

STATE OF NEW YORK

9668

IN ASSEMBLY

January 31, 2018

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring public school districts to carry opioid antagonists and to require training for staff in the administration of opioid antagonists

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 922 of the education law, as amended by chapter 68
2 of the laws of 2016, is amended to read as follows:

3 § 922. Opioid overdose prevention. 1. [~~School districts, public~~
4 Public libraries, boards of cooperative educational services, county
5 vocational education and extension boards, charter schools, and non-
6 public elementary and secondary schools in this state may provide and
7 maintain on-site in each instructional school facility or library,
8 opioid antagonists, as defined in section three thousand three hundred
9 nine of the public health law, in quantities and types deemed by the
10 commissioner, in consultation with the commissioner of health, to be
11 adequate to ensure ready and appropriate access for use during emergen-
12 cies to any student, individual on library premises or staff suspected
13 of having opioid overdose whether or not there is a previous history of
14 opioid abuse.

15 2. [~~School districts, public~~ Public libraries, boards of cooperative
16 educational services, county vocational education and extension boards,
17 charter schools, and non-public elementary and secondary schools in this
18 state may elect to participate as an opioid antagonist recipient and any
19 person employed by any such entity that has elected to participate may
20 administer an opioid antagonist in the event of an emergency, provided
21 that such person shall have been trained by a program approved under
22 section three thousand three hundred nine of the public health law. Any
23 [~~school district,~~ public library, board of cooperative educational
24 services, county vocational education and extension board, charter
25 school, and non-public elementary and secondary school that has employ-
26 ees trained in accordance with this section shall comply with the
27 requirements of section three thousand three hundred nine of the public

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 health law including, but not limited to, appropriate clinical over-
2 sight, record keeping and reporting. No person shall be required to
3 participate in the program and any participation by an individual shall
4 be voluntary.

5 3. Public school districts shall provide and maintain on-site in each
6 instructional school facility opioid antagonists, as defined in section
7 three thousand three hundred nine of the public health law, in quanti-
8 ties and types deemed by the commissioner, in consultation with the
9 commissioner of health, to be adequate to ensure ready and appropriate
10 access for use during emergencies to any student, individual on school
11 premises or staff suspected of having opioid overdose whether or not
12 there is a previous history of opioid abuse. Public school districts
13 shall require at least one person employed by such district be trained
14 in the administration of opioid antagonists by a program approved under
15 section three thousand three hundred nine of the public health law. Any
16 nurse employed by a school district shall be trained in the adminis-
17 tration of opioid antagonists by a program approved under section three
18 thousand three hundred nine of the public health law.

19 4. Any person shall not be liable for any act or omission related to,
20 or any harm resulting from, administration of an opioid antagonist
21 pursuant to this section, provided that such person acted reasonably and
22 in good faith.

23 § 2. This act shall take effect immediately.