

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  
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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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AUTHOR: Add the following House Coauthor: Lawson

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

"[ opiate antagonists - authorizing certain personnel  
to administer opiate antagonist - providing  
certain legal protections - effective date -  
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  
Representatives  
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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2019.

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9 Presiding Officer of the Senate  
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