

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7994**

OFFERED BY M ____.

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Helping Educators Re-
3 spond to Overdoses Act” or the “HERO Act”.

4 SEC. 2. SCHOOL GRANTS FOR OPIOID OVERDOSE REVER-
5 SAL DRUGS.

(a) IN GENERAL.—Beginning not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Assistant Secretary for Mental Health and Substance Use (in this section referred to as the “Secretary”), in consultation with the Secretary of Education, shall award grants, on a competitive basis, to eligible entities—

(1) to purchase opioid overdose reversal drugs that are approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355); and

(2) to develop and implement the educational programming or resources referred to in subsection

18 (b)(2)(C).

1 (b) APPLICATIONS.—

2 (1) IN GENERAL.—To be eligible for a grant
3 under this section, an eligible entity shall submit to
4 the Secretary an application in such form, at such
5 time, and containing such information as the Sec-
6 retary determines appropriate, which shall include
7 the material required under paragraph (2).

8 (2) APPLICATION REQUIREMENTS.—An applica-
9 tion submitted by an eligible entity under paragraph
10 (1) shall include the following:

11 (A) A description of how the eligible entity
12 will use a grant received under this section.

13 (B) An assurance that the eligible entity
14 will, in consultation with the local health de-
15 partment, develop and implement—

16 (i) in the case of an eligible entity
17 that is a private school, a comprehensive
18 emergency response plan for the staff of
19 the school; and

20 (ii) in the case of an eligible entity
21 that is a local educational agency, such a
22 plan for the staff of each school that is
23 served by the local educational agency.

24 (C) An assurance that the eligible entity
25 will develop and implement educational pro-

1 gramming or resources (which may include pro-
2 gramming or resources developed by the Sec-
3 retary) to promote student and community
4 knowledge of cardiopulmonary resuscitation
5 (commonly known as “CPR”), drug-use preven-
6 tion and intervention, and emergency responses
7 to drug overdoses.

8 (c) PRIORITY.—In awarding grants under this sec-
9 tion, the Secretary shall give priority to any eligible entity
10 that is in a city or county with a high rate of drug
11 overdoses involving opioids.

12 (d) GRANT PERIOD.—A grant awarded under this
13 section shall be for a period of 1 year.

14 (e) REPORTS.—

15 (1) GRANT RECIPIENTS.—Not later than 1 year
16 after the date on which the grant period referred to
17 in subsection (d) ends, the recipient of a grant under
18 this section shall submit to the Secretary a report
19 that contains the following:

20 (A) A description of the use the recipient
21 made of the opioid overdose reversal drugs pur-
22 chased with the grant, including how many of
23 such reversal drugs were administered.

1 (B) A description of the comprehensive
2 emergency response plan referred to in sub-
3 section (b)(2)(B).

4 (C) A description of the educational pro-
5 gramming or resources referred to in subsection
6 (b)(2)(C).

7 (2) SECRETARY.—Not later than 3 years after
8 the date of enactment of this Act, and annually
9 thereafter, the Secretary, in consultation with the
10 Secretary of Education, shall submit to Congress a
11 report that summarizes all information received by
12 the Secretary in the reports referred to in paragraph
13 (1).

14 (f) DEFINITIONS.—In this section:

15 (1) CHARTER SCHOOL.—The term “charter
16 school” has the meaning given such term in section
17 4310 of the Elementary and Secondary Education
18 Act of 1965 (20 U.S.C. 7221i).

19 (2) ELEMENTARY SCHOOL, SECONDARY
20 SCHOOL, AND LOCAL EDUCATIONAL AGENCY.—The
21 terms “elementary school”, “secondary school”, and
22 “local educational agency” have the meanings given
23 such terms, respectively, in section 8101 of the Ele-
24 mentary and Secondary Education Act of 1965 (20
25 U.S.C. 7801).

1 (3) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means—

3 (A) a private elementary school or private
4 secondary school; and

5 (B) a local educational agency, including a
6 charter school that is a local educational agen-
7 cy, or a consortium of local educational agen-
8 cies.

