

House Amendment to  
Senate File 2395

S-5189

1 Amend Senate File 2395, as passed by the Senate, as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 12.51, Code 2024, is amended to read as  
5 follows:

6 **12.51 Opioid settlement fund — advisory council — grant**  
7 **process.**

8 1. An opioid settlement fund is created in the office of  
9 the treasurer of state. The fund shall be separate from the  
10 general fund of the state and the balance in the fund shall not  
11 be considered part of the balance of the general fund of the  
12 state. The state portion of any moneys paid to the state as  
13 a result of a national settlement of litigation with entities  
14 that manufactured, marketed, sold, distributed, dispensed,  
15 or promoted opioids, made in connection with claims arising  
16 from the manufacturing, marketing, selling, distributing,  
17 dispensing, or promoting of opioids, shall be deposited in the  
18 fund. **This subsection** does not apply to such moneys paid to  
19 the state that are earmarked for or otherwise required to be  
20 transferred or distributed to counties, cities, or other local  
21 governmental entities.

22 2. Moneys in the fund shall not be transferred, used,  
23 obligated, appropriated, or otherwise encumbered except as  
24 provided in **this section**. Moneys in the fund shall only be  
25 used pursuant to appropriations from the fund by the general  
26 assembly to the department of health and human services for  
27 purposes of abating the opioid crisis in this state, which  
28 may include but are not limited to the purposes specified in  
29 section 135.190A for moneys in the opioid antagonist medication  
30 fund.

31 **3. a. Funds appropriated under this section to the**  
32 **department of health and human services shall be distributed**  
33 **through the annual awarding of grants to recommended grant**  
34 **applicants. The grant application process shall emphasize that**  
35 **the grants awarded provide one-time, rather than ongoing, state**

1 funding.

2 b. (1) The department of health and human services shall  
3 establish an advisory council to annually review, and make  
4 recommendations to the general assembly for the funding of,  
5 grant applications.

6 (2) (a) In annually selecting grant applications for  
7 recommendation to the general assembly, the advisory council  
8 shall prioritize grant application proposals that focus on both  
9 prevention and treatment, shall consider the amount of opioid  
10 settlement funding received by a participating local government  
11 as a direct distribution, and shall optimize statewide access  
12 to care by ensuring geographic diversity among the grant  
13 applications selected.

14 (b) In carrying out its duties, the advisory council shall  
15 utilize opioid data provided by the department of health  
16 and human services. The department may issue a request for  
17 proposals to engage an expert to assist the advisory council in  
18 analyzing the data. The advisory council shall also consult  
19 with the department to develop specified grant outcomes to be  
20 used in evaluating the effectiveness of the grants awarded.

21 (c) The advisory council shall request that all  
22 participating local governments receiving a direct distribution  
23 of opioid settlement funding report annually the amount  
24 received and the amount and purpose for which the moneys were  
25 expended.

26 (3) Following the annual review of grant applications,  
27 the advisory council shall compile and submit to the general  
28 assembly no later than December 15 a report that includes all  
29 of the following:

30 (a) A list of the grant applications recommended for the  
31 awarding of grant funding in the subsequent fiscal year.

32 (b) The department's evaluation of the effectiveness of  
33 the grants awarded in the prior year based on the outcomes  
34 specified by the advisory council.

35 c. The general assembly shall annually appropriate from the

1 opioid settlement fund to the department of health and human  
2 services an amount sufficient to fund the annually recommended  
3 grants.

4 d. (1) The advisory council shall consist of all of the  
5 following voting members:

6 (a) The director of the department of health and human  
7 services, or the director's designee.

8 (b) The attorney general, or the attorney general's  
9 designee.

10 (c) One individual representing the judicial branch,  
11 selected by the state court administrator.

12 (d) One individual representing the department of  
13 corrections, selected by the department of corrections.

14 (e) One county sheriff, selected by the Iowa state sheriffs'  
15 and deputies' association.

16 (f) One individual who is a member of the board of pharmacy,  
17 selected by the board of pharmacy.

18 (g) Two individuals, selected by the Iowa behavioral health  
19 association.

20 (h) One individual who is an opioid addiction specialist.

21 (i) One individual selected by the Iowa hospital  
22 association.

23 (j) One individual selected by the national alliance on  
24 mental illness Iowa.

25 (2) In addition, the membership of the advisory council  
26 shall include one senator appointed by the president of the  
27 senate after consultation with the majority leader of the  
28 senate, one senator appointed by the minority leader of the  
29 senate, one representative appointed by the speaker of the  
30 house of representatives, and one representative appointed by  
31 the minority leader of the house of representatives, as ex  
32 officio, nonvoting members.

33 e. The advisory council shall convene an initial meeting  
34 no later than September 1, 2024. The advisory council shall  
35 be dissolved upon expenditure of all moneys in the opioid

1 settlement fund.

2 ~~3.~~ 4. Notwithstanding [section 8.33](#), moneys in the fund  
3 that remain unencumbered or unobligated at the close of a  
4 fiscal year shall not revert. Notwithstanding section 12C.7,  
5 subsection 2, interest or earnings on moneys in the fund shall  
6 be credited to the fund.

7 Sec. 2. OPIOID SETTLEMENT FUND — APPROPRIATIONS — FY  
8 2024-2025. There is appropriated from the opioid settlement  
9 fund created in section 12.51 to the department of health and  
10 human services for the fiscal year beginning July 1, 2024, and  
11 ending June 30, 2025, the following amounts, or so much thereof  
12 as is necessary, for the purposes designated:

13 1. For a youth substance use treatment and recovery campus  
14 in a central Iowa county with a population between 98,000 and  
15 99,000 based on the 2020 federal decennial census:  
16 ..... \$ 3,000,000

17 2. For a nonprofit organization headquartered in a city  
18 with a population between 24,500 and 25,000 as determined by  
19 the 2020 federal decennial census, that is a member of the Iowa  
20 substance use and problem gambling services integrated provider  
21 network and specializes in the treatment and prevention of  
22 co-occurring mental health and substance use disorders for  
23 adolescents and adults, to be used for renovation and expansion  
24 of a nature-based recovery campus to provide co-occurring  
25 assessment, treatment, and prevention services for both  
26 adolescents and adults who are suffering from mental health  
27 and substance use disorders, including outpatient, residential  
28 treatment, and detoxification:  
29 ..... \$ 8,000,000

30 3. To provide funding for the renewal, extension, and  
31 expansion of an opioid addiction prevention surgery support  
32 services agreement entered into by the Iowa attorney general's  
33 office that became effective October 1, 2022, to provide  
34 surgery care management services to facilitate the reduction  
35 of post-surgery opioid use and to optimize therapeutic,

1 humanistic, and economic results from surgery and surgical  
2 recovery:  
3 ..... \$ 1,541,700  
4 2. Title page, by striking lines 1 through 3 and inserting  
5 <An Act relating to the opioid settlement fund, and making  
6 appropriations.>