



ALEX CUYLER

Intergovernmental Relations Manager
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DATE: January 30, 2023
TO: House Committee on Behavioral Health and Health Care
RE: HB 2395, relating to substance use.

Dear Chair Nosse, Vice-Chair Goodwin, and Members of the Committee:

Lane County has reviewed HB 2395, and the proposed -2 amendment. We offer our support for HB 2395, and find the -2 amendment to be mostly sufficient, with one exception.

While there are a multitude of elements contained within the proposed measure, the Lane County Board of Commissioners has an established Legislative Principle that supports efforts to combat opiate overdoses, and multi-system efforts to address opiate overprescribing and addiction, including unifying data to more effectively track overdoses in Oregon.

In particular we support:

- Replacing the term “naloxone” with short acting opioid antagonist throughout statute.
- Expanding the list of entities that may distribute short acting opioid antagonists to include law enforcement officers, firefighters, emergency medical services providers, and owners or staff members of buildings that the public has legal access to.
- Expanding the existing immunity language in statute that protects those who administer and distribute short acting opioid antagonists to both civil and criminal liability, and for any acts undertaken that could constitute a person’s failure or refusal to distribute and administer short acting opioid antagonists.
- Expanding the duties of a Public Health Officer to issue standing orders to prescribe short acting opioid antagonists and the creation of a bulk purchasing mechanism for entities that serve vulnerable populations.
- Expanding the ability of a minor to obtain treatment for substance use disorders.
- The creation of an exception to the definition of drug paraphernalia for fentanyl test strips.
- Improving communication among local entities when a person under the age of 24 dies from a suspected opioid overdose, and mandating the creation of plan to address the potential of future related deaths.

Having stated this, we do recommend an additional amendment to this measure that would provide similar immunity provisions provided around the distribution, and failure of distributions, of short acting opioid antagonists to the provision of fentanyl test strips by both public and private entities. Fentanyl is an exceedingly lethal drug that is increasingly being mixed in with other drugs. The accessibility of test strips have great potential to save lives in this State and entities that provide test strips in public places should not have to defend themselves against litigation should an overdose death occur. We urge the Committee to add such language into HB 2395.

ELECTRONICALLY SUBMITTED BY ALEX CUYLER, LANE COUNTY
INTERGOVERNMENTAL RELATIONS MANAGER