

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 85 By: McCortney of the Senate

3 and
4 McEntire and Bush of the
5 House

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

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25 AUTHOR: Add the following House Coauthor: Lawson

26 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill
27 and replace with:

28 "[opiate antagonists - authorizing certain personnel
29 to administer opiate antagonist - providing
30 certain legal protections - effective date -
31
32 emergency]

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

2 SECTION 1. AMENDATORY Section 1, Chapter 322, O.S.L.
3 2013, as amended by Section 1, Chapter 36, O.S.L. 2017 (63 O.S.
4 Supp. 2018, Section 1-2506.1), is amended to read as follows:

5 Section 1-2506.1 A. First responders shall have the authority
6 to administer, without prescription, opiate antagonists when
7 encountering an individual exhibiting signs of an opiate overdose.
8 For the purposes of this provision, a first responder shall include:

- 9 1. Law enforcement officials;
- 10 2. Emergency medical technicians;
- 11 3. Firefighters;
- 12 4. Medical personnel at ~~secondary~~ schools including any public
13 or charter schools, technology center schools and institutions of
14 higher education; ~~and~~
- 15 5. Forensic laboratory personnel of the Oklahoma State Bureau
16 of Investigation as designated by the Executive Director; and
- 17 6. Certified alcohol and drug counselors and licensed alcohol
18 and drug counselors.

19 B. As used in this section:

- 20 1. "Medical personnel at schools" means a certified school
21 nurse or any other nurse employed by or under contract with a
22 school, any licensed practitioner of the healing arts, or any person
23 designated by the school administration to administer an opiate
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1 antagonist in the event of a suspected overdose pursuant to Section
2 2 of this act;

3 2. "Certified alcohol and drug counselor" means any person who
4 is not exempt pursuant to the provisions of Section 1872 of Title 59
5 of the Oklahoma Statutes and is not licensed under the Licensed
6 Alcohol and Drug Counselors Act, but who provides alcohol and drug
7 counseling services within the scope of practice while employed by
8 an entity certified by the Department of Mental Health and Substance
9 Abuse Services, or who is exempt from such certification, or who is
10 under the supervision of a person recognized by the Oklahoma Board
11 of Licensed Alcohol and Drug Counselors as a supervisor. A
12 certified alcohol and drug counselor may provide counseling services
13 for co-occurring disorders if he or she has been certified by the
14 Board to provide counseling as provided in this section for co-
15 occurring disorders; and

16 3. "Licensed alcohol and drug counselor" means any person who
17 provides alcohol and drug counseling services within the scope of
18 practice, including co-occurring disorders, for compensation to any
19 person and is licensed pursuant to the provisions of the Licensed
20 Alcohol and Drug Counselors Act. The term "licensed alcohol and
21 drug counselor" shall not include those professions exempted by
22 Section 1872 of Title 59 of the Oklahoma Statutes.

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

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

7 A. Any school nurse, public health nurse, licensed practitioner
8 of the healing arts, nurse working under contract with a school
9 district or any person designated by the school administration to
10 administer an opiate antagonist in the event of a suspected overdose
11 is authorized to administer an opiate antagonist when encountering a
12 student or other individual exhibiting signs of an opiate overdose.

13 B. The administration of a public school may authorize one or
14 more persons employed by the school to receive training offered by
15 the Department of Mental Health and Substance Abuse Services, a law
16 enforcement agency or any other entity in recognizing the signs of
17 an opiate overdose and administering an opiate antagonist. Persons
18 designated to receive this training may include, but are not limited
19 to, the certified and noncertified staff members required to receive
20 annual training in cardiopulmonary resuscitation and the Heimlich
21 maneuver under Section 1210.199 of Title 70 of the Oklahoma
22 Statutes. If in-person training is not readily available in the
23 area, the person or persons designated under this provision may
24 access opiate antagonist training materials available online through

1 the State Department of Health or another entity. Such training
2 shall include information on how to spot symptoms of an overdose,
3 instruction in basic resuscitation techniques, instruction on proper
4 administration of an opiate antagonist and the importance of calling
5 911 for help.

6 C. In the absence of the person or persons specifically
7 designated and trained to administer an opiate antagonist under the
8 provisions of this section, the administration of a school may
9 authorize any person to administer an opiate antagonist to a student
10 or other individual exhibiting signs of an overdose.

11 D. Any person administering an opiate antagonist to a student
12 or other individual at a school site or school-sponsored event in a
13 manner consistent with addressing opiate overdose shall be covered
14 under the Good Samaritan Act. A school and any of its employees or
15 designees shall be immune from civil liability in relation to the
16 administration of an opiate antagonist in the event of a suspected
17 overdose.

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

19 SECTION 4. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval."
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1 Passed the House of Representatives the 23rd day of April, 2019.

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4 Presiding Officer of the House of
5 Representatives

6 Passed the Senate the ____ day of _____, 2019.

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9 Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 85

By: McCortney of the Senate

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4 McEntire and Bush of the
5 House

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7 An Act relating to opiate antagonists; amending
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10 2018, Section 1-2506.1), which relates to
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14 administer opiate antagonist; providing for certain
15 training; allowing administration to authorize any
16 person to administer opiate antagonist under certain
17 circumstances; providing certain legal protections;
18 providing for codification; providing an effective
19 date; and declaring an emergency.

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

21 SECTION 5. AMENDATORY Section 1, Chapter 322, O.S.L.
22 2013, as amended by Section 1, Chapter 36, O.S.L. 2017 (63 O.S.
23 Supp. 2018, Section 1-2506.1), is amended to read as follows:

24 Section 1-2506.1. A. First responders shall have the authority
to administer, without prescription, opiate antagonists when
encountering an individual exhibiting signs of an opiate overdose.
For the purposes of this provision, a first responder shall include:

1. Law enforcement officials;

1 2. Emergency medical technicians;

2 3. Firefighters;

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

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

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

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

17 SECTION 6. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1210.242 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

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

1 is authorized to administer an opiate antagonist when encountering a
2 student or other individual exhibiting signs of an opiate overdose.

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

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

1 D. Any person administering an opiate antagonist to a student
2 or other individual at a school site or school sponsored event in a
3 manner consistent with addressing opiate overdose shall be covered
4 under the Good Samaritan Act. A school and any of its employees or
5 designees shall be immune from civil liability in relation to the
6 administration of an opiate antagonist in the event of a suspected
7 overdose.

8 SECTION 7. This act shall become effective July 1, 2019.

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

13 Passed the Senate the 19th day of February, 2019.

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15 _____
16 Presiding Officer of the Senate

17 Passed the House of Representatives the ____ day of _____,
18 2019.

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20 _____
21 Presiding Officer of the House
22 of Representatives
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