

2020 First Extraordinary Session

HOUSE BILL NO. 34

BY REPRESENTATIVE ECHOLS

FUNDS/FUNDING: Creates the Louisiana Opioid Settlement Fund (Item #11)

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 through 100.43, relative  
4 to the disbursement of monies received from opioid settlements; to establish the  
5 Louisiana Opioid Settlement Fund; to provide for administration of the fund; to  
6 provide for specific uses of the fund; to provide for reporting requirements; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart M of Part II-A of Chapter 1 of Subtitle I of Title 39 of the  
10 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41 through 100.43, is hereby  
11 enacted to read as follows:

12 SUBPART M. LOUISIANA OPIOID SETTLEMENT FUND

13 §100.41. Louisiana Opioid Settlement Fund; purpose; program administration

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

16 B. The monies in the fund shall be used exclusively to grant funding to  
17 entities for the purpose of providing opioid education, overdose prevention efforts,  
18 and addiction research, treatment, and recovery as specified in Subsection F of this  
19 Section.

1           C. After compliance with the requirements of Article VII, Section 9(B) of  
2           the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
3           all monies received by the state from any judgment, settlement, assessment of a civil  
4           or criminal penalty, or otherwise collected as a result of a case or cause of action  
5           against a manufacturer of opioids or any other responsible person brought to recover  
6           monies expended or anticipated to be expended by the state or damages incurred by  
7           the state in connection with the manufacturing, marketing, distribution, or sale of  
8           opioids shall be deposited into the fund.

9           D. Monies in the fund shall be invested in the same manner as monies in the  
10          general fund. Interest earned on investment of monies in the fund shall be credited  
11          to the fund. Unexpended and unencumbered monies in the fund at the end of the  
12          fiscal year shall remain in the fund.

13          E. The University of Louisiana at Monroe, in conjunction with the  
14          University of Louisiana at Monroe College of Pharmacy, shall be the administrator  
15          of the fund, hereinafter referred to as the "administrator". Monies in the fund shall  
16          be appropriated to the University of Louisiana at Monroe to administer the funds to  
17          eligible applicants in the form of grants. The administrator shall establish criteria for  
18          eligibility.

19          F. Funds shall be disbursed by the administrator as follows:

20          (1) Twenty percent of the funds shall be used for prevention efforts  
21          including:

22                 (a) Education programs and addiction and overdose prevention programs in  
23                 public and private colleges and universities and public and private elementary and  
24                 secondary schools.

25                 (b) Continuing medical education for medical providers.

26                 (c) Training for medical students and residents at Louisiana State University  
27                 Health Sciences Center in New Orleans, Louisiana State University Health Sciences  
28                 Center in Shreveport, Tulane University School of Medicine, and the University of  
29                 Louisiana at Monroe in conjunction with Edward Via College of Osteopathic

1 Medicine in Louisiana. The amount of funds disbursed pursuant to this  
2 Subparagraph shall be prorated based on the number of medical students and  
3 residents.

4 (2) Fifty percent of the funds shall be used to address the current opioid  
5 crisis including:

6 (a) Rehabilitation and treatment services, including those provided by the  
7 Department of Public Safety and Corrections, corrections services.

8 (b) Drug courts.

9 (c) Counseling services and training.

10 (d) Opioid antagonist training.

11 (e) Medication assisted treatment education.

12 (f) Law enforcement operations, including those conducted by sheriffs, state  
13 police, and municipal police.

14 (3) Thirty percent of the funds shall be used for addiction and treatment  
15 research and development of opioid alternatives including:

16 (a) Non-addictive pharmaceutical research.

17 (b) Alternative pain management strategies.

18 G. Any funds distributed to an entity that remain unexpended or  
19 unencumbered at the end of the fiscal year shall be available for use in the  
20 subsequent fiscal year by the entity pursuant to its grant agreement.

21 H. Monies appropriated from the fund are in addition to, and separate from,  
22 any other monies appropriated or allocated to any postsecondary education  
23 management board. Allocations from this fund shall not be included in the Board of  
24 Regents' funding formula calculation, nor shall it supplant any state general fund  
25 allocation provided to institutions. The availability of monies from the fund shall not  
26 in any way substitute, limit, or otherwise affect the allocation of any funds otherwise  
27 available to those institutions under state or federal laws.

1        §100.42. Nonmonetary opioid settlements; administration

2                Any prescription medicine received by the state from any judgment,  
3        settlement, assessment of civil or criminal penalty, or otherwise collected as a result  
4        of a case or cause of action against a manufacturer of opioids or any other  
5        responsible person brought to recover monies expended or anticipated to be  
6        expended by the state or damages incurred by the state in connection with the  
7        manufacturing, marketing, distribution, or sale of opioids shall be administered by  
8        the University of Louisiana at Monroe in conjunction with the University of  
9        Louisiana at Monroe College of Pharmacy. The University of Louisiana at Monroe  
10       shall establish a procedure for distribution of the prescription medicine.

11       §100.43. Reporting requirements

12               In accordance with Part II of Chapter 13 of Title 24 of the Louisiana Revised  
13       Statutes of 1950, the University of Louisiana at Monroe shall submit an annual  
14       report to the Joint Legislative Committee on the Budget no later than August first of  
15       each year. The report shall include, at a minimum, information from the previous  
16       fiscal year on the number of grant applications received, amounts of grant funding  
17       distributed, and recipients of the funding.

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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)]

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HB 34 Original

2020 First Extraordinary Session

Echols

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

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

Proposed law provides that the University of Louisiana at Monroe (ULM), in conjunction with the ULM College of Pharmacy, shall be the administrator of the fund and shall disburse the funds as follows:

- (1) 20% shall be used for prevention efforts including:
  - (a) Education programs and addiction and overdose prevention programs in colleges, universities, and elementary and secondary schools.

- (b) Continuing medical education for medical providers.
  - (c) Training for medical students and residents.
- (2) 50% shall be used to address the current opioid crisis including:
- (a) Rehabilitation and treatment services, including those provided by the Dept. of Public Safety and Corrections, corrections services.
  - (b) Drug courts.
  - (c) Counseling services and training.
  - (d) Opioid antagonist training.
  - (e) Medication assisted treatment education.
  - (f) Law enforcement operations, including those conducted by sheriffs, state police, and municipal police.
- (3) 30% shall be used for addiction and treatment research and development of opioid alternatives including:
- (a) Non-addictive pharmaceutical research.
  - (b) Alternative pain management strategies.

Proposed law provides that ULM, in conjunction with the ULM College of Pharmacy, shall administer any prescription medicine received by the state from any opioid settlement and shall establish a procedure for distribution.

Proposed law requires ULM to submit an annual report to Joint Legislative Committee on the Budget that includes information on grant applications received, funding distributed, and recipients of the funding.

(Adds R.S. 39:100.41-100.43)