

1 **SENATE FLOOR VERSION**

2 February 11, 2019

3 SENATE BILL NO. 85

By: McCortney

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6 An Act relating to opiate antagonists; amending
7 Section 1, Chapter 322, O.S.L. 2013, as amended by
8 Section 1, Chapter 36, O.S.L. 2017 (63 O.S. Supp.
9 2018, Section 1-2506.1), which relates to
10 administration of opiate antagonists; modifying
11 personnel considered first responders; providing
12 definition; authorizing certain personnel to
13 administer opiate antagonist; providing for certain
14 training; allowing administration to authorize any
15 person to administer opiate antagonist under certain
16 circumstances; providing certain legal protections;
17 providing for codification; providing an effective
18 date; and declaring an emergency.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY Section 1, Chapter 322, O.S.L.
21 2013, as amended by Section 1, Chapter 36, O.S.L. 2017 (63 O.S.
22 Supp. 2018, Section 1-2506.1), is amended to read as follows:

23 Section 1-2506.1. A. First responders shall have the authority
24 to administer, without prescription, opiate antagonists when
25 encountering an individual exhibiting signs of an opiate overdose.

For the purposes of this provision, a first responder shall include:

- 26 1. Law enforcement officials;
- 27 2. Emergency medical technicians;

1 3. Firefighters;

2 4. Medical personnel at ~~secondary~~ schools including any public
3 or charter schools, technology center schools, and institutions of
4 higher education; and

5 5. Forensic laboratory personnel of the Oklahoma State Bureau
6 of Investigation as designated by the Executive Director.

7 B. As used in this section, "medical personnel at schools"
8 means a certified school nurse or any other nurse employed by or
9 under contract with a school, any licensed practitioner of the
10 healing arts, or any person designated by the school administration
11 to administer an opiate antagonist in the event of a suspected
12 overdose pursuant to Section 2 of this act.

13 C. Any first responder administering an opiate antagonist in a
14 manner consistent with addressing opiate overdose shall be covered
15 under the Good Samaritan Act.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1210.242 of Title 70, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Any school nurse, public health nurse, licensed practitioner
20 of the healing arts, nurse working under contract with a school
21 district or any person designated by the school administration to
22 administer an opiate antagonist in the event of a suspected overdose
23 is authorized to administer an opiate antagonist when encountering a
24 student or other individual exhibiting signs of an opiate overdose.

1 B. The administration of a public school may authorize one or
2 more persons employed by the school to receive training offered by
3 the State Department of Health, a law enforcement agency or any
4 other entity in recognizing the signs of an opiate overdose and
5 administering an opiate antagonist. Persons designated to receive
6 this training may include, but are not limited to, the certified and
7 noncertified staff members required to receive annual training in
8 cardiopulmonary resuscitation and the Heimlich maneuver under
9 Section 1210.199 of Title 70 of the Oklahoma Statutes. If in-person
10 training is not readily available in the area, the person or persons
11 designated under this provision may access opiate antagonist
12 training materials available online through the State Department of
13 Health or another entity. Such training shall include information
14 on how to spot symptoms of an overdose, instruction in basic
15 resuscitation techniques, instruction on proper administration of an
16 opiate antagonist and the importance of calling 911 for help.

17 C. In the absence of the person or persons specifically
18 designated and trained to administer an opiate antagonist under the
19 provisions of this section, the administration of a school may
20 authorize any person to administer an opiate antagonist to a student
21 or other individual exhibiting signs of an overdose.

22 D. Any person administering an opiate antagonist to a student
23 or other individual at a school site or school sponsored event in a
24 manner consistent with addressing opiate overdose shall be covered

1 under the Good Samaritan Act. A school and any of its employees or
2 designees shall be immune from civil liability in relation to the
3 administration of an opiate antagonist in the event of a suspected
4 overdose.

5 SECTION 3. This act shall become effective July 1, 2019.

6 SECTION 4. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
11 February 11, 2019 - DO PASS
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