

SENATE FLOOR VERSION

March 1, 2023

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 711

By: Rosino of the Senate

and

Boatman of the House

[substance abuse services - emergency opioid
antagonists - education program - codification -
effective date]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2-401.1 of Title 43A, unless
there is created a duplication in numbering, reads as follows:

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

B. Subject to allocation of federal funding for the purchase of
emergency opioid antagonists, the Department of Mental Health and
Substance Abuse Services shall provide emergency opioid antagonists

1 to the Department of Corrections and to county jails for the purpose
2 of implementing Section 2 of this act.

3 C. The Department of Mental Health and Substance Abuse Services
4 shall prepare and provide an opioid overdose education program to
5 the Department of Corrections and to county jails for the purpose of
6 implementing Section 2 of this act. The education program shall:

7 1. Conform to guidelines of the Substance Abuse and Mental
8 Health Services Administration for opioid overdose education;

9 2. Explain the causes of an opioid overdose;

10 3. Instruct when and how to administer in accordance with
11 medical best practices:

12 a. life-saving rescue techniques, and

13 b. an emergency opioid antagonist;

14 4. Explain how to contact appropriate emergency medical
15 services; and

16 5. Provide information on how to access emergency opioid
17 antagonists.

18 SECTION 2. AMENDATORY 57 O.S. 2021, Section 4.1, is
19 amended to read as follows:

20 Section 4.1. A. In addition to other medical and health care
21 services required by a jail facility as may be provided by rule by
22 the State Department of Health, the person responsible for
23 administration for a jail shall administer medications according to
24 the following:

1 1. Prescription medications shall be provided to the prisoner
2 as directed by a physician or designated medical authority. The
3 prisoner shall be observed to ensure the prisoner takes the
4 medication. The physician or designated medical authority shall be
5 particularly aware through his or her training of the impact of
6 opiate or methadone withdrawal symptoms that may occur in regard to
7 the mental and physical health of the prisoner. The physician or
8 medical authority shall prescribe and administer appropriate
9 medications to the prisoner pursuant to Section 5-204 of Title 43A
10 of the Oklahoma Statutes as the medical authority deems appropriate
11 to address those symptoms. Neither prescription nor over-the-
12 counter medications shall be kept by a prisoner in a cell with the
13 exception of prescribed nitroglycerin tablets and prescription
14 inhalers. Over-the-counter medications shall not be administered
15 without a physician's approval unless using prepackaged medications;

16 2. Medical reception information shall be recorded on a printed
17 screening form approved by the physician or designated medical
18 authority which shall include inquiry into:

- 19 a. current illnesses and health problems including
20 medications taken and any special health requirements,
- 21 b. behavioral observation, including state of
22 consciousness and mental status,
- 23 c. body deformities and trauma markings such as bruises,
24 lesions, jaundice, and ease of body movement,

1 d. condition of skin and visible body orifices, including
2 infestations, and

3 e. disposition or referral of prisoners to qualified
4 medical personnel on an emergency basis; and

5 3. For purposes of this section, "physician or other licensed
6 medical personnel" means a psychiatrist, medical doctor, osteopathic
7 physician, physician's assistant, registered nurse, licensed
8 practical nurse, emergency medical technician at the paramedical
9 level or clinical nurse specialist.

10 B. 1. Subject to the provision of emergency opioid antagonists
11 by the Department of Mental Health and Substance Abuse Services
12 under Section 1 of this act:

13 a. the Department of Corrections, upon the discharge of
14 an inmate from an institution within the Department
15 who has been diagnosed with an opioid use disorder,
16 regardless of whether that inmate has received
17 treatment for the disorder, shall provide the inmate,
18 as the inmate leaves the institution, with two doses
19 of an emergency opioid antagonist, and

20 b. a county jail:

21 (1) upon the discharge of any person who is confined
22 in the jail pursuant to a sentence who has been
23 diagnosed with an opioid use disorder, regardless
24

1 of whether that person has received treatment for
2 the disorder, or

3 (2) upon the discharge of any person who is confined
4 in the jail for an offense related to possession
5 of an opioid drug other than:

6 (a) a person who is confined in the jail
7 pursuant to a sentence, or

8 (b) a person who is being transferred to the
9 custody of the Department of Corrections,

10 shall provide the person, as the person leaves the
11 jail, with two doses of an emergency opioid
12 antagonist.

13 2. Notwithstanding the provision of emergency opioid
14 antagonists by the Department of Mental Health and Substance Abuse
15 Services as provided by Section 1 of this act, the Department of
16 Corrections and county jails may stock and provide emergency opioid
17 antagonists to inmates or persons upon discharge from the
18 institution or jail as described in paragraph 1 of this subsection.

19 3. Before the Department of Corrections or a county jail
20 provides an emergency opioid antagonist to an inmate or person as
21 described in paragraph 1 or 2 of this subsection, the Department of
22 Corrections or the jail shall ensure that the inmate or person is
23 provided with the opioid overdose education program provided by the
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1 Department of Mental Health and Substance Abuse Services under
2 Section 1 of this act.

3 4. Nothing in this subsection is intended to abrogate or
4 supersede any existing authority of the Department of Corrections or
5 a county jail to administer an emergency opioid antagonist to a
6 person experiencing an opioid overdose.

7 SECTION 3. This act shall become effective November 1, 2023.

8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
9 March 1, 2023 - DO PASS AS AMENDED BY CS
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