

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

1
2 Relating to standing orders for short-acting opioid antagonists; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 689.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"Opioid" means a natural, synthetic or semisynthetic chemical that interacts with**
7 **opioid receptors on nerve cells in the body and brain to reduce the intensity of pain signals**
8 **and feelings of pain.**

9 (b) **"Opioid overdose" means a medical condition that causes depressed consciousness and**
10 **mental functioning, decreased movement, depressed respiratory function and the impairment**
11 **of vital functions as a result of ingesting opioids in an amount larger than can be physically**
12 **tolerated.**

13 (c) **"Short-acting opioid antagonist" means any short-acting drug approved by the United**
14 **States Food and Drug Administration for the complete or partial reversal of an opioid over-**
15 **dose.**

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

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

25 (b) **A pharmacist who dispenses a short-acting opioid antagonist and the necessary med-**
26 **ical supplies to administer the short-acting opioid antagonist shall provide to the individual**
27 **or entity written instructions on the proper response to an opioid overdose, including con-**
28 **spicuous 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.

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

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

9 (6) An individual acting in good faith, if the act does not constitute wanton misconduct,
10 is immune from civil liability for any act or omission of an act committed during the course
11 of possessing, storing, delivering or distributing a short-acting opioid antagonist and the
12 necessary medical supplies to administer the short-acting opioid antagonist and during the
13 course of administering a short-acting opioid antagonist.

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

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

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

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