

**Adopted
AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1174

BY: Representative Bennett

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

11 SECTION 1. (1) A public school may purchase a supply of
12 opioid reversal agents approved by the United States Food and Drug
13 Administration (FDA), from a wholesale distributor as defined in
14 Section 41-29-115, or may enter into an arrangement with a
15 wholesale distributor or entity who manufactures as defined in
16 Section 41-29-105 for FDA-approved opioid reversal agents at
17 fair-market, free or reduced prices for use in the event a student
18 has an opioid overdose. The FDA-approved opioid reversal agent
19 must be maintained in a secure location on the public school's
20 premises. The participating school district shall adopt a



21 protocol developed by a licensed physician for the administration
22 of the medication by school personnel who are trained to recognize
23 an opioid overdose and to administer FDA-approved opioid reversal
24 agents.

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

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

34 (b) Notwithstanding that the parents or guardians of
35 the student to whom the FDA-approved opioid reversal agent is
36 administered have not been provided notice or have not signed a
37 statement acknowledging that the school district is not liable;
38 and

39 (c) Regardless of whether authorization has been given
40 by the student's parents or guardians or by the student's
41 physician, physician's assistant or advanced practice registered
42 nurse.

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



**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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

