STATE OF NEW YORK

6886

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the education law, in relation to requiring school districts, public libraries, boards of cooperative educational services, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools to provide and maintain on-site opioid antagonists

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

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

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

2. School districts, public libraries, boards of cooperative educational services, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state [~~may elect to~~] **shall** participate as an opioid antagonist recipient and any person employed by any such entity [~~that has elected to participate~~] may administer an opioid antagonist in the event of an emergency, provided that such person shall have been trained by a program approved under section three thousand three hundred nine of the public health

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

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law. Any school district, public library, board of cooperative educational services, county vocational education and extension board, charter school, and non-public elementary and secondary school that has employees trained in accordance with this section shall comply with the requirements of section three thousand three hundred nine of the public health law including, but not limited to, appropriate clinical oversight, record keeping and reporting. [~~No person shall be required to participate in the program and any participation by an individual shall be voluntary.~~]

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.