

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 85

By: McCortney

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5  
6 AS INTRODUCED

7 An Act relating to opiate antagonists; amending  
8 Section 1, Chapter 322, O.S.L. 2013, as amended by  
9 Section 1, Chapter 36, O.S.L. 2017 (63 O.S. Supp.  
10 2018, Section 1-2506.1), which relates to  
11 administration of opiate antagonists; modifying  
12 personnel considered first responders; providing  
13 definition; authorizing certain personnel to  
14 administer opiate antagonist; providing for certain  
15 training; allowing administration to authorize any  
16 person to administer opiate antagonist under certain  
17 circumstances; providing certain legal protections;  
18 providing for codification; providing an effective  
19 date; and declaring an emergency.

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

21 SECTION 1. AMENDATORY Section 1, Chapter 322, O.S.L.  
22 2013, as amended by Section 1, Chapter 36, O.S.L. 2017 (63 O.S.  
23 Supp. 2018, Section 1-2506.1), is amended to read as follows:

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

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

- 28 1. Law enforcement officials;

1 2. Emergency medical technicians;

2 3. Firefighters;

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

6 5. Forensic laboratory personnel of the Oklahoma State Bureau  
7 of Investigation as designated by the Executive Director.

8 B. As used in this section, "medical personnel at schools"  
9 means a certified school nurse or any other nurse employed by or  
10 under contract with a school, any licensed practitioner of the  
11 healing arts, or any person designated by the school administration  
12 to administer an opiate antagonist in the event of a suspected  
13 overdose pursuant to Section 2 of this act.

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

17 SECTION 2. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1210.242 of Title 70, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. Any school nurse, public health nurse, licensed practitioner  
21 of the healing arts, nurse working under contract with a school  
22 district or any person designated by the school administration to  
23 administer an opiate antagonist in the event of a suspected overdose  
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1 is authorized to administer an opiate antagonist when encountering a  
2 student or other individual exhibiting signs of an opiate overdose.

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

19 C. In the absence of the person or persons specifically  
20 designated and trained to administer an opiate antagonist under the  
21 provisions of this section, the administration of a school may  
22 authorize any person to administer an opiate antagonist to a student  
23 or other individual exhibiting signs of an overdose.

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

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

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

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