

House Bill 2885

Sponsored by Representatives DEXTER, REYNOLDS, Senator JAMA, Representatives BYNUM, GRAYBER, NELSON; Representatives HARTMAN, LEVY B, NERON, 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**.

Allows owner of publicly accessible building or facility to obtain from Oregon Health Authority kit including short-acting opioid antagonist and necessary medical supplies to administer short-acting opioid antagonist for use by members of public. Defines "short-acting opioid antagonist." Provides civil immunity from liability for member of public and owner. Directs authority to establish process through which owner of building or facility may obtain kit, and to issue standing order to prescribe short-acting opioid antagonist and necessary medical supplies to administer short-acting opioid antagonist.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to short-acting opioid antagonists; and prescribing an effective date.

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

SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 689.

SECTION 2. (1) As used in this section:

(a) **"Kit" means a dose of a short-acting opioid antagonist and the necessary medical supplies to administer the short-acting opioid antagonist.**

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

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

(d) **"Short-acting opioid antagonist" means any short-acting drug approved by the United States Food and Drug Administration for the complete or partial reversal of an opioid overdose.**

(2) **The owner of any building or facility to which the public has access may have in the building or facility one or more kits stored in a location in the building or facility easily accessible by members of the public if the kit or kits are obtained through the process established under subsection (4) of this section.**

(3)(a) **A member of the public may administer the short-acting opioid antagonist contained in a kit described in subsection (2) of this section to an individual experiencing, or who appears to be experiencing, an opioid overdose. The member of the public acting in good faith, if the act does not constitute wanton misconduct, is immune from civil liability for any act or omission of an act committed during the course of administering the short-acting opioid antagonist under this section.**

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 **(b) The owner of a building or facility described in subsection (2) of this section in which**
2 **a kit obtained through the process described in subsection (4) of this section is located is**
3 **immune from civil liability for any act or omission of an act committed during the course**
4 **of the administration of the short-acting opioid antagonist contained in the kit located in the**
5 **building or facility.**

6 **(4)(a) The Oregon Health Authority shall establish a process through which the owner**
7 **of a building or facility described in subsection (2) of this section may obtain from the au-**
8 **thority one or more kits. In establishing the process under this subsection, the authority**
9 **shall issue a standing order to prescribe a short-acting opioid antagonist, and the necessary**
10 **medical supplies to administer the short-acting opioid antagonist, to the owner of a building**
11 **or facility described in subsection (2) of this section.**

12 **(b) The process established under this subsection:**

13 **(A) Shall include a list of the types of buildings and facilities, and the locations of**
14 **buildings and facilities, described in subsection (2) of this section, for which the authority**
15 **prioritizes the provision of kits.**

16 **(B) May include a mechanism to allow an owner to apply to obtain a kit at a discounted**
17 **rate.**

18 **(5) The authority may adopt rules to carry out this section. In adopting rules under this**
19 **subsection, the authority shall consult with the State Board of Pharmacy.**

20 **SECTION 3. (1) Section 2 of this 2023 Act becomes operative on January 1, 2024.**

21 **(2) The Oregon Health Authority may take any action before the operative date specified**
22 **in subsection (1) of this section that is necessary to enable the authority to exercise, on and**
23 **after the operative date specified in subsection (1) of this section, all of the duties, functions**
24 **and powers conferred on the authority by section 2 of this 2023 Act.**

25 **SECTION 4. This 2023 Act takes effect on the 91st day after the date on which the 2023**
26 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

27