

# STATE OF NEW YORK

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4149

2023-2024 Regular Sessions

## IN ASSEMBLY

February 10, 2023

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

AN ACT to amend the education law, in relation to requiring public  
libraries 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 Assem-  
bly, 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 ~~libraries,~~] boards of cooperative educational services, county voca-  
5 tional education and extension boards, charter schools, and non-public  
6 elementary and secondary schools in this state may provide and maintain  
7 on-site in each instructional school facility or library, opioid antag-  
8 onists, as defined in section three thousand three hundred nine of the  
9 public health law, in quantities and types deemed by the commissioner,  
10 in consultation with the commissioner of health, to be adequate to  
11 ensure ready and appropriate access for use during emergencies to any  
12 student, individual on library premises or staff suspected of having  
13 opioid overdose whether or not there is a previous history of opioid  
14 abuse.

15 2. School districts, [~~public libraries,~~] boards of cooperative educa-  
16 tional services, county vocational education and extension boards, char-  
17 ter 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

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

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1 school, and non-public elementary and secondary school that has employ-  
2 ees trained in accordance with this section shall comply with the  
3 requirements of section three thousand three hundred nine of the public  
4 health law including, but not limited to, appropriate clinical over-  
5 sight, record keeping and reporting. No person shall be required to  
6 participate in the program and any participation by an individual shall  
7 be voluntary.

8 3. Public libraries shall provide and maintain on-site opioid antag-  
9 onists, as defined in section three thousand three hundred nine of the  
10 public health law, in quantities and types deemed by the commissioner,  
11 in consultation with the commissioner of health, to be adequate to  
12 ensure ready and appropriate access for use during emergencies to any  
13 individual on library premises suspected of having an opioid overdose  
14 whether or not there is a previous history of opioid abuse at such  
15 library. Public libraries shall require at least two staff members  
16 employed by such library be trained in the administration of opioid  
17 antagonists by a program approved under section three thousand three  
18 hundred nine of the public health law, provided that one of the trained  
19 staff members shall be the branch manager of such library.

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

24 § 2. This act shall take effect immediately.