

House Bill 1170

By: Representatives Hawkins of the 27<sup>th</sup>, Mathiak of the 74<sup>th</sup>, Gaines of the 120<sup>th</sup>, Gambill of the 15<sup>th</sup>, and Kennard of the 101<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the  
2 Department of Public Health, so as to require that certain state government buildings,  
3 courthouses, and university buildings maintain and make accessible opioid antagonists; to  
4 provide for definitions; to provide for the identification, development, and dissemination of  
5 educational materials and for the development of a model policy for training individuals on  
6 emergency opioid antagonist administration by the department; to provide that certain  
7 government entities shall establish and implement an internal policy; to provide for  
8 immunity; to provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department  
12 of Public Health, is amended by adding a new Code section to read as follows:

13 "31-2A-20.

14 (a) As used in this Code section, the term:

15 (1) 'Automated external defibrillator' shall have the same meaning as set forth in Code  
16 Section 31-11-53.1.

17 (2) 'Courthouse' means a building occupied by judicial courts and containing rooms in  
18 which judicial proceedings are held.

19 (3) 'Government entity' means any state board, commission, agency, or department or  
20 any other form of state or local government, but such term shall not include local school  
21 systems, public schools, or charter schools.

22 (4) 'Opioid antagonist' shall have the same meaning as set forth in Code Section  
23 26-4-116.2.

24 (5) 'Opioid related overdose' shall have the same meaning as set forth in Code Section  
25 26-4-116.2.

26 (6) 'Qualified government building' means a building in which a government entity is  
27 housed or meets in its official capacity, including the portion occupied by a government  
28 entity of any building that is not publicly owned, provided that such building contains an  
29 automated external defibrillator.

30 (7) 'University building' means any building which forms a part of the University System  
31 of Georgia, including any college or university under the government, control, and  
32 management of the Board of Regents of the University System of Georgia, or any  
33 building under the control of the State Board of the Technical College System of Georgia.

34 (b) The department shall consult with the Department of Behavioral Health and  
35 Developmental Disabilities and may consult with any other medical, clinical, or peer  
36 support professionals or organizations it deems appropriate to identify and develop  
37 educational resources and guidelines on opioid related overdoses. The department shall  
38 develop a model training and implementation policy for opioid antagonist administration.  
39 All such educational resources and guidelines and the model training and implementation  
40 policy shall be maintained in a prominent manner on the department's principal public  
41 website.

42 (c) All qualified government buildings, courthouses, and university buildings shall:

43 (1) Maintain a supply of at least three unit doses of opioid antagonists; and

44 (2) Ensure that such supply of opioid antagonists is available and accessible during  
45 regular business hours and outside of regular business hours for all government,  
46 educational, and student sponsored events.

47 (d) A government entity may make opioid antagonists accessible during government entity  
48 events that occur on property that is not publicly owned.

49 (e) No one employee, officer, agent, contractor, or other individual shall be solely  
50 responsible for providing training pursuant to subsection (f) of this Code section for any  
51 government entity.

52 (f)(1) Every government entity that is based in or operates out of a qualified government  
53 building shall establish and implement an internal training and implementation policy for  
54 opioid antagonist administration. Such policy may be based on the model training and  
55 implementation policy developed by the department pursuant to subsection (b) of this  
56 Code section. Each such government entity shall be authorized to receive and administer  
57 grants, gifts, contracts, moneys, and donations for the purpose of implementing this Code  
58 section.

59 (2) Each internal training and implementation policy provided for in paragraph (1) of this  
60 subsection shall:

61 (A) Provide details about how an individual can access opioid antagonist  
62 administration training;

63 (B) Specify the location or locations of the government entity's supply of opioid  
64 antagonists;

65 (C) Contain an affirmative statement that any trained individual may administer an  
66 opioid antagonist to any person whom the trained individual believes in good faith to  
67 be experiencing an opioid related overdose; and

68 (D) Contain the following statement: 'Georgia law provides that any trained individual  
69 shall be immune from civil liability or professional discipline for any good faith act or

70 omission to act in the emergency administration of an opioid antagonist to a person  
71 believed to be having an opioid related overdose.'

72 (g) All employees, officers, agents, and contractors of government entities and all other  
73 individuals who receive training pursuant to subsection (f) of this Code section shall be  
74 immune from civil liability or professional discipline for any good faith act or omission to  
75 act related to the emergency administration of an opioid antagonist pursuant to this Code  
76 section. Good faith shall not include willful misconduct, gross negligence, or recklessness.

77 (h) Notwithstanding any law to the contrary, funds appropriated or otherwise made  
78 available to a government entity may be used to comply with the requirements of this Code  
79 section by such government entity."

80 **SECTION 2.**

81 All laws and parts of laws in conflict with this Act are repealed.