

House Bill 419

By: Representatives Hawkins of the 27th, Gambill of the 15th, Martin of the 49th, Jackson of the 128th, Mathis of the 133rd, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to university system, so as to require the possession of opioid antagonists
3 by institutions within the University System of Georgia; to amend Article 2 of Chapter 4 of
4 Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education,
5 so as to require the possession of opioid antagonists by units within the Technical College
6 System of Georgia; to provide for definitions; to provide for possession of opioid antagonists
7 by certain individuals; to require the maintenance of a stock supply of opioid antagonists; to
8 provide for the use and location of opioid antagonist storage compartments; to authorize
9 trained personnel to administer opioid antagonists and carry opioid antagonists; on their
10 person; to provide for immunity; to provide that neither civil liability nor professional
11 discipline shall accrue to personnel, the systems, or institutions or units thereof; to provide
12 for an exception; to provide for activation of the emergency medical services system and
13 notification of emergency contacts; to provide for a community funding source contingency;
14 to provide for related matters; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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42 (c) All institutions shall acquire and maintain a supply of opioid antagonists in any secure
43 location in such a quantity to be used for multiple opioid overdose events; provided,
44 however, that, if there occurs a shortage of opioid antagonists, the institution shall make
45 a reasonable effort to maintain its supply of opioid antagonists. Any such supply shall be
46 maintained in accordance with the manufacturer's instructions.

47 (d) Each institution maintaining one or more automated external defibrillators shall
48 maintain opioid antagonists in an opioid antagonist storage compartment which shall be
49 located within three feet of such defibrillators or as close as space reasonably allows.

50 (e) Any university system personnel may administer an opioid antagonist to any person
51 who the university system personnel believes in good faith to be experiencing an opioid
52 overdose:

53 (1) While at an institution;

54 (2) While at a university system sponsored activity;

55 (3) While under the supervision of university system personnel; or

56 (4) Before or after normal institution activities.

57 (f) University system personnel shall be authorized to carry an opioid antagonist on his or
58 her person while at an institution, at a university system sponsored activity, or on university
59 system operated property.

60 (g) Any university system personnel who in good faith administers or chooses not to
61 administer an opioid antagonist pursuant to this Code section shall be immune from civil
62 liability or professional discipline for any act or omission to act related to the
63 administration of an opioid antagonist, except that such immunity shall not apply to an act
64 of willful or wanton misconduct.

65 (h) Neither civil liability nor professional discipline shall accrue to university system
66 personnel and no civil liability shall accrue to the university system or to any institution of
67 such system due to the removal or misuse of an opioid antagonist or antagonists; provided,
68 however, that immunity shall not apply to an act of willful or wanton misconduct.

69 (i) Upon the administration of any opioid antagonist pursuant to this Code section, the
70 institution shall immediately activate the emergency medical services system and notify
71 the student's parent, guardian, or emergency contact or notify such other individual's
72 emergency contact, if known.

73 (j) The requirement for an institution to acquire and maintain a supply of opioid
74 antagonists and opioid antagonist storage compartments described in this Code section
75 shall be contingent upon such institution's receipt of sufficient funding from only
76 community funding sources. Such funding sources may include grants, gifts, contracts,
77 monetary donations, or loans."

78 **SECTION 2.**

79 Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to
80 technical and adult education, is amended by adding a new Code section to read as follows:

81 "20-4-39.1.

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

83 (1) 'Automated external defibrillator' means a defibrillator which:

84 (A) Is capable of cardiac rhythm analysis;

85 (B) Will charge and be capable of being activated to deliver a countershock after
86 electrically detecting the presence of certain cardiac dysrhythmias; and

87 (C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a
88 mechanism for transfer and storage or for printing for review subsequent to use.

89 (2) 'Community funding source' means local sources of capital provided by local banking
90 institutions, including credit unions, community foundations, county or municipal
91 governments, businesses, or residents.

92 (3) 'Opioid antagonist' means a drug that binds to opioid receptors and blocks or inhibits
93 the effect of opioids acting on those receptors, including, but not limited to, naloxone,

94 hydrochloride, or any other similarly acting drug that is approved by the federal Food and
95 Drug Administration for the treatment of an opioid related overdose.

96 (4) 'Opioid antagonist storage compartment' means the structure in which opioid
97 antagonist may be stored.

98 (5) 'Unit' means any institution, college, school, academy, or experiment station at any
99 particular location which forms a part of the technical college system.

100 (6) 'Technical college system' means the Technical College System of Georgia.

101 (b) No student, visitor, or technical college system employee shall be prohibited from
102 possessing an opioid antagonist on technical college system property or at a technical
103 college system sponsored activity.

104 (c) All units shall acquire and maintain a supply of opioid antagonists in any secure
105 location in such a quantity to be used for multiple opioid overdose events; provided,
106 however, that, if there occurs a shortage of opioid antagonists, the unit shall make a
107 reasonable effort to maintain its supply of opioid antagonists. Any such supply shall be
108 maintained in accordance with the manufacturer's instructions.

109 (d) Each unit maintaining one or more automated external defibrillators shall maintain
110 opioid antagonists in an opioid antagonist storage compartment which shall be located
111 within three feet of such defibrillators or as close as space reasonably allows.

112 (e) Any technical college system personnel may administer an opioid antagonist to any
113 person who the technical college system personnel believes in good faith to be
114 experiencing an opioid overdose:

115 (1) While at a unit;

116 (2) While at a technical college system sponsored activity;

117 (3) While under the supervision of technical college system personnel; or

118 (4) Before or after normal unit activities.

119 (f) Technical college system personnel shall be authorized to carry an opioid antagonist
120 on his or her person while at a unit, at a technical college system sponsored activity, or on
121 technical college system operated property.

122 (g) Any technical college system personnel who in good faith administers or chooses not
123 to administer an opioid antagonist pursuant to this Code section shall be immune from civil
124 liability or professional discipline for any act or omission to act related to the
125 administration of an opioid antagonist, except that such immunity shall not apply to an act
126 of willful or wanton misconduct.

127 (h) Neither civil liability nor professional discipline shall accrue to technical college
128 system personnel and no civil liability shall accrue to the technical college system or any
129 unit of such system due to the removal or misuse of an opioid antagonist or antagonists;
130 provided, however, that immunity shall not apply to an act of willful or wanton
131 misconduct.

132 (i) Upon the administration of any opioid antagonist pursuant to this Code section, the unit
133 shall immediately activate the emergency medical services system and notify the student's
134 parent, guardian, or emergency contact or notify such other individual's emergency contact,
135 if known.

136 (j) The requirement for a unit to acquire and maintain a supply of opioid antagonists and
137 opioid antagonist storage compartments described in this Code section shall be contingent
138 upon such unit's receipt of sufficient funding from only community funding sources. Such
139 funding sources may include grants, gifts, contracts, monetary donations, or loans."

140 **SECTION 3.**

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