

SENATE AMENDMENTS TO SENATE BILL 1043

By COMMITTEE ON HEALTH CARE

April 7

1 On page 1 of the printed bill, delete lines 5 through 28 and delete page 2 and insert:

2 **“SECTION 2. (1) Upon the discharge or release of a patient, a hospital licensed under this**
3 **chapter shall provide to the patient at least two doses of an opioid overdose reversal**
4 **medication and the necessary medical supplies to administer the medication if:**

5 **“(a) The hospital actively treated the patient for the patient’s opioid use disorder; and**

6 **“(b) The patient is discharged or released to an unlicensed private residence or other**
7 **unlicensed setting.**

8 **“(2)(a) Except as provided in paragraph (b) of this subsection, a person who is acting in**
9 **good faith, if the act does not constitute wanton misconduct, is immune from civil liability**
10 **for any act or omission of an act committed during the course of providing to a patient**
11 **opioid overdose reversal medications, and the necessary medical supplies to administer the**
12 **medications, under subsection (1) of this section.**

13 **“(b) This subsection does not apply to a person involved in the manufacture or sale of**
14 **opioid overdose reversal medication.**

15 **“(3) The requirements of subsection (1) of this section do not apply if a patient leaves the**
16 **hospital against medical advice.**

17 **“SECTION 3. (1) As used in this section, ‘facility’ means a:**

18 **“(a) Sobering facility registered under ORS 430.262; or**

19 **“(b) Facility licensed, certified or otherwise authorized by a public body to provide**
20 **detoxification services for substance use.**

21 **“(2) Notwithstanding ORS 689.681, upon the discharge or release of an individual, a facil-**
22 **ity shall provide to the individual at least two doses of an opioid overdose reversal medication**
23 **and the necessary medical supplies to administer the medication if the individual:**

24 **“(a) Received addiction treatment at the facility for a current opioid use disorder; and**

25 **“(b) Is discharged or released to an unlicensed private residence or other unlicensed**
26 **setting.**

27 **“(3)(a) Except as provided in paragraph (b) of this subsection, a person who is acting in**
28 **good faith, if the act does not constitute wanton misconduct, is immune from civil liability**
29 **for any act or omission of an act committed during the course of providing to an individual**
30 **opioid overdose reversal medications, and the necessary medical supplies to administer the**
31 **medications, under subsection (2) of this section.**

32 **“(b) This subsection does not apply to a person involved in the manufacture or sale of**
33 **opioid overdose reversal medication.**

34 **“(4) The requirements of subsection (2) of this section do not apply if an individual leaves**
35 **the facility against the facility’s advice.**

1 **“SECTION 4. (1) As used in this section, ‘facility’ means a residential treatment facility**
2 **or residential treatment home, as those terms are defined in ORS 443.400, that is licensed**
3 **under ORS 443.410 (2).**

4 **“(2) Notwithstanding ORS 689.681, upon the discharge or release of a resident, a facility**
5 **shall provide to the resident at least two doses of an opioid overdose reversal medication and**
6 **the necessary medical supplies to administer the medication if:**

7 **“(a) The resident received addiction treatment at the facility for a current opioid use**
8 **disorder; and**

9 **“(b) The resident is discharged or released to an unlicensed private residence or other**
10 **unlicensed setting.**

11 **“(3)(a) Except as provided in paragraph (b) of this subsection, a person who is acting in**
12 **good faith, if the act does not constitute wanton misconduct, is immune from civil liability**
13 **for any act or omission of an act committed during the course of providing to a resident**
14 **opioid overdose reversal medications, and the necessary medical supplies to administer the**
15 **medications, under subsection (2) of this section.**

16 **“(b) This subsection does not apply to a person involved in the manufacture or sale of**
17 **opioid overdose reversal medication.**

18 **“(4) The requirements of subsection (2) of this section do not apply if a resident leaves**
19 **the facility against the facility’s advice.**

20 **“SECTION 5. The Oregon Health Authority shall facilitate access to opioid overdose re-**
21 **versal medications and the necessary medical supplies to administer the medication for**
22 **hospitals licensed under ORS chapter 441, facilities as defined in section 3 of this 2023 Act**
23 **and residential facilities licensed under ORS 443.410 for the purposes of carrying out sections**
24 **2, 3 and 4 of this 2023 Act.”.**