

House Bill 2883

Sponsored by Representatives DEXTER, REYNOLDS, Senator JAMA, Representatives BYNUM, HIEB, Senator GELSER BLOUIN; Representatives HARTMAN, LEVY B, Senators PATTERSON, SOLLMAN (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides immunity from civil and criminal liability to school administrators, teachers or other school employees designated by school administrator who administer naloxone to pupils experiencing opiate overdoses. Specifies conditions under which immunity is available.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to administering naloxone to pupils experiencing opiate overdoses; amending ORS 339.870;
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 339.870 is amended to read:

6 339.870. *[(1)]* **(1)(a)** A school administrator, teacher or other school employee designated by the
7 school administrator is not liable in a criminal action or for civil damages as a result of the ad-
8 ministration of nonprescription medication, if the school administrator, teacher or other school em-
9 ployee in good faith administers nonprescription medication to a pupil pursuant to written
10 permission and instructions of the pupil's parents or guardian.

11 **(b) Notwithstanding the requirement for written permission and instructions to admin-**
12 **ister nonprescription medication under paragraph (a) of this subsection, a school adminis-**
13 **trator, teacher or other school employee designated by the school administrator, may**
14 **administer naloxone to a pupil that experienced or is experiencing an opiate overdose, as**
15 **defined in ORS 689.681, without permission and instructions from the pupil's parents.**

16 *[(2)]* **(2)(a)** A school administrator, teacher or other school employee designated by the school
17 administrator is not liable in a criminal action or for civil damages as a result of the administration
18 of prescription medication, if the school administrator, teacher or other school employee in compli-
19 ance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic phy-
20 sician or clinical nurse specialist, in good faith administers prescription medication to a pupil
21 pursuant to written permission and instructions of the pupil's parents or guardian.

22 **(b) A school administrator, teacher or other school employee designated by the school**
23 **administrator that acts in good faith in administering naloxone as described in subsection**
24 **(1)(b) of this section is immune from criminal and civil liability to the same extent as, and**
25 **under the same conditions specified for, a person acting as described in ORS 689.681 (3).**

26 (3) The civil and criminal immunities imposed by subsections (1) and (2) of this section do not
27 apply to an act or omission amounting to gross negligence or willful and wanton misconduct.

28 **SECTION 2. This 2023 Act being necessary for the immediate preservation of the public**
29 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **on its passage.**

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