



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

10 2. "Emergency opioid antagonist" means a drug including, but  
11 not limited to, naloxone that blocks the effects of opioids and that  
12 is approved by the United States Food and Drug Administration for  
13 the treatment of an opioid overdose;

14 3. "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"~~ licensed alcohol and drug counselor shall not  
20 include those professions exempted by Section 1872 of Title 59 of  
21 the Oklahoma Statutes; and

22 ~~3.~~ 4. "Medical personnel at schools" means a certified school  
23 nurse or any other nurse employed by or under contract with a  
24 school, any licensed practitioner of the healing arts, or any person

1 designated by the school administration to administer an ~~opiate~~  
2 emergency opioid antagonist in the event of a suspected overdose  
3 pursuant to ~~Section 2 of this act~~ Section 1210.242 of Title 70 of  
4 the Oklahoma Statutes.

5 B. First responders shall have the authority to administer,  
6 without prescription, ~~opiate~~ emergency opioid antagonists when  
7 encountering an individual exhibiting signs of an ~~opiate~~ opioid  
8 overdose.

9 C. First responders may provide, without prescription, ~~opiate~~  
10 emergency opioid antagonists to individuals who have experienced or  
11 witnessed an ~~opiate~~ opioid overdose for use by those individuals at  
12 a later date.

13 D. For the purposes of this ~~provision~~ section, a first  
14 responder shall include:

- 15 1. Law enforcement officials;
- 16 2. Emergency medical technicians;
- 17 3. Firefighters;
- 18 4. Medical personnel at schools including any public or charter  
19 schools, technology center schools and institutions of higher  
20 education;
- 21 5. Forensic laboratory personnel of the Oklahoma State Bureau  
22 of Investigation as designated by the ~~Executive~~ Director;

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1 6. Personnel of the Department of Corrections or of any entity  
2 that contracts with the Department of Corrections to provide housing  
3 or services for inmates of the Department of Corrections; and

4 7. Certified alcohol and drug counselors and licensed alcohol  
5 and drug counselors.

6 E. Any first responder ~~administering or providing an opiate~~  
7 ~~antagonist~~ who administers or provides an emergency opioid  
8 antagonist in good faith and in a manner consistent with addressing  
9 ~~opiate opioid~~ overdose shall ~~be covered under the Good Samaritan Act~~  
10 not be liable for any civil damages as a result of any acts or  
11 omissions by such first responder except for committing gross  
12 negligence or willful wanton wrongs in administering or providing  
13 such emergency opioid antagonist.

14 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-2506.2, as  
15 amended by Section 1, Chapter 74, O.S.L. 2023 (63 O.S. Supp. 2023,  
16 Section 1-2506.2), is amended to read as follows:

17 Section 1-2506.2. A. As used in this section, "emergency  
18 opioid antagonist" means a drug including, but not limited to,  
19 naloxone that blocks the effects of opioids and that is approved by  
20 the United States Food and Drug Administration for the treatment of  
21 an opioid overdose.

22 B. Upon request, a provider may prescribe an emergency opioid  
23 antagonist to an individual for use by that individual when  
24 encountering a family member exhibiting signs of an opioid overdose.

1        ~~B.~~ C. When an emergency opioid antagonist is prescribed in  
2 accordance with ~~subsection A~~ subsection B of this section, the  
3 provider shall provide:

- 4            1. Information on how to spot symptoms of an overdose;
- 5            2. Instruction in basic resuscitation techniques;
- 6            3. Instruction on proper emergency opioid antagonist  
7 administration; and
- 8            4. The importance of calling ~~nine one one (911)~~ 9-1-1 for help.

9        ~~C.~~ D. Any family member ~~administering an~~ who administers an  
10 emergency opioid antagonist in good faith and in a manner consistent  
11 with addressing opioid overdose shall ~~be covered under the Good~~  
12 ~~Samaritan Act~~ not be liable for any civil damages as a result of any  
13 acts or omissions by such family member in administering such  
14 emergency opioid antagonist.

15        ~~D.~~ E. Any provider ~~prescribing or administering~~ who prescribes  
16 or administers an opioid antagonist in good faith and in a manner  
17 consistent with addressing opioid overdose shall ~~be covered under~~  
18 ~~the Good Samaritan Act~~ not be liable for any civil damages as a  
19 result of any acts or omissions by such provider except for  
20 committing gross negligence or willful wanton wrongs in prescribing  
21 or administering such emergency opioid antagonist.

