

Requested by Representative NOSSE

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 1043**

1 On page 1 of the printed A-engrossed bill, delete line 4 and insert:

2 **“SECTION 1. Sections 2 and 3 of this 2023 Act are added to and**
3 **made a part of ORS chapter 441.”.**

4 After line 19, insert:

5 **“SECTION 3. (1) Notwithstanding ORS 689.681, upon the discharge**
6 **or transfer of a resident, a long term care facility shall provide to the**
7 **resident at least two doses of an opioid overdose reversal medication**
8 **and the necessary medical supplies to administer the medication if:**

9 **“(a) The resident received addiction treatment at the long term care**
10 **facility for a current opioid use disorder; and**

11 **“(b) The resident is being discharged or transferred to an unlicensed**
12 **private residence or other unlicensed setting.**

13 **“(2)(a) Except as provided in paragraph (b) of this subsection, a**
14 **person that is acting in good faith, if the act does not constitute**
15 **wanton misconduct, is immune from civil liability for any act or**
16 **omission of an act committed during the course of providing to a**
17 **resident opioid overdose reversal medications, and the necessary**
18 **medical supplies to administer the medications, under subsection (1)**
19 **of this section.**

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

1 **“(3) The requirements of subsection (1) of this section do not apply**
2 **if a resident leaves the long term care facility against the long term**
3 **care facility’s advice.”.**

4 In line 20, delete “3” and insert “4”.

5 On page 2, delete lines 19 through 42 and insert:

6 **“SECTION 5. Section 6 of this 2023 Act is added to and made a part**
7 **of ORS 443.400 to 443.455.**

8 **“SECTION 6. (1) As used in this section, ‘facility’ means a residen-**
9 **tial care facility, residential treatment facility or residential treatment**
10 **home licensed under ORS 443.410.**

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

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

17 **“(b) The resident is discharged, released or transferred to an unli-**
18 **censed private residence or other unlicensed setting.**

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

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

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

30 **“SECTION 7. The Oregon Health Authority shall facilitate access**

1 to opioid overdose reversal medications and the necessary medical
2 supplies to administer the medications for hospitals licensed under
3 ORS chapter 441, long term care facilities as defined in ORS 442.015,
4 facilities as defined in section 4 of this 2023 Act and facilities as defined
5 in section 6 of this 2023 Act for the purposes of carrying out sections
6 2, 3, 4 and 6 of this 2023 Act.”

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