
SUBSTITUTE SENATE BILL 5804

State of Washington

68th Legislature

2024 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Lias, Lovelett, Nguyen, Nobles, Stanford, Valdez, and C. Wilson)

1 AN ACT Relating to opioid overdose reversal medication in public
2 schools; and amending RCW 28A.210.390 and 28A.210.395.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.210.390 and 2019 c 314 s 39 are each amended to
5 read as follows:

6 (1) For the purposes of this section:

7 (a) (~~"High school" means a school enrolling students in any of~~
8 ~~grades nine through twelve;~~

9 ~~(b)~~) "Opioid overdose reversal medication" has the meaning
10 provided in RCW 69.41.095;

11 ~~((e))~~ (b) "Opioid-related overdose" has the meaning provided in
12 RCW 69.41.095; and

13 ~~((d))~~ (c) "Standing order" has the meaning provided in RCW
14 69.41.095.

15 (2)(a) For the purpose of assisting a person at risk of
16 experiencing an opioid-related overdose, a ~~((high))~~ public school may
17 obtain and maintain opioid overdose reversal medication through a
18 standing order prescribed and dispensed in accordance with RCW
19 69.41.095.

20 (b) Opioid overdose reversal medication may be obtained from
21 donation sources, but must be maintained and administered in a manner

1 consistent with a standing order issued in accordance with RCW
2 69.41.095.

3 (c) A school district (~~(with two thousand or more students)~~) must
4 obtain and maintain at least one set of opioid overdose reversal
5 medication doses in each of its (~~(high)~~) public schools as provided
6 in (a) and (b) of this subsection. A school district that
7 demonstrates a good faith effort to obtain the opioid overdose
8 reversal medication through a donation source, but is unable to do
9 so, is exempt from the requirement in this subsection (2)(c).

10 (3)(a) The following personnel may distribute or administer the
11 school-owned opioid overdose reversal medication to respond to
12 symptoms of an opioid-related overdose pursuant to a prescription or
13 a standing order issued in accordance with RCW 69.41.095: (i) A
14 school nurse; (ii) a health care professional or trained staff person
15 located at a health care clinic on public school property or under
16 contract with the school district; or (iii) designated trained school
17 personnel.

18 (b) Opioid overdose reversal medication may be used on school
19 property, including the school building, playground, and school bus,
20 as well as during field trips or sanctioned excursions away from
21 school property. A school nurse or designated trained school
22 personnel may carry an appropriate supply of school-owned opioid
23 overdose reversal medication on field trips or sanctioned excursions.

24 (4) Training for school personnel who have been designated to
25 distribute or administer opioid overdose reversal medication under
26 this section must meet the requirements for training described in RCW
27 28A.210.395 and any rules or guidelines for such training adopted by
28 the office of the superintendent of public instruction. Each (~~(high)~~)
29 public school is encouraged to designate and train at least one
30 school personnel to distribute and administer opioid overdose
31 reversal medication if the (~~(high)~~) public school does not have a
32 full-time school nurse or trained health care clinic staff.

33 (5)(a) The liability of a person or entity who complies with this
34 section and RCW 69.41.095 is limited as described in RCW 69.41.095.

35 (b) If a student is injured or harmed due to the administration
36 of opioid overdose reversal medication that a practitioner, as
37 defined in RCW 69.41.095, has prescribed and a pharmacist has
38 dispensed to a school under this section, the practitioner and
39 pharmacist may not be held responsible for the injury unless he or
40 she acted with conscious disregard for safety.

1 (6) This section governs school operation and management under
2 RCW 28A.710.040 and 28A.715.020 and applies to charter schools
3 established under chapter 28A.710 RCW and state-tribal education
4 compact schools subject to chapter 28A.715 RCW.

5 **Sec. 2.** RCW 28A.210.395 and 2019 c 314 s 40 are each amended to
6 read as follows:

7 (1) For the purposes of this section:

8 (a) "Opioid overdose reversal medication" has the meaning
9 provided in RCW 69.41.095; and

10 (b) "Opioid-related overdose" has the meaning provided in RCW
11 69.41.095.

12 (2) (a) To prevent opioid-related overdoses and respond to medical
13 emergencies resulting from overdoses, by January 1, 2020, the office
14 of the superintendent of public instruction, in consultation with the
15 department of health and the Washington state school directors'
16 association, shall develop opioid-related overdose policy guidelines
17 and training requirements for public schools and school districts.

18 (b) (i) The opioid-related overdose policy guidelines and training
19 requirements must include information about: The identification of
20 opioid-related overdose symptoms; how to obtain and maintain opioid
21 overdose reversal medication on school property issued through a
22 standing order in accordance with RCW 28A.210.390; how to obtain
23 opioid overdose reversal medication through donation sources; the
24 distribution and administration of opioid overdose reversal
25 medication by designated trained school personnel; free online
26 training resources that meet the training requirements in this
27 section; and sample standing orders for opioid overdose reversal
28 medication.

29 (ii) The opioid-related overdose policy guidelines may: Include
30 recommendations for the storage and labeling of opioid overdose
31 reversal medications that are based on input from relevant health
32 agencies or experts; and allow for opioid-related overdose reversal
33 medications to be obtained, maintained, distributed, and administered
34 by health care professionals and trained staff located at a health
35 care clinic on public school property or under contract with the
36 school district.

37 (c) In addition to being offered by the school, training on the
38 distribution or administration of opioid overdose reversal medication
39 that meets the requirements of this subsection (2) may be offered by

1 nonprofit organizations, higher education institutions, and local
2 public health organizations.

3 (3) (a) By ~~((March 1, 2020))~~ September 1, 2024, the Washington
4 state school directors' association must collaborate with the office
5 of the superintendent of public instruction and the department of
6 health to either update existing model policy or develop a new model
7 policy that meets the requirements of subsection (2) of this section.

8 (b) ~~((Beginning with the 2020-21 school year, the following
9 school))~~ School districts must adopt an opioid-related overdose
10 policy ~~((: (a) [(i)] School districts with a school that obtains,
11 maintains, distributes, or administers opioid overdose reversal
12 medication under RCW 28A.210.390; and (b) [(ii)] school districts
13 with two thousand or more students))~~ in accordance with RCW
14 28A.210.390.

15 (c) The office of the superintendent of public instruction and
16 the Washington state school directors' association must maintain the
17 model policy and procedure on each agency's website at no cost to
18 school districts.

19 (4) Subject to the availability of amounts appropriated for this
20 specific purpose, the office of the superintendent of public
21 instruction shall develop and administer a grant program to provide
22 funding to public schools ~~((with any of grades nine through twelve))~~
23 and public higher education institutions to purchase opioid overdose
24 reversal medication and train personnel on the administration of
25 opioid overdose reversal medication to respond to symptoms of an
26 opioid-related overdose. The office must publish on its website a
27 list of annual grant recipients, including award amounts.

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