

Requested by SENATE COMMITTEE ON HEALTH CARE

**PROPOSED AMENDMENTS TO  
SENATE BILL 1043**

1 On page 1 of the printed bill, delete lines 5 through 28 and delete page  
2 2 and insert:

3 **“SECTION 2. (1) Upon the discharge or release of a patient, a hos-  
4 pital licensed under this chapter shall provide to the patient at least  
5 two doses of an opioid overdose reversal medication and the necessary  
6 medical supplies to administer the medication if:**

7 **“(a) The hospital actively treated the patient for the patient’s opioid  
8 use disorder; and**

9 **“(b) The patient is discharged or released to an unlicensed private  
10 residence or other unlicensed setting.**

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

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

20 **“SECTION 3. (1) As used in this section, ‘facility’ means a:**

21 **“(a) Sobering facility registered under ORS 430.262; or**

1       **“(b) Facility licensed, certified or otherwise authorized by a public**  
2 **body to provide detoxification services for substance use.**

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

7       **“(a) Presented at the facility with signs or symptoms of opioid use;**  
8 **and**

9       **“(b) Is discharged or released to an unlicensed private residence or**  
10 **other unlicensed setting.**

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

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

20       **“SECTION 4. (1) Notwithstanding ORS 689.681, upon the discharge**  
21 **or release of a resident, a residential facility licensed under ORS**  
22 **443.410 shall provide to the resident at least two doses of an opioid**  
23 **overdose reversal medication and the necessary medical supplies to**  
24 **administer the medication if:**

25       **“(a) The resident presented at the facility with signs or symptoms**  
26 **of opioid use; and**

27       **“(b) The resident is discharged or released to an unlicensed private**  
28 **residence or other unlicensed setting.**

29       **“(2)(a) Except as provided in paragraph (b) of this subsection, a**  
30 **person who is acting in good faith, if the act does not constitute**

1 wanton misconduct, is immune from civil liability for any act or  
2 omission of an act committed during the course of providing to a  
3 resident opioid overdose reversal medications, and the necessary  
4 medical supplies to administer the medications, under subsection (1)  
5 of this section.

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

8 “SECTION 5. The Oregon Health Authority shall facilitate access  
9 to opioid overdose reversal medications and the necessary medical  
10 supplies to administer the medication for hospitals licensed under ORS  
11 chapter 441, facilities as defined in section 3 of this 2023 Act and resi-  
12 dential facilities licensed under ORS 443.410 for the purposes of carry-  
13 ing out sections 2, 3 and 4 of this 2023 Act.”.

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