22        SECTION 3.            AMENDATORY            76 O.S. 2021, Section 5, is  
23 amended to read as follows:

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1 Section 5. ~~(a)~~ A. Everyone is responsible, not only for the  
2 result of his or her willful acts, but also for an injury occasioned  
3 to another by his or her want of ordinary care or skill in the  
4 management of his or her property or person, except so far as the  
5 latter has, willfully or by want of ordinary care, brought the  
6 injury upon himself or herself, and except as hereinafter provided.

7 ~~(1)~~ 1. Where no prior contractual relationship exists, any  
8 person licensed to practice any method of treatment of human  
9 ailments, disease, pain, injury, deformity, mental or physical  
10 condition, or licensed to render services ancillary thereto,  
11 including licensed registered and practical nurses, who, under  
12 emergency circumstances that suggest the giving of aid is the only  
13 alternative to probable death or serious bodily injury, in good  
14 faith, voluntarily and without compensation, renders or attempts to  
15 render emergency care to an injured person or any person who is in  
16 need of immediate medical aid, wherever required, shall not be  
17 liable for damages as a result of any acts or omissions except for  
18 committing gross negligence or willful or wanton wrongs in rendering  
19 the emergency care.

20 ~~(2)~~ 2. Where no prior contractual relationship exists, any  
21 person who in good faith renders or attempts to render emergency  
22 care consisting of artificial respiration, restoration of breathing,  
23 use of an emergency opioid antagonist to prevent opioid overdose, or  
24 preventing or retarding the loss of blood, or aiding or restoring

1 heart action or circulation of blood to the victim or victims of an  
2 accident or emergency, wherever required, shall not be liable for  
3 any civil damages as a result of any acts or omissions by such  
4 person in rendering the emergency care. As used in this paragraph,  
5 "emergency opioid antagonist" means a drug including, but not  
6 limited to, naloxone that blocks the effects of opioids and that is  
7 approved by the United States Food and Drug Administration for the  
8 treatment of an opioid overdose.

9 ~~(3)~~ 3. Where no prior contractual relationship exists, any  
10 person licensed to perform surgery or dentistry in this state who in  
11 good faith renders emergency care requiring the performance of an  
12 operation or other form of surgery upon any individual who was the  
13 victim of an accidental act shall not be liable for any civil  
14 damages or subject to criminal prosecution as the result of  
15 nonconsent whereby such person renders or attempts to render the  
16 emergency surgery or operation voluntarily and without compensation,  
17 wherever required, except for gross negligence or willful or wanton  
18 wrongs committed in rendering the care; provided, however, that the  
19 exemption granted by this subsection shall not attach if the victim  
20 is an adult who is conscious and capable of giving or refusing his  
21 or her consent; or if the victim's spouse, or parent, or guardian in  
22 the case of a minor or incompetent person, can be reached in a  
23 reasonable time considering the condition of the victim and  
24 consistent with good medical practice, and unless concurrence is

1 obtained for such emergency surgery or operation from one other  
2 person licensed to perform surgery in this state.

3 ~~(4)~~ 4. Where no contractual relationship exists, any person, or  
4 any member of his or her immediate family or household, who has been  
5 approved by the local P.T.A. or other local sponsoring agency or  
6 organization, who has registered with the local municipal police  
7 chief or the county sheriff, and who has been granted appropriate  
8 authorization by either the police chief or the county sheriff to  
9 indicate by sign in the window of his or her home or in any other  
10 tangible or identifiable manner that he or she will extend aid and  
11 refuge to persons on the streets in apparent danger, or in need of  
12 aid, by inviting those persons into the person's home, or onto  
13 premises thereof, and in good faith provides such refuge or aid  
14 without objection of the endangered or needy person, whether child  
15 or adult, neither the person extending the aid and refuge nor the  
16 homeowner or head of household shall be liable for civil damages as  
17 a result of actions or omissions in rendering emergency physical  
18 care to the body of the aided person; nor shall they be liable for  
19 civil damages for any other injury in the home, or on premises  
20 thereof, to the person aided, nor for any failure to provide or  
21 arrange for his or her police protection or other protection or  
22 medical treatment, when the actions or omissions were those of an  
23 ordinarily reasonably prudent person under the circumstances without  
24 want of ordinary care or skill.



1        ~~(b)~~ B. This ~~act~~ section shall be known and may be cited as the  
2 "Good Samaritan Act-".

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

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8 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 03/27/2024 -  
9 DO PASS.

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