

42 USC 290ee-1: First responder training

Text contains those laws in effect on March 29, 2017

From Title 42-THE PUBLIC HEALTH AND WELFARE

CHAPTER 6A-PUBLIC HEALTH SERVICE

SUBCHAPTER III-A-SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

Part D-Miscellaneous Provisions Relating to Substance Abuse and Mental Health

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§290ee–1. First responder training**(a) Program authorized**

The Secretary shall make grants to States, local governmental entities, and Indian tribes and tribal organizations (as defined in section 5304 of title 25) to allow first responders and members of other key community sectors to administer a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.] for emergency treatment of known or suspected opioid overdose.

(b) Application**(1) In general**

An entity seeking a grant under this section shall submit an application to the Secretary-

(A) that meets the criteria under paragraph (2); and

(B) at such time, in such manner, and accompanied by such information as the Secretary may require.

(2) Criteria

An entity, in submitting an application under paragraph (1), shall-

(A) describe the evidence-based methodology and outcome measurements that will be used to evaluate the program funded with a grant under this section, and specifically explain how such measurements will provide valid measures of the impact of the program;

(B) describe how the program could be broadly replicated if demonstrated to be effective;

(C) identify the governmental and community agencies with which the entity will coordinate to implement the program; and

(D) describe how the entity will ensure that law enforcement agencies will coordinate with their corresponding State substance abuse and mental health agencies to identify protocols and resources that are available to overdose victims and families, including information on treatment and recovery resources.

(c) Use of funds

An entity shall use a grant received under this section to-

(1) make a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.] for emergency treatment of known or suspected opioid overdose available to be carried and administered by first responders and members of other key community sectors;

(2) train and provide resources for first responders and members of other key community sectors on carrying and administering a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose; and

(3) establish processes, protocols, and mechanisms for referral to appropriate treatment, which may include an outreach coordinator or team to connect individuals receiving opioid overdose reversal drugs to followup services.

(d) Technical assistance grants

The Secretary shall make a grant for the purpose of providing technical assistance and training on the use of a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, and mechanisms for referral to appropriate treatment for an entity receiving a grant under this section.

(e) Geographic distribution

In making grants under this section, the Secretary shall ensure that not less than 20 percent of grant funds are awarded to eligible entities that are not located in metropolitan statistical areas (as defined by the Office of Management and Budget). The Secretary shall take into account the unique needs of rural communities, including communities with an incidence of individuals with opioid use disorder that is above the national average and communities with a shortage of prevention and treatment services.

(f) Evaluation

The Secretary shall conduct an evaluation of grants made under this section to determine-

(1) the number of first responders and members of other key community sectors equipped with a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.] for emergency treatment of known or suspected opioid overdose;

(2) the number of opioid and heroin overdoses reversed by first responders and members of other key community sectors receiving training and supplies of a drug or device approved or cleared under the Federal Food, Drug, and Cosmetic Act for emergency treatment of known or suspected opioid overdose, through a grant received under this section;

(3) the number of responses to requests for services by the entity or subgrantee, to opioid and heroin overdose; and

(4) the extent to which overdose victims and families receive information about treatment services and available data describing treatment admissions.

(g) Authorization of appropriations

To carry out this section, there are authorized to be appropriated \$12,000,000 for each of fiscal years 2017 through 2021.

(July 1, 1944, ch. 373, title V, §546, as added Pub. L. 114–198, [title II, §202, July 22, 2016](#), 130 Stat. 715 .)

REFERENCES IN TEXT

The Federal Food, Drug, and Cosmetic Act, referred to in subsecs. (a), (c)(1), (2), (d), and (f)(1), (2), is act [June 25, 1938, ch. 675](#), 52 Stat. 1040 , which is classified generally to chapter 9 (§301 et seq.) of Title 21, Food and Drugs. For complete classification of this Act to the Code, see section 301 of Title 21 and Tables.

PRIOR PROVISIONS

A prior section 290ee–1, act July 1, 1944, ch. 373, title V, §546, formerly Pub. L. 92–255, [title IV, §413, Mar. 21, 1972](#), 86 Stat. 84 , as amended Pub. L. 96–181, [§8\(a\), \(b\)\(1\), Jan. 2, 1980](#), 93 Stat. 1313 , 1314; Pub. L. 97–35, [title IX, §973\(e\), Aug. 13, 1981](#), 95 Stat. 598 ; renumbered §525 of act July 1, 1944, and amended Apr. 26, 1983, Pub. L. 98–24, [§2\(b\)\(16\)\(A\)](#), 97 Stat. 182 ; Oct. 27, 1986, Pub. L. 99–570, [title VI, §6002\(b\)\(2\)](#), 100 Stat. 3207–159 ; renumbered §546, July 22, 1987, Pub. L. 100–77, [title VI, §611\(2\)](#), 101 Stat. 516 ; Nov. 4, 1988, Pub. L. 100–607, [title VIII, §813\(4\)](#), 102 Stat. 3171 ; Nov. 7, 1988, Pub. L. 100–628, [title VI, §613\(4\)](#), 102 Stat. 3243 ; Aug. 16, 1989, Pub. L. 101–93, [§5\(t\)\(1\)](#), 103 Stat. 615 , relating to drug abuse among government and other employees, was omitted in the general revision of this part by Pub. L. 102–321.