



Opioid Settlement Funds

Guidance for First Responder Equipment Purchases

Purpose:

National Opioid Settlement funds must be used for opioid remediation activities consistent with applicable settlement agreements, including the approved uses identified in **Exhibit E**. For police, fire, EMS, and other emergency responder organizations, the key question is whether a proposed expense has a **clear and documented connection to opioid overdose prevention, response, harm reduction, treatment, or recovery**.

This guidance is intended to help first responder organizations determine whether equipment purchases may be appropriate for opioid settlement funding.

General Standard:

A proposed equipment purchase should generally meet all three of the following criteria:

1. **Opioid Remediation Nexus** — The equipment directly supports the prevention of, response to, or reduction of harms associated with opioid use or overdose.
2. **Programmatic Purpose** — The equipment is part of an identifiable opioid-related activity, strategy, or program rather than simply supplementing the organization's ordinary operating equipment.
3. **Reasonable and Necessary** — The equipment is reasonably necessary to accomplish the opioid-remediation purpose identified.

The fact that equipment could potentially be used during an opioid-related emergency is not, by itself, sufficient justification for the use of opioid settlement funds.

Equipment Guidance

Equipment/Expense	General Guidance	Rationale
Naloxone/Narcan	ALLOWABLE	Explicitly identified as a core opioid-remediation strategy.
Naloxone distribution or leave-behind kits	ALLOWABLE	Directly supports overdose prevention and reversal.
Naloxone cabinets, cases, and distribution supplies	GENERALLY ALLOWABLE	Directly supports access to and distribution of overdose-reversal medication.
Rescue breathing masks or BVMs incorporated into overdose-response kits	GENERALLY ALLOWABLE	Supports ventilation during opioid-induced respiratory depression when clearly incorporated into an overdose-response program.
Oral or nasal airway devices	CONDITIONAL	May be appropriate when specifically purchased and documented for opioid-overdose response.
Other specialized airway or respiratory equipment	CONDITIONAL	Requires documentation demonstrating a direct and substantial opioid-overdose-response purpose.
AEDs	GENERALLY NOT ALLOWABLE	AEDs are general emergency-response equipment primarily intended to treat cardiac arrest from many causes. Potential use during an opioid-related emergency does not, by itself, establish a sufficient opioid-remediation nexus.
General first-aid supplies	GENERALLY NOT ALLOWABLE	Primarily support routine emergency-response operations rather than opioid remediation.

Equipment/Expense	General Guidance	Rationale
General EMS, fire, or police equipment	GENERALLY NOT ALLOWABLE	Settlement funds generally should not be used to replace or subsidize ordinary operating equipment absent a specific allowable opioid-remediation purpose.

Before purchasing equipment with opioid settlement funds, consider:

- Is the equipment specifically intended for opioid overdose response or another approved opioid-remediation activity?
- Will it be incorporated into an overdose-response program, kit, or protocol?
- Is there a clear connection between the equipment and naloxone administration, airway support, overdose prevention, or another approved strategy?
- Would the organization ordinarily purchase this item as part of its routine operating budget?
- Is the equipment expected to be used primarily for opioid-related purposes, or is opioid response only one of many possible uses?
- Can the organization clearly document the opioid-remediation purpose if the expenditure is later reviewed or audited?

Example of an Appropriate Justification:

"The requested airway-management devices will be incorporated into the department's opioid overdose-response equipment and used by trained first responders to provide airway and ventilatory support to individuals experiencing suspected opioid-induced respiratory depression while naloxone is administered and emergency medical care is initiated."

Guiding Principle:

- Opioid settlement funds should supplement opioid remediation efforts—not replace ordinary first responder operating expenses.
- When an item has substantial uses unrelated to opioid remediation, organizations should generally seek another funding source unless they can establish a specific, documented, and reasonable opioid-remediation purpose.

Reference: National Opioid Settlement agreements and Exhibit E approved opioid-remediation uses.

This guidance is intended for general informational purposes and does not constitute legal advice. Final eligibility determinations should consider the specific settlement agreement, applicable state or local requirements, and the facts and circumstances of each proposed expenditure.