

118TH CONGRESS
1ST SESSION

H. R. 6243

To direct the Secretary of Labor to issue an occupational safety and health standard that requires employers to keep opioid overdose reversal drugs onsite and develop and implement training plans to respond to drug overdose emergencies and to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand the grants authorized under the Comprehensive Opioid Abuse Grant Program.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2023

Mr. GALLEGO (for himself and Mr. NUNN of Iowa) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Labor to issue an occupational safety and health standard that requires employers to keep opioid overdose reversal drugs onsite and develop and implement training plans to respond to drug overdose emergencies and to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand the grants authorized under the Comprehensive Opioid Abuse Grant Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Overdose Reversal
3 Medication Act” or the “ORM Act”.

4 **SEC. 2. OPIOID OVERDOSE REVERSAL DRUG STANDARD.**

5 (a) INTERIM FINAL STANDARD.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Secretary of
8 Labor shall issue an interim final standard on work-
9 place availability of an opioid overdose reversal drug
10 or device—

11 (A) to require all employers to possess an
12 opioid overdose reversal drug or device on site,
13 where the required number of doses of such
14 drug or device required is determined on the
15 basis of the number of employees of the em-
16 ployer on site, type of occupation, and an as-
17 sessment of potential use;

18 (B) that establishes guidelines for training
19 on—

20 (i) identifying signs and symptoms in-
21 dicating that usage of an opioid overdose
22 drug or device is necessary; and

23 (ii) how to administer such opioid
24 overdose reversal drug or device; and

25 (C) that provides for a period as deter-
26 mined appropriate by the Secretary, not to ex-

1 ceed 1 year, during which the Secretary shall
2 prioritize technical assistance and advice con-
3 sistent with section 21(d) of the Occupational
4 Safety and Health Act of 1970 (29 U.S.C.
5 670(d)) to employers subject to the standard
6 with respect to compliance with the standard.

7 (2) EFFECTIVE DATE OF INTERIM STAND-
8 ARD.—The interim final standard shall—

9 (A) take effect on a date that is not later
10 than 30 days after issuance;

11 (B) shall have the same legal effect as an
12 occupational safety and health standard as de-
13 fined by section 3 of the Occupational Safety
14 and Health Act of 1970 (29 U.S.C. 652); and

15 (C) be in effect until the final standard de-
16 scribed in subsection (b) becomes effective and
17 enforceable.

18 (3) FAILURE TO PROMULGATE.—If an interim
19 final standard described in paragraph (1) is not
20 issued by the date that is 1 year after the date of
21 enactment of this Act, the provisions of this Act
22 shall be in effect and enforced in the same manner
23 and to the same extent as any standard promulgated
24 under section 6(b) of the Occupational Safety and
25 Health Act (29 U.S.C. 655(b)) until such provisions

1 are superseded in whole by an interim final standard
2 issued by the Secretary that meets the requirements
3 of paragraph (1).

4 (b) FINAL STANDARD.—Not later than 2 years after
5 the date of enactment of this Act, the Secretary of Labor
6 shall, pursuant to section 6 of the Occupational Safety and
7 Health Act (29 U.S.C. 655), promulgate a final standard
8 on workplace availability of opioid overdose reversal drugs
9 or devices—

10 (1) for the purposes described in subsection

11 (a)(1)(A);

12 (2) that shall include, at a minimum, require-
13 ments contained in the interim final standard pro-
14 mulgated under subsection (a); and

15 (3) be effective and enforceable in the same
16 manner and to the same extent as any standard pro-
17 mulgated under section 6(b) of the Occupational
18 Safety and Health Act of 1970 (29 U.S.C. 655(b)).

19 (c) DEFINITIONS.—In this section:

20 (1) EMPLOYEE; EMPLOYER.—The terms “em-
21 ployee” and “employer” have the meaning given
22 such terms in section 3 of the Occupational Safety
23 and Health Act of 1970 (29 U.S.C. 652).

24 (2) OPIOID OVERDOSE REVERSAL DRUG OR DE-
25 VICE.—The term “opioid overdose reversal drug or

1 device” means an opioid overdose reversal drug or
2 device approved, licensed, cleared, or otherwise au-
3 thorized for marketing by the Food and Drug Ad-
4 ministration.

5 (3) SECRETARY.—The term “Secretary” means
6 the Secretary of Labor.

7 **SEC. 3. EXPANSION OF THE COMPREHENSIVE OPIOID**
8 **ABUSE GRANT PROGRAM.**

9 Section 3021 of title I of the Omnibus Crime Control
10 and Safe Streets Act of 1968 (34 U.S.C. 10701(a)) is
11 amended—

12 (1) in subsection (a), by adding at the end the
13 following:

14 “(11) Developing, implementing, or expanding a
15 program (which may include demonstration projects)
16 that—

17 “(A) provides training on carrying and ad-
18 ministering an opioid overdose reversal drug or
19 device approved, licensed, cleared, or otherwise
20 authorized for marketing by the Food and Drug
21 Administration for local businesses, individuals,
22 or other community entities that are likely to
23 encounter individuals with substance use dis-
24 orders, but are not eligible for other Federal
25 grant programs or to receive training or re-

1 sources under such a grant program related to
2 substance use prevention and treatment; or

3 “(B) provides resources for employers, in-
4 dividuals, or community entities described in
5 subparagraph (A) who have received training
6 described in subparagraph (A) to acquire,
7 carry, and administer such a drug or device.”;
8 and

9 (2) by adding at the end the following:

10 “(g) PREFERENTIAL CONSIDERATION.—In awarding
11 grants under this part, the Attorney General may give
12 preferential consideration to an application from an appli-
13 cant in a State that has in effect a law that exempts from
14 criminal and civil liability individuals who carry or admin-
15 ister in good faith an opioid overdose reversal drug or de-
16 vice approved, licensed, cleared, or otherwise authorized
17 for marketing by the Food and Drug Administration, if
18 such an individual has been trained to carry or administer
19 such drug or device.”.

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