

SB 1043 A STAFF MEASURE SUMMARY

Carrier: Sen. Wagner

Senate Committee On Health Care

Action Date: 04/03/23

Action: Do pass with amendments and requesting subsequent referral to Ways and Means be rescinded. (Printed A-Eng.)

Vote: 5-0-1-0

Yeas: 5 - Bonham, Campos, Hayden, Patterson, President Wagner

Exc: 1 - Gorsek

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/20, 4/3

WHAT THE MEASURE DOES:

Requires hospitals, detoxification facilities, and residential treatment facilities to provide two doses of opioid overdose reversal medication to patients who are treated for opioid use disorder and who are discharged to an unlicensed setting. Does not apply to residents who leave the hospital or facility against advice. Exempts providers who fail to meet this requirement from liability if acting in good faith. Directs the Oregon Health Authority to facilitate access to opioid overdose reversal medications.

ISSUES DISCUSSED:

- Opioid overdoses in Oregon communities
- Exceptions for patients who leave a facility against advice
- Protection from liability for providers acting in good faith

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

According to the Oregon Health Authority, overdose deaths from opioids, including fentanyl and heroin, rose from 280 to 739 between 2019 and 2021. Overdose reversal medication (i.e., Naloxone or “Narcan”) restores normal breathing for a person whose breathing has slowed down or stopped because of an overdose of prescribed or illicit opioids, including fentanyl and heroin ([link](#) to OHA Naloxone Rescue for Opioid Overdose website).

Senate Bill 1043 A requires health care facilities, residential facilities, and outpatient facilities to provide two doses of overdose reversal medicine and medical supplies to patients with known, recent history of opioid use and provides civil liability protections to those who provide overdose reversal medicine.