

STATE OF NEW YORK

9789

IN ASSEMBLY

April 9, 2024

Introduced by M. of A. SLATER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to permitting certain persons to leave behind opioid antagonists at the location of a known or suspected opioid overdose

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

1 Section 1. Subparagraph (v) of paragraph (a) of subdivision 3 of
2 section 3309 of the public health law, as added by chapter 148 of the
3 laws of 2020, is amended to read as follows:

4 (v) As used in this section, "entity" includes, but is not limited to,
5 a school district, law enforcement agency, emergency medical services
6 provider, public library, board of cooperative educational services,
7 county vocational education and extension board, charter school, non-
8 public elementary or secondary school, restaurant, bar, retail store,
9 shopping mall, barber shop, beauty parlor, theater, sporting or event
10 center, inn, hotel or motel.

11 § 2. Subparagraph (iii) of paragraph (b) of subdivision 3 of section
12 3309 of the public health law, as amended by chapter 42 of the laws of
13 2014, is amended to read as follows:

14 (iii) An opioid antagonist recipient may possess an opioid antagonist
15 obtained pursuant to this paragraph, may distribute such opioid antag-
16 onist to a recipient either directly or by leaving behind an opioid
17 antagonist at the location of a known or suspected opioid overdose, and
18 may administer such opioid antagonist to a person the recipient reason-
19 ably believes is experiencing an opioid overdose.

20 § 3. Paragraph (a) of subdivision 4 of section 3309 of the public
21 health law, as amended by chapter 148 of the laws of 2020, is amended to
22 read as follows:

23 (a) Use or distribution of an opioid antagonist pursuant to this
24 section shall be considered first aid or emergency treatment for the
25 purpose of any statute relating to liability.

26 § 4. This act shall take effect immediately.

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

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