

House Bill 1306

By: Representatives Clark of the 108th and Sharper of the 177th

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 2 of Chapter 13 of Title 16 and Part 3 of Article 16 of Chapter 2 of Title
2 20 of the Official Code of Georgia Annotated, relating to regulation of controlled substances
3 and student health in elementary and secondary education, respectively, so as to require
4 prescribers to provide patients with information regarding the risks of physical and
5 psychological dependence from opioids whenever a prescription for an opioid is issued; to
6 require that prescribers provide patients with information about alternative treatment options
7 and the attendant benefits and risks of such; to provide for definitions; to provide that all
8 public high schools shall adopt policies that allow any student or other individual to possess
9 opioid antagonists while on school property; to provide that any student or individual may
10 administer an opioid antagonist in their possession to another student or individual believed
11 to be experiencing an opioid related overdose; to provide for civil immunity; to provide for
12 an exception; to provide for related matters; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to regulation of controlled substances, is amended by revising Code Section 16-13-56.1, relating to opioids defined and notification of addictive risks, as follows:

"16-13-56.1.

(a) As used in this Code section, the term 'opioids' means opiates, opioids, opioid analgesics, and opioid derivatives.

(b) A prescriber who issues a prescription for an opioid shall provide the patient receiving the prescription information on the addictive risks and the physical and psychological dependence risks of using opioids, information on available alternative treatment options and the attendant benefits and risks of such alternatives, and information on options available for safely disposing of any unused opioids where such options exist. Such information may be provided verbally or in writing."

SECTION 2.

Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to student health in elementary and secondary education, is amended by adding a new Code section to read as follows:

"20-2-779.5.

(a) As used in this Code section, the term:

(1) 'High school' means a public secondary school in this state which provides education to students in grades nine through 12.

(2) 'Opioid antagonist' shall have the same meaning as set forth in Code Section 26-4-116.2.

(3) 'Opioid related overdose' shall have the same meaning as set forth in Code Section 26-4-116.2

(4) 'Opioids' shall have the same meaning as set forth in Code Section 16-13-56.1.

41 (b) Each high school shall adopt a policy authorizing any student or other individual to
42 possess an opioid antagonist while on school property during all school hours and during
43 any school related function, including athletic practices, athletic competitions, and other
44 occasions where students and others will be present. Such policy shall include that any
45 student or individual in possession of an opioid antagonist may administer such opioid
46 antagonist to another student or individual believed to be experiencing an opioid related
47 overdose.

48 (c) In the event of administration of an opioid antagonist in accordance with a policy
49 established pursuant to this Code section, the student or other individual who administered
50 the opioid antagonist in good faith shall not be liable for any civil damages for such act,
51 pursuant to Code Section 51-1-29; provided, however, that good faith shall not include
52 willful misconduct, gross negligence, or recklessness."

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SECTION 3.

54 All laws and parts of laws in conflict with this Act are repealed.