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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5400

04/18/2024 Authored by Schomacker The bill was read for the first time and referred to the Committee on Higher Education Finance and Policy

1.1 A bill for an act
1.2 relating to higher education; requiring public postsecondary institutions to maintain
1.3 a supply of opiate antagonists on system campuses; amending Minnesota Statutes
1.4 2023 Supplement, section 151.37, subdivision 12; proposing coding for new law
1.5 in Minnesota Statutes, chapter 135A.

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

1.7 Section 1. [135A.1367] OPIATE ANTAGONIST.

1.8 (a) The Board of Trustees of the Minnesota State Colleges and Universities shall, and
1.9 the Board of Regents of the University of Minnesota is requested to:

1.10 (1) maintain a supply of opiate antagonists, as defined in section 604A.04, subdivision
1.11 1, at each campus site to be administered in compliance with section 151.37, subdivision
1.12 12; and

1.13 (2) have at least two doses of nasal naloxone available on site at each campus building.

1.14 (b) The commissioner of health shall identify resources, including at least one training
1.15 video, to help postsecondary institutions implement an opiate antagonist emergency response
1.16 and make the resources available for institutions.

1.17 (c) The Board of Trustees and the Board of Regents may adopt a model plan for use,
1.18 storage, and administration of opiate antagonists on system campuses.

1.19 EFFECTIVE DATE. This section is effective beginning in the 2024-2025 academic
1.20 year.

2.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 151.37, subdivision 12, is amended  
2.2 to read:

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

2.7 (1) an emergency medical responder registered pursuant to section 144E.27;

2.8 (2) a peace officer as defined in section 626.84, subdivision 1, paragraphs (c) and (d);

2.9 (3) correctional employees of a state or local political subdivision;

2.10 (4) staff of community-based health disease prevention or social service programs;

2.11 (5) a volunteer firefighter;

2.12 (6) a nurse or any other personnel employed by, or under contract with, a postsecondary  
2.13 institution or a charter, public, or private school; and

2.14 (7) transit rider investment program personnel authorized under section 473.4075.

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

2.17 (1) the licensed physician, licensed physician assistant, or licensed advanced practice  
2.18 registered nurse has issued a standing order to, or entered into a protocol with, the individual;  
2.19 and

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

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

2.24 (d) Notwithstanding section 148.235, subdivisions 8 and 9, a licensed practical nurse is  
2.25 authorized to possess and administer according to this subdivision an opiate antagonist in  
2.26 a school setting.