

House Bill 1170 (COMMITTEE SUBSTITUTE)

By: Representatives Hawkins of the 27th, Mathiak of the 74th, Gaines of the 120th, Gambill of the 15th, and Kennard of the 101st

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the
2 Department of Public Health, so as to require that certain state government buildings and
3 courthouses maintain and make accessible opioid antagonists; to provide for definitions; to
4 provide for the identification, development, and dissemination of educational materials and
5 for the development of a model policy for training individuals on emergency opioid
6 antagonist administration by the department; to provide that certain government entities shall
7 establish and implement an internal policy; to provide for immunity; to provide for related
8 matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department
12 of Public Health, is amended by adding a new Code section to read as follows:

13 "31-2A-20.

14 (a) As used in this Code section, the term:

15 (1) 'Automated external defibrillator' shall have the same meaning as set forth in Code

16 Section 31-11-53.1.

17 (2) 'Courthouse' means a building occupied by judicial courts and containing rooms in
18 which judicial proceedings are held, provided that such building contains an automated
19 external defibrillator.

20 (3) 'Government entity' means any state board, commission, agency, or department or
21 any other form of state or local government, but such term shall not include local school
22 systems, public schools, charter schools, or university buildings.

23 (4) 'Opioid antagonist' shall have the same meaning as set forth in Code Section
24 26-4-116.2.

25 (5) 'Opioid related overdose' shall have the same meaning as set forth in Code Section
26 26-4-116.2.

27 (6) 'Qualified government building' means a building in which a government entity is
28 housed or meets in its official capacity, including the portion occupied by a government
29 entity of any building that is not publicly owned, provided that such building contains an
30 automated external defibrillator.

31 (7) 'University building' means any building which forms a part of the University System
32 of Georgia, including any college or university under the government, control, and
33 management of the Board of Regents of the University System of Georgia, or any
34 building under the control of the State Board of the Technical College System of Georgia.

35 (b) The department shall consult with the Department of Behavioral Health and
36 Developmental Disabilities and may consult with any other medical, clinical, or peer
37 support professionals or organizations it deems appropriate to identify and develop
38 educational resources and guidelines on opioid related overdoses. The department shall
39 develop a model training and implementation policy for opioid antagonist administration.
40 All such educational resources and guidelines and the model training and implementation
41 policy shall be maintained in a prominent manner on the department's principal public
42 website.

43 (c) All qualified government buildings and courthouses shall:

- 44 (1) Maintain a supply of at least three unit doses of opioid antagonists; and
45 (2) Ensure that such supply of opioid antagonists is available and accessible during
46 regular business hours and outside of regular business hours for all government entity
47 events.
- 48 (d) A government entity may make opioid antagonists accessible during government entity
49 events that occur on property that is not publicly owned.
- 50 (e) No one employee, officer, agent, contractor, or other individual shall be solely
51 responsible for providing training pursuant to subsection (f) of this Code section for any
52 government entity.
- 53 (f)(1) Every government entity that is based in or operates out of a qualified government
54 building shall establish and implement an internal training and implementation policy for
55 opioid antagonist administration. Such policy may be based on the model training and
56 implementation policy developed by the department pursuant to subsection (b) of this
57 Code section. Each such government entity shall be authorized to receive and administer
58 grants, gifts, contracts, moneys, and donations for the purpose of implementing this Code
59 section.
- 60 (2) Each internal training and implementation policy provided for in paragraph (1) of this
61 subsection shall:
- 62 (A) Provide details about how an individual can access opioid antagonist
63 administration training;
- 64 (B) Specify the location or locations of the government entity's supply of opioid
65 antagonists;
- 66 (C) Contain an affirmative statement that any trained individual may administer an
67 opioid antagonist to any person whom the trained individual believes in good faith to
68 be experiencing an opioid related overdose; and
- 69 (D) Contain the following statement: 'Georgia law provides that any trained individual
70 shall be immune from civil liability or professional discipline for any good faith act or

71 omission to act in the emergency administration of an opioid antagonist to a person
72 believed to be having an opioid related overdose.'

73 (g) All employees, officers, agents, and contractors of government entities and all other
74 individuals who receive training pursuant to subsection (f) of this Code section shall be
75 immune from civil liability or professional discipline for any good faith act or omission to
76 act related to the emergency administration of an opioid antagonist pursuant to this Code
77 section. Good faith shall not include willful misconduct, gross negligence, or recklessness.

78 (h) Notwithstanding any law to the contrary, funds appropriated or otherwise made
79 available to a government entity may be used to comply with the requirements of this Code
80 section by such government entity."

81 **SECTION 2.**

82 All laws and parts of laws in conflict with this Act are repealed.