

AN ACT

ENTITLED, An Act to authorize the possession and administration of opioid antagonists by school district and nonpublic school personnel, and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 13-33A be amended by adding a NEW SECTION to read:

The governing board of a school district and the governing board of a nonpublic school may acquire opioid antagonists in accordance with current state law and administrative rule, and make the medication available to personnel who are trained in accordance with section 2 of this Act.

Section 2. That chapter 13-33A be amended by adding a NEW SECTION to read:

Before school personnel may administer an opioid antagonist in the event of a suspected opioid overdose, training must be provided by an individual qualified to do so. The training must include:

- (1) Symptoms of an opiate overdose;
- (2) Protocols and procedures for administering an opioid antagonist;
- (3) Symptoms of adverse responses to an opioid antagonist;
- (4) Protocols and procedures for stabilizing the patient if an adverse response occurs; and
- (5) Procedures for transporting, storing, and securing an opioid antagonist.

Section 3. That chapter 13-33A be amended by adding a NEW SECTION to read:

No school district, administrator, school board member, school nurse, or designated school personnel possessing or making available opioid antagonists in accordance with state law, and no health care professional providing training in relation thereto, may be held liable for any injury or related damage that results from the administration of, the self-administration of, or the failure to administer an opioid antagonist, if such action or inaction constitutes, ordinary negligence. This immunity does not apply to an act or omission constituting gross, willful, or wanton negligence. The administration of an opioid antagonist does not constitute the practice of medicine. The immunity

provided under this section is in addition to, and not in lieu of, any other immunity provided by law.

Section 4. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to authorize the possession and administration of opioid antagonists by school district and nonpublic school personnel, and to declare an emergency.

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I certify that the attached Act
originated in the

SENATE as Bill No. 84

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 84
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State