

2020 Regular Session

HOUSE BILL NO. 699

BY REPRESENTATIVE DWIGHT

FUNDS/FUNDING: Establishes the Opioid Restitution Fund

1 AN ACT

2 To enact Subpart M of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S. 39:100.41, relative to the
4 disbursement of monies received from opioid settlements; to establish the Louisiana
5 Opioid Restitution Fund; to provide for specific uses of the fund; to provide for
6 reporting requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart M of Part II-A of Chapter 1 of Subtitle I of Title 39 of the
9 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, is hereby enacted to read
10 as follows:

11 SUBPART M. OPIOID RESTITUTION FUND

12 §100.41. Opioid Restitution Fund; purpose; administration

13 A. There is hereby created in the state treasury, as a special fund, the
14 "Louisiana Opioid Restitution Fund", hereinafter referred to as the "fund".

15 B. After compliance with the requirements of Article VII, Section 9(B) of
16 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
17 all monies received by the state from any judgment, settlement, assessment of a civil
18 or criminal penalty, or otherwise collected as a result of a case or cause of action
19 against a manufacturer of opioids or any other responsible person brought to recover
20 monies expended or anticipated to be expended by the state or damages incurred by

1 the state in connection with the manufacturing, marketing, distribution, or sale of
2 opioids shall be deposited into the fund.

3 C. Monies in the fund shall be invested in the same manner as monies in the
4 general fund. Interest earned on investment of monies in the fund shall be credited
5 to the fund. Unexpended and unencumbered monies in the fund at the end of the
6 fiscal year shall remain in the fund.

7 D. The monies in the fund shall be used exclusively for the following
8 purposes:

9 (1) Improving access to medications proven to prevent or reverse an
10 overdose.

11 (2) Supporting behavioral health services providers and referral to treatment
12 services for hospitals, correctional facilities, and other high-risk populations.

13 (3) Increasing access to medications that support recovery from substance
14 abuse disorders.

15 (4) Expanding access to crisis identification and stabilization services and
16 residential treatment services.

17 (5) Expanding and establishing safe stations, mobile crisis response systems,
18 and crisis stabilization centers.

19 (6) Organizing primary and secondary school education campaigns to
20 prevent opioid use, including for administrative expenses.

21 (7) Enforcing the laws regarding opioid prescriptions and sales, including for
22 administrative expenses.

23 (8) Research and training for substance use treatment and overdose
24 prevention, including for administrative expenses.

25 (9) Supporting and expanding evidence-based interventions for substance
26 use treatment and overdose prevention.

27 E. The fund is in addition to any monies appropriated to any agency and is
28 not intended to take the place of funding that otherwise would be appropriated for
29 the programs or services.

1 F. Except as specified in Subsection D of this Section, money expended from
2 the fund may not be used for administrative expenses.

3 G. The governor shall:

4 (1) Develop key goals, objectives, and performance indicators relating to
5 substance use treatment and prevention efforts.

6 (2) At least once annually, consult with substance use treatment and
7 prevention stakeholders, including consumers, providers, families, and advocates,
8 to identify recommended appropriations from the fund.

9 (3) Submit an annual report to the legislature no later than January first of
10 each year. The report shall include, at a minimum:

11 (a) An accounting of total funds expended from the fund in the immediately
12 preceding fiscal year, by use, jurisdiction, and agency program, as applicable.

13 (b) The performance indicators and progress toward achieving the goals and
14 objectives developed pursuant to Paragraph (1) of this Subsection.

15 (c) The recommended appropriations from the fund identified pursuant to
16 Paragraph (2) of this Subsection.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 699 Original

2020 Regular Session

Dwight

Abstract: Establishes the La. Opioid Restitution Fund for monies received from opioid settlements and provides for uses of the fund.

Proposed law establishes the La. Opioid Restitution Fund and requires that all monies received by the state from any opioid settlement be deposited into the fund.

Proposed law requires that the monies in the fund shall be used exclusively for the following purposes:

- (1) Improving access to medications proven to prevent or reverse an overdose.
- (2) Supporting behavioral health services providers and referral to treatment services for hospitals, correctional facilities, and other high-risk populations.
- (3) Increasing access to medications that support recovery from substance abuse disorders.

- (4) Expanding access to crisis identification and stabilization services and residential treatment services.
- (5) Expanding and establishing safe stations, mobile crisis response systems, and crisis stabilization centers.
- (6) Organizing primary and secondary school education campaigns to prevent opioid use, including for administrative expenses.
- (7) Enforcing the laws regarding opioid prescriptions and sales, including for administrative expenses.
- (8) Research and training for substance use treatment and overdose prevention, including for administrative expenses.
- (9) Supporting and expanding evidence-based interventions for substance use treatment and overdose prevention.

Proposed law requires the governor to do the following:

- (1) Develop key goals, objectives, and performance indicators relating to substance use treatment and prevention efforts.
- (2) Consult with stakeholders to identify recommended appropriations from the fund.
- (3) Submit an annual report to the legislature that includes an accounting of spending in the previous fiscal year and a recommendation for appropriations for the ensuing fiscal year.

(Adds R.S. 39:100.41)