

2019 -- S 0409

LC001399

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Senators Lawson, Valverde, Murray, Euer, and Nesselbush

Date Introduced: February 27, 2019

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-35 of the General Laws in Chapter 16-21 entitled "Health
2 and Safety of Pupils" is hereby amended to read as follows:

3 **16-21-35. Opioid-related drug overdose -- Use of opioid antagonists -- Immunity for**
4 **those administering.**

5 (a) For the purposes of this section, the following terms shall have the following
6 meanings:

7 (1) "Authorized school personnel" means a nurse-teacher, school administrator, teacher,
8 or school resource officer (SRO) as defined in § 16-7.2-6(i) who is trained in the administration
9 of opioid antagonists provided by the department of health.

10 ~~(1)~~(2) "Opioid antagonist" means any drug that binds to opioid receptors and blocks or
11 disinhibits the effects of opioids acting on those receptors, including naloxone hydrochloride, also
12 known as Narcan or naloxone.

13 ~~(2)~~(3) "Opioid-related drug overdose" means a condition including, but not limited to,
14 extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death
15 resulting from the consumption or use of an opioid or another substance with which an opioid
16 was combined, or that a layperson would reasonably believe to be an opioid-related drug
17 overdose that requires medical assistance.

18 ~~(3)~~(4) "School setting" means circumstances occurring while at school or at school-
19 sponsored events or activities.

1 (b) All public elementary, middle schools, junior high schools, and high schools, shall
2 provide and maintain on-site in each school facility opioid antagonists, as defined herein.

3 (c) To treat a case of suspected opioid overdose in a school setting, ~~any trained nurse-~~
4 ~~teacher~~ authorized school personnel may administer an opioid antagonist, during an emergency,
5 to any student or staff suspected of having an opioid-related drug overdose whether or not there is
6 a previous history of opioid abuse. ~~School nurse teachers may receive training in the~~
7 ~~administration of opioid antagonists provided by the department of health. Provided, school~~
8 School physicians shall prepare standing orders for the procedures to be followed in dealing with
9 a suspected opioid overdose in a school setting. Such standing orders shall not require any ~~school~~
10 ~~nurse-teacher~~ authorized school personnel to administer an opioid antagonist.

11 (d) Opioid antagonists shall be maintained in quantities and types deemed adequate by
12 the department of elementary and secondary education and the department of health, which shall
13 incorporate into their policies, rules, and regulations a procedure for addressing incidents of
14 opioid-related drug overdose in order to provide for the health and safety of children. Any policy,
15 rule, or regulation shall ensure that the opioid antagonist is kept in a conspicuous place, readily
16 available, but with provisions made for the safekeeping and security of the opioid antagonist so
17 that the security of the medication will not be compromised.

18 (e) No ~~school nurse teacher~~ authorized school personnel shall be liable for civil damages
19 that may result from acts or omissions relating to the use of the opioid antagonist that may
20 constitute ordinary negligence; nor shall the authorized school personnel mentioned in this
21 subsection be subject to criminal prosecution that may result from acts or omissions in the good
22 faith administration of an opioid antagonist. This immunity does not apply to acts or omissions
23 constituting gross negligence or willful or wanton conduct.

24 (f) No ~~school nurse teacher~~ authorized school personnel shall be subject to penalty or
25 disciplinary action for refusing to be trained in the administration of an opioid antagonist.

26 SECTION 2. This act shall take effect upon passage.

=====
LC001399
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

1 This act would increase the members of public school personnel to include all trained
2 school administrators, teachers, or school resource officers (SRO) among those authorized to
3 administer an opioid antagonist (e.g. Narcan) where there is an emergency drug overdose in a
4 school setting. It would also provide that the law would apply to elementary as well as middle and
5 upper schools.

6 This act would take effect upon passage.

=====
LC001399
=====