

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 1043

By COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE

May 16

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 made a part of ORS**
3 **chapter 441.”.**

4 After line 19, insert:

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

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

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

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

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

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

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

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

24 **“SECTION 5. Section 6 of this 2023 Act is added to and made a part of ORS 443.400 to**
25 **443.455.**

26 **“SECTION 6. (1) As used in this section, ‘facility’ means a residential care facility, resi-**
27 **dential treatment facility or residential treatment home licensed under ORS 443.410.**

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

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

33 **“(b) The resident is discharged, released or transferred to an unlicensed private residence**
34 **or other unlicensed setting.**

35 **“(3)(a) Except as provided in paragraph (b) of this subsection, a person who is acting in**

1 good faith, if the act does not constitute wanton misconduct, is immune from civil liability
2 for any act or omission of an act committed during the course of providing to a resident
3 opioid overdose reversal medications, and the necessary medical supplies to administer the
4 medications, under subsection (2) of this section.

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

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

9 “SECTION 7. The Oregon Health Authority shall facilitate access to opioid overdose re-
10 versal medications and the necessary medical supplies to administer the medications for
11 hospitals licensed under ORS chapter 441, long term care facilities as defined in ORS 442.015,
12 facilities as defined in section 4 of this 2023 Act and facilities as defined in section 6 of this
13 2023 Act for the purposes of carrying out sections 2, 3, 4 and 6 of this 2023 Act.”.

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