

1 **CORRECTED**

2  
3 STATE OF OKLAHOMA

4 1st Session of the 57th Legislature (2019)

5 SUBCOMMITTEE RECOMMENDATION

6 FOR ENGROSSED

7 SENATE BILL NO. 85

By: McCortney of the Senate

and

8 McEntire and Bush of the  
9 House

10  
11 SUBCOMMITTEE RECOMMENDATION

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

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

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

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

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

5 1. Law enforcement officials;

6 2. Emergency medical technicians;

7 3. Firefighters;

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

11 5. Forensic laboratory personnel of the Oklahoma State Bureau  
12 of Investigation as designated by the Executive Director; and

13 6. Certified alcohol and drug counselors and licensed alcohol  
14 and drug counselors.

15 B. As used in this section:

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

22 2. "Certified alcohol and drug counselor" means any person who  
23 is not exempt pursuant to the provisions of Section 1872 of Title 59  
24 of the Oklahoma Statutes and is not licensed under the Licensed

1 Alcohol and Drug Counselors Act, but who provides alcohol and drug  
2 counseling services within the scope of practice while employed by  
3 an entity certified by the Department of Mental Health and Substance  
4 Abuse Services, or who is exempt from such certification, or who is  
5 under the supervision of a person recognized by the Oklahoma Board  
6 of Licensed Alcohol and Drug Counselors as a supervisor. A  
7 certified alcohol and drug counselor may provide counseling services  
8 for co-occurring disorders if he or she has been certified by the  
9 Board to provide counseling as provided in this section for co-  
10 occurring disorders; and

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

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

21 SECTION 2. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1210.242 of Title 70, unless  
23 there is created a duplication in numbering, reads as follows:  
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1       A. Any school nurse, public health nurse, licensed practitioner  
2 of the healing arts, nurse working under contract with a school  
3 district or any person designated by the school administration to  
4 administer an opiate antagonist in the event of a suspected overdose  
5 is authorized to administer an opiate antagonist when encountering a  
6 student or other individual exhibiting signs of an opiate overdose.

7       B. The administration of a public school may authorize one or  
8 more persons employed by the school to receive training offered by  
9 the Department of Mental Health and Substance Abuse Services, a law  
10 enforcement agency or any other entity in recognizing the signs of  
11 an opiate overdose and administering an opiate antagonist. Persons  
12 designated to receive this training may include, but are not limited  
13 to, the certified and noncertified staff members required to receive  
14 annual training in cardiopulmonary resuscitation and the Heimlich  
15 maneuver under Section 1210.199 of Title 70 of the Oklahoma  
16 Statutes. If in-person training is not readily available in the  
17 area, the person or persons designated under this provision may  
18 access opiate antagonist training materials available online through  
19 the State Department of Health or another entity. Such training  
20 shall include information on how to spot symptoms of an overdose,  
21 instruction in basic resuscitation techniques, instruction on proper  
22 administration of an opiate antagonist and the importance of calling  
23 911 for help.

1 C. In the absence of the person or persons specifically  
2 designated and trained to administer an opiate antagonist under the  
3 provisions of this section, the administration of a school may  
4 authorize any person to administer an opiate antagonist to a student  
5 or other individual exhibiting signs of an overdose.

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

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

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

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19 57-1-8643 SH 04/03/19  
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