

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 85

By: McCortney of the Senate

and

6 McEntire, Bush and Lawson  
7 of the House

8  
9 CONFERENCE COMMITTEE SUBSTITUTE

10 An Act relating to opiate antagonists; amending  
11 Section 1, Chapter 322, O.S.L. 2013 (63 O.S. Supp.  
12 2018, Section 1-2506.1), as last amended by Section 1  
13 of Enrolled House Bill No. 2519 of the 1st Session of  
14 the 57th Oklahoma Legislature, which relates to  
15 administration of opiate antagonists; defining terms;  
16 modifying personnel considered first responders;  
17 authorizing certain personnel to administer opiate  
18 antagonist; providing for certain training; allowing  
19 administration to authorize any person to administer  
20 opiate antagonist under certain circumstances;  
21 providing certain legal protections; providing for  
22 codification; providing an effective date; and  
23 declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 322, O.S.L.  
2013 (63 O.S. Supp. 2018, Section 1-2506.1), as last amended by  
Section 1 of Enrolled House Bill No. 2519 of the 1st Session of the  
57th Oklahoma Legislature, is amended to read as follows:

Section 1-2506.1. A. As used in this section:

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

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

21       3. "Medical personnel at schools" means a certified school  
22 nurse or any other nurse employed by or under contract with a  
23 school, any licensed practitioner of the healing arts, or any person  
24 designated by the school administration to administer an opiate

1 antagonist in the event of a suspected overdose pursuant to Section  
2 2 of this act.

3 B. First responders shall have the authority to administer,  
4 without prescription, opiate antagonists when encountering an  
5 individual exhibiting signs of an opiate overdose.

6 ~~B.~~ C. First responders may provide, without prescription,  
7 opiate antagonists to individuals who experienced or witnessed an  
8 opiate overdose for use by those individuals at a later date.

9 ~~C.~~ D. For the purposes of this provision, a first responder  
10 shall include:

- 11 1. Law enforcement officials;
- 12 2. Emergency medical technicians;
- 13 3. Firefighters;
- 14 4. Medical personnel at schools including any public or charter  
15 schools, technology center schools and institutions of higher  
16 education;
- 17 5. Forensic laboratory personnel of the Oklahoma State Bureau  
18 of Investigation as designated by the Executive Director; ~~and~~
- 19 6. Personnel of the Department of Corrections or of any entity  
20 that contracts with the Department of Corrections to provide housing  
21 or services for inmates of the Department of Corrections; and
- 22 7. Certified alcohol and drug counselors and licensed alcohol  
23 and drug counselors.

24

1       ~~D.~~ E. Any first responder administering or providing an opiate  
2 antagonist in a manner consistent with addressing opiate overdose  
3 shall be covered 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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