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**SENATE BILL 5804**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Lias, Lovelett, Nguyen, Nobles, Stanford, Valdez, and C. Wilson

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1 AN ACT Relating to opioid overdose reversal medication in high  
2 schools; and amending RCW 28A.210.390 and 28A.210.395.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.210.390 and 2019 c 314 s 39 are each amended to  
5 read as follows:

6 (1) For the purposes of this section:

7 (a) "High school" means a school enrolling students in any of  
8 grades nine through (~~twelve~~) 12;

9 (b) "Opioid overdose reversal medication" has the meaning  
10 provided in RCW 69.41.095;

11 (c) "Opioid-related overdose" has the meaning provided in RCW  
12 69.41.095; and

13 (d) "Standing order" has the meaning provided in RCW 69.41.095.

14 (2)(a) For the purpose of assisting a person at risk of  
15 experiencing an opioid-related overdose, a high school may obtain and  
16 maintain opioid overdose reversal medication through a standing order  
17 prescribed and dispensed in accordance with RCW 69.41.095.

18 (b) Opioid overdose reversal medication may be obtained from  
19 donation sources, but must be maintained and administered in a manner  
20 consistent with a standing order issued in accordance with RCW  
21 69.41.095.

1 (c) A school district (~~(with two thousand or more students)~~) must  
2 obtain and maintain at least one set of opioid overdose reversal  
3 medication doses in each of its high schools as provided in (a) and  
4 (b) of this subsection. A school district that demonstrates a good  
5 faith effort to obtain the opioid overdose reversal medication  
6 through a donation source, but is unable to do so, is exempt from the  
7 requirement in this subsection (2)(c).

8 (3)(a) The following personnel may distribute or administer the  
9 school-owned opioid overdose reversal medication to respond to  
10 symptoms of an opioid-related overdose pursuant to a prescription or  
11 a standing order issued in accordance with RCW 69.41.095: (i) A  
12 school nurse; (ii) a health care professional or trained staff person  
13 located at a health care clinic on public school property or under  
14 contract with the school district; or (iii) designated trained school  
15 personnel.

16 (b) Opioid overdose reversal medication may be used on school  
17 property, including the school building, playground, and school bus,  
18 as well as during field trips or sanctioned excursions away from  
19 school property. A school nurse or designated trained school  
20 personnel may carry an appropriate supply of school-owned opioid  
21 overdose reversal medication on field trips or sanctioned excursions.

22 (4) Training for school personnel who have been designated to  
23 distribute or administer opioid overdose reversal medication under  
24 this section must meet the requirements for training described in RCW  
25 28A.210.395 and any rules or guidelines for such training adopted by  
26 the office of the superintendent of public instruction. Each high  
27 school is encouraged to designate and train at least one school  
28 personnel to distribute and administer opioid overdose reversal  
29 medication if the high school does not have a full-time school nurse  
30 or trained health care clinic staff.

31 (5)(a) The liability of a person or entity who complies with this  
32 section and RCW 69.41.095 is limited as described in RCW 69.41.095.

33 (b) If a student is injured or harmed due to the administration  
34 of opioid overdose reversal medication that a practitioner, as  
35 defined in RCW 69.41.095, has prescribed and a pharmacist has  
36 dispensed to a school under this section, the practitioner and  
37 pharmacist may not be held responsible for the injury unless he or  
38 she acted with conscious disregard for safety.

1       **Sec. 2.** RCW 28A.210.395 and 2019 c 314 s 40 are each amended to  
2 read as follows:

3       (1) For the purposes of this section:

4       (a) "Opioid overdose reversal medication" has the meaning  
5 provided in RCW 69.41.095; and

6       (b) "Opioid-related overdose" has the meaning provided in RCW  
7 69.41.095.

8       (2) (a) To prevent opioid-related overdoses and respond to medical  
9 emergencies resulting from overdoses, by January 1, 2020, the office  
10 of the superintendent of public instruction, in consultation with the  
11 department of health and the Washington state school directors'  
12 association, shall develop opioid-related overdose policy guidelines  
13 and training requirements for public schools and school districts.

14       (b) (i) The opioid-related overdose policy guidelines and training  
15 requirements must include information about: The identification of  
16 opioid-related overdose symptoms; how to obtain and maintain opioid  
17 overdose reversal medication on school property issued through a  
18 standing order in accordance with RCW 28A.210.390; how to obtain  
19 opioid overdose reversal medication through donation sources; the  
20 distribution and administration of opioid overdose reversal  
21 medication by designated trained school personnel; free online  
22 training resources that meet the training requirements in this  
23 section; and sample standing orders for opioid overdose reversal  
24 medication.

25       (ii) The opioid-related overdose policy guidelines may: Include  
26 recommendations for the storage and labeling of opioid overdose  
27 reversal medications that are based on input from relevant health  
28 agencies or experts; and allow for opioid-related overdose reversal  
29 medications to be obtained, maintained, distributed, and administered  
30 by health care professionals and trained staff located at a health  
31 care clinic on public school property or under contract with the  
32 school district.

33       (c) In addition to being offered by the school, training on the  
34 distribution or administration of opioid overdose reversal medication  
35 that meets the requirements of this subsection (2) may be offered by  
36 nonprofit organizations, higher education institutions, and local  
37 public health organizations.

38       (3) (a) By March 1, 2020, the Washington state school directors'  
39 association must collaborate with the office of the superintendent of  
40 public instruction and the department of health to either update

1 existing model policy or develop a new model policy that meets the  
2 requirements of subsection (2) of this section.

3 (b) (~~Beginning with the 2020-21 school year, the following~~  
4 ~~school~~) School districts must adopt an opioid-related overdose  
5 policy(~~(a) [(i)] School districts with a school that obtains,~~  
6 ~~maintains, distributes, or administers opioid overdose reversal~~  
7 ~~medication under RCW 28A.210.390; and (b) [(ii)] school districts~~  
8 ~~with two thousand or more students~~) in accordance with RCW  
9 28A.210.390.

10 (c) The office of the superintendent of public instruction and  
11 the Washington state school directors' association must maintain the  
12 model policy and procedure on each agency's website at no cost to  
13 school districts.

14 (4) Subject to the availability of amounts appropriated for this  
15 specific purpose, the office of the superintendent of public  
16 instruction shall develop and administer a grant program to provide  
17 funding to public schools with any of grades nine through (~~twelve~~)  
18 12 and public higher education institutions to purchase opioid  
19 overdose reversal medication and train personnel on the  
20 administration of opioid overdose reversal medication to respond to  
21 symptoms of an opioid-related overdose. The office must publish on  
22 its website a list of annual grant recipients, including award  
23 amounts.

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