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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2398

03/02/2023 Authored by Acomb, Sencer-Mura, Moller, Edelson and Freiberg The bill was read for the first time and referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; requiring schools to maintain a supply of opiate antagonists;
1.3 modifying provisions for opiate antagonist administration in schools; appropriating
1.4 money; amending Minnesota Statutes 2022, section 151.37, subdivision 12;
1.5 proposing coding for new law in Minnesota Statutes, chapter 121A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. 121A.224 OPIATE ANTAGONISTS.

1.8 (a) A school district or charter school must maintain a supply of opiate antagonists, as
1.9 defined in section 604A.04, subdivision 1, at each school site to be administered in
1.10 compliance with section 151.37, subdivision 12.

1.11 (b) Each school building must have two doses of nasal naloxone available on-site.

1.12 (c) The commissioner of health must develop and disseminate to schools a short training
1.13 video about how and when to administer nasal naloxone. The person having control of the
1.14 school building must ensure that at least one staff member trained on how and when to
1.15 administer nasal naloxone is on-site when the school building is open to students, staff, or
1.16 the public, including during before school, after school, or weekend activities.

1.17 EFFECTIVE DATE. This section is effective July 1, 2023.

1.18 Sec. 2. Minnesota Statutes 2022, section 151.37, subdivision 12, is amended to read:

1.19 Subd. 12. **Administration of opiate antagonists for drug overdose.** (a) A licensed
1.20 physician, a licensed advanced practice registered nurse authorized to prescribe drugs
1.21 pursuant to section 148.235, or a licensed physician assistant may authorize the following
1.22 individuals to administer opiate antagonists, as defined in section 604A.04, subdivision 1:

- 2.1 (1) an emergency medical responder registered pursuant to section 144E.27;
- 2.2 (2) a peace officer as defined in section 626.84, subdivision 1, paragraphs (c) and (d);
- 2.3 (3) correctional employees of a state or local political subdivision;
- 2.4 (4) staff of community-based health disease prevention or social service programs;
- 2.5 (5) a volunteer firefighter; and
- 2.6 (6) a licensed school nurse or ~~certified public health nurse~~ any other personnel employed
- 2.7 by, or under contract with, a school board under section 121A.21, charter school, or private
- 2.8 school.

2.9 (b) For the purposes of this subdivision, opiate antagonists may be administered by one
 2.10 of these individuals only if:

- 2.11 (1) the licensed physician, licensed physician assistant, or licensed advanced practice
- 2.12 registered nurse has issued a standing order to, or entered into a protocol with, the individual;
- 2.13 and

- 2.14 (2) the individual has training in the recognition of signs of opiate overdose and the use
- 2.15 of opiate antagonists as part of the emergency response to opiate overdose.

2.16 (c) Nothing in this section prohibits the possession and administration of naloxone
 2.17 pursuant to section 604A.04.

2.18 Sec. 3. **APPROPRIATION.**

2.19 Subdivision 1. Department of Education. The sums indicated in this section are
 2.20 appropriated from the general fund to the Department of Education in the fiscal years
 2.21 designated.

2.22 Subd. 2. Opiate antagonists. For grants to school districts and charter schools to purchase
 2.23 the required supply of opiate antagonists under Minnesota Statutes, section 121A.224:

2.24	\$	<u>2024</u>
2.25	\$	<u>2025</u>