

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 **“(3) The requirements of subsection (1) of this section do not apply**  
21 **if a patient leaves the hospital against medical advice.**

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

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

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

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

9 **“(a) Received addiction treatment at the facility for a current opioid**  
10 **use disorder; and**

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

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

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

22 **“(4) The requirements of subsection (2) of this section do not apply**  
23 **if an individual leaves the facility against the facility’s advice.**

24 **“SECTION 4. (1) As used in this section, ‘facility’ means a residen-**  
25 **tial treatment facility or residential treatment home, as those terms**  
26 **are defined in ORS 443.400, that is licensed under ORS 443.410 (2).**

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

1       “(a) The resident received addiction treatment at the facility for a  
2 current opioid use disorder; and

3       “(b) The resident is discharged or released to an unlicensed private  
4 residence or other unlicensed setting.

5       “(3)(a) Except as provided in paragraph (b) of this subsection, a  
6 person who is acting in good faith, if the act does not constitute  
7 wanton misconduct, is immune from civil liability for any act or  
8 omission of an act committed during the course of providing to a  
9 resident opioid overdose reversal medications, and the necessary  
10 medical supplies to administer the medications, under subsection (2)  
11 of this section.

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

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

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

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