House Bill 3070

Sponsored by Representatives DEXTER, REYNOLDS, Senator JAMA, Representatives BYNUM, NELSON; Representatives HARTMAN, HIEB, LEVY B, Senators GELSER BLOUIN, PATTERSON, SOLLMAN

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 Oregon Health Authority to issue standing order to prescribe short-acting opioid antagonist and necessary medical supplies to administer short-acting opioid antagonist. Defines “short-acting opioid antagonist.” Directs pharmacist to dispense, upon request, short-acting opioid antagonist and necessary medical supplies to certain individuals or entities. Allows individual or entity to possess, store, deliver, distribute and administer short-acting opioid antagonist and necessary medical supplies. Provides civil immunity from liability.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to standing orders for 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) “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.

(b) “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.

(c) “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 Oregon Health Authority may issue a standing order to prescribe a short-acting opioid antagonist, and the necessary medical supplies to administer the short-acting opioid antagonist, to an individual who is at risk of experiencing an opioid overdose or an individual who or entity that may encounter an individual who is likely to experience an opioid overdose. The authority may issue the standing order within certain geographic areas of the state or statewide, and may withdraw the standing order at any time.

(3)(a) Upon the request of an individual or entity, a pharmacist shall dispense a short-acting opioid antagonist and the necessary medical supplies to administer the short-acting opioid antagonist pursuant to a standing order issued under subsection (2) of this section.

(b) A pharmacist who dispenses a short-acting opioid antagonist and the necessary medical supplies to administer the short-acting opioid antagonist shall provide to the individual or entity written instructions on the proper response to an opioid overdose, including conspicuous instructions to seek immediate medical attention.

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.

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(4) An individual or an entity may possess, store, deliver or distribute a short-acting opioid antagonist and the necessary medical supplies to administer the short-acting opioid antagonist, and may administer a short-acting opioid antagonist, pursuant to a standing order issued under subsection (2) of this section.

(5) The State Board of Pharmacy, in consultation with the authority, shall ensure the availability of training regarding the identification of an individual experiencing an opioid overdose and the administration of a short-acting opioid antagonist. The training described in this subsection must be available electronically and may be available in person.

(6) An individual 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 possessing, storing, delivering or distributing a short-acting opioid antagonist and the necessary medical supplies to administer the short-acting opioid antagonist and during the course of administering a short-acting opioid antagonist.

(7) The board and the authority, in consultation with one another, may adopt rules to carry out this section.

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

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

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