

By: Representatives Bennett, McCarty,  
Reynolds

To: Education

HOUSE BILL NO. 1174

1 AN ACT TO AUTHORIZE PUBLIC SCHOOLS TO PURCHASE A SUPPLY OR  
2 ENTER INTO AN ARRANGEMENT TO RECEIVE A SUPPLY OF THE OPIOID  
3 ANTAGONIST NALOXONE FOR A CERTAIN PURPOSE; TO REQUIRE THE SCHOOL  
4 DISTRICT TO ADOPT A PROTOCOL FOR THE ADMINISTRATION OF NALOXONE;  
5 TO EXEMPT THE SCHOOL DISTRICT AND CERTAIN OF ITS EMPLOYEES WHO  
6 PROVIDE THE PROTOCOL FROM LIABILITY FOR INJURIES RESULTING FROM  
7 THE ADMINISTRATION OF NALOXONE; TO PROVIDE EXCEPTIONS TO WHICH THE  
8 EXEMPTION FROM LIABILITY DOES NOT APPLY; PROVIDE AND FOR RELATED  
9 PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** (1) A public school may purchase a supply of the  
12 opioid antagonist naloxone from a wholesale distributor as defined  
13 in Section 41-29-115 or may enter into an arrangement with a  
14 wholesale distributor or entity who manufactures as defined in  
15 Section 41-29-105 for naloxone at fair-market, free, or reduced  
16 prices for use in the event a student has an opioid overdose. The  
17 naloxone must be maintained in a secure location on the public  
18 school's premises. The participating school district shall adopt  
19 a protocol developed by a licensed physician for the  
20 administration of the drug by school personnel who are trained to  
21 recognize an opioid overdose and to administer naloxone.



22           (2) The school district and its employees and agents and the  
23 physician who provides the standing protocol for school naloxone  
24 are not liable for any injury arising from the use of the drug  
25 if it is administered by trained school personnel who follow the  
26 standing protocol and whose professional opinion is that the  
27 student is having an opioid overdose:

28           (a) Unless the trained school personnel's action is  
29 willful and wanton;

30           (b) Notwithstanding that the parents or guardians of  
31 the student to whom the naloxone is administered have not been  
32 provided notice or have not signed a statement acknowledging  
33 that the school district is not liable; and

34           (c) Regardless of whether authorization has been given  
35 by the student's parents or guardians or by the student's  
36 physician, physician's assistant, or advanced practice registered  
37 nurse.

38           **SECTION 2.** This act shall take effect and be in force  
39 from and after July 1, 2023.

