 2025 Acts, ch 150, §1](#)

Section amended