

2015 -- H 5047

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Bennett, Diaz, Hull, Shekarchi, and Handy

Date Introduced: January 08, 2015

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
2 hereby amended by adding thereto the following section:

3 **16-21-35. Opioid-related drug overdose -- Use of opioid antagonists -- Immunity for**
4 **those administering.** – (a) For the purposes of this section, the following terms shall have the
5 following meanings:

6 (1) "Opioid antagonist" means any drug that binds to opioid receptors and blocks or
7 disinhibits the effects of opioids acting on those receptors including naloxone hydrochloride, also
8 known as Narcan or naloxone.

9 (2) "Opioid-related drug overdose" means a condition including, but not limited to,
10 extreme physical illness, decreased level of consciousness, respiratory depression, coma or death
11 resulting from the consumption or use of an opioid or another substance with which an opioid
12 was combined, or that a layperson would reasonably believe to be an opioid-related drug
13 overdose that requires medical assistance.

14 (3) "School setting" means circumstances occurring while at school or at school-
15 sponsored events or activities.

16 (b) All public schools educating any pupil in grades six (6) through twelve (12) shall
17 provide and maintain on-site in each school facility opioid antagonists, as defined herein.

18 (c) To treat a case of suspected opioid overdose in a school setting, any trained school
19 employee shall administer an opioid antagonist, during an emergency, to any student or staff

1 suspected of having an opioid-related drug overdose whether or not there is a previous history of
2 opioid abuse. Teachers and other school administration and personnel shall receive training in the
3 administration of opioid antagonists which shall be conducted by a school nurse teacher.

4 (d) Opioid antagonists shall be maintained in quantities and types deemed adequate by
5 the department of elementary and secondary education and the department of health who shall
6 incorporate into their policies, rules, and regulations a procedure for addressing incidents of
7 opioid-related drug overdose in order to provide for the health and safety of children. Any policy,
8 rule or regulation shall ensure that the opioid antagonist is kept in a conspicuous place, readily
9 available and that its proper use is made known to school personnel.

10 (e) No school teacher, school nurse teacher, school administrator, or other school
11 personnel shall be liable for civil damages which may result from acts or omissions relating to the
12 use of the opioid antagonist which may constitute ordinary negligence; nor shall the school
13 personnel mentioned in this subsection be subject to criminal prosecution which may result from
14 acts or omissions in the good faith administration of an opioid antagonist. This immunity does not
15 apply to acts or omissions constituting gross negligence or willful or wanton conduct.

16 (f) No school teacher, school nurse teacher, school administrator or other school
17 personnel shall be subject to penalty or disciplinary action for refusing to be trained in the
18 administration of opioid antagonist.

19 (g) The administration of and training of school personnel to administer opioid antagonist
20 in accordance with this section shall not be considered the practice of nursing or the delegation of
21 nursing practice.

22 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

1 This act would require schools educating pupils in grades six (6) through twelve (12) to
2 maintain opioid antagonists on the school premises for administration in an emergency to pupils
3 suspected of having an opioid-related drug overdose by school personnel. This act would also
4 provide immunity to school personnel for the administration of an opioid antagonist in a school
5 setting.

6 This act would take effect upon passage.

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