

## HOUSE AMENDMENTS TO HOUSE BILL 4081

By COMMITTEE ON HEALTH CARE

February 16

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and insert “689.681,  
2 689.682, 689.684, 689.686 and 743A.051; and prescribing”.

3 After line 4, insert:

4 “**SECTION 1.** ORS 689.681 is amended to read:

5 “689.681. (1) As used in this section:

6 “(a) ‘Kit’ means a dose of naloxone **or any other drug approved by the United States Food**  
7 **and Drug Administration for the complete or partial reversal of opioid overdose** and the nec-  
8 essary medical supplies to administer the naloxone **or other drug described in this paragraph.**

9 “[*(b) ‘Opiate’ means a narcotic drug that contains:*]

10 “[*(A) Opium;*]

11 “[*(B) Any chemical derivative of opium; or*]

12 “[*(C) Any synthetic or semisynthetic drug with opium-like effects.*]

13 “[*(c) ‘Opiate overdose’ means a medical condition that causes depressed consciousness and mental*  
14 *functioning, decreased movement, depressed respiratory function and the impairment of the vital func-*  
15 *tions as a result of ingesting opiates in an amount larger than can be physically tolerated.*]

16 “(b) ‘Opioid’ means a natural, synthetic or semisynthetic chemical that interacts with  
17 opioid receptors on nerve cells in the body and brain to reduce the intensity of pain signals  
18 and feelings of pain.

19 “(c) ‘Opioid overdose’ means a medical condition that causes depressed consciousness and  
20 mental functioning, decreased movement, depressed respiratory function and the impairment  
21 of vital functions as a result of ingesting opioids in an amount larger than can be physically  
22 tolerated.

23 “(2) Notwithstanding any other provision of law, a pharmacy, a health care professional or a  
24 pharmacist with prescription and dispensing privileges or any other person designated by the State  
25 Board of Pharmacy by rule may distribute and administer naloxone **or any other drug approved**  
26 **by the United States Food and Drug Administration for the complete or partial reversal of**  
27 **opioid overdose** and distribute the necessary medical supplies to administer the naloxone **or other**  
28 **drug described in this subsection.** The pharmacy, health care professional or pharmacist may also  
29 distribute multiple kits to social service agencies under ORS 689.684 or to other persons who work  
30 with individuals who have experienced an [*opiate*] **opioid** overdose. The social services agencies or  
31 other persons may redistribute the kits to individuals likely to experience an [*opiate*] **opioid** over-  
32 dose or to family members of the individuals.

33 “(3) A person acting in good faith, if the act does not constitute wanton misconduct, is immune  
34 from civil liability for any act or omission of an act committed during the course of distributing and  
35 administering naloxone **or other drug described in subsection (2) of this section** and distributing

1 **under this section** the necessary medical supplies to administer the naloxone **or other drug de-**  
2 **scribed in subsection (2) of this section** [*under this section*].”.

3 In line 5, delete “1” and insert “2”.

4 On page 2, line 1, delete “or gabapentin”.

5 In line 3, delete “or gabapentin”.

6 After line 26, insert:

7 “**SECTION 3.** ORS 689.684 is amended to read:

8 “689.684. (1) For purposes of this section, ‘social services agency’ includes, but is not limited to,  
9 homeless shelters and crisis centers.

10 “(2) A person may administer to an individual naloxone **or any other drug approved by the**  
11 **United States Food and Drug Administration for the complete or partial reversal of opioid**  
12 **overdose** that was not distributed to the person if:

13 “(a) The individual to whom the naloxone **or other drug described in this subsection** is being  
14 administered appears to be experiencing an [*opiate*] **opioid** overdose as defined in ORS 689.681; and

15 “(b) The person who administers the naloxone **or other drug described in this subsection** is  
16 an employee of a social services agency or is trained under rules adopted by the State Board of  
17 Education pursuant to ORS 339.869.

18 “(3) For the purposes of protecting public health and safety, the Oregon Health Authority may  
19 adopt rules for the administration of naloxone **or other drug described in subsection (2) of this**  
20 **section** by employees of a social services agency under this section.

21 “**SECTION 4.** ORS 689.686 is amended to read:

22 “689.686. (1) A retail or hospital outpatient pharmacy shall provide written notice in a conspic-  
23 uous manner that naloxone **or other drug approved by the United States Food and Drug Ad-**  
24 **ministration for the complete or partial reversal of opioid overdose** and the necessary medical  
25 supplies to administer naloxone **or other drug described in this subsection** are available at the  
26 pharmacy.

27 “(2) The State Board of Pharmacy may adopt rules to carry out this section.”.

28 In line 27, delete “2” and insert “5”.

29 On page 3, delete lines 6 through 17 and insert:

30 “**SECTION 6.** The amendments to ORS 689.682 and 743A.051 by sections 2 and 5 of this  
31 **2022 Act apply to prescriptions for opioids written on or after the operative date specified in**  
32 **section 7 of this 2022 Act.**

33 “**SECTION 7.** (1) The amendments to ORS 689.681, 689.682, 689.684, 689.686 and 743A.051  
34 **by sections 1 to 5 of this 2022 Act become operative on January 1, 2023.**

35 “(2) The State Board of Pharmacy may take any action before the operative date speci-  
36 fied in subsection (1) of this section that is necessary to enable the board to exercise, on and  
37 after the operative date specified in subsection (1) of this section, all of the duties, functions  
38 and powers conferred on the board by the amendments to ORS 689.681, 689.682, 689.684,  
39 689.686 and 743A.051 by sections 1 to 5 of this 2022 Act.

40 “**SECTION 8.** This 2022 Act takes effect on the 91st day after the date on which the 2022  
41 regular session of the Eighty-first Legislative Assembly adjourns sine die.”.