

1 **CONCURRENT RESOLUTION ON DEATHS FROM**
2 **OPIOID-INDUCED POSTOPERATIVE RESPIRATORY**
3 **DEPRESSION**

4 2018 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Kevin T. Van Tassell**

7 House Sponsor: _____

9 **LONG TITLE**

10 **General Description:**

11 This concurrent resolution of the Legislature and the Governor recognizes the
12 devastating effects of the sudden death of Utah residents from opioid-induced
13 postoperative respiratory depression, urges further study of this issue, and encourages
14 physicians to prescribe in-home monitoring devices for patients who are discharged
15 with opioids after surgery.

16 **Highlighted Provisions:**

17 This resolution:

- 18 ▶ recognizes the effects of sudden death from opioid-induced postoperative
19 respiratory depression;
- 20 ▶ urges the Department of Health, hospitals, practitioners, and academics to further
21 study this issue; and
- 22 ▶ encourages physicians to prescribe in-home monitoring devices for patients who are
23 discharged with opioids after surgery.

24 **Special Clauses:**

25 None

27 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*



28 WHEREAS, opioids have been prescribed without understanding their full impact on
29 the human body, leading to a public health crisis on a scale that has never before been seen in
30 this country;

31 WHEREAS, President Donald J. Trump has declared the nation's opioid crisis to be a
32 public health emergency;

33 WHEREAS, the people of the state of Utah continue to be devastated by addiction and
34 deaths resulting from the use of opioids;

35 WHEREAS, opioids have been known to affect the part of the brain that regulates
36 breathing, resulting in respiratory depression and death, particularly in patients who are
37 recovering from a surgical operation;

38 WHEREAS, in November 2014, the World Health Organization issued a warning about
39 the risk of respiratory depression and death from opioid use;

40 WHEREAS, following the unexpected death of their son, Parker Stewart, from
41 respiratory depression after taking the prescribed dose of an opioid after a routine surgery,
42 members of his family have advocated tirelessly to raise awareness of the risks of death from
43 opioid-induced postoperative respiratory depression;

44 WHEREAS, many other families have had to face the sudden death of a loved one from
45 respiratory depression after taking one or two doses of an opioid;

46 WHEREAS, deaths from opioid-induced postoperative respiratory depression are often
47 misdiagnosed as pneumonia and are therefore under-reported;

48 WHEREAS, the use of a low-cost, in-home monitoring device to alert a caregiver of
49 low oxygen saturation would have prevented many of these needless deaths;

50 WHEREAS, in August 2012, the Joint Commission, an independent, not-for-profit
51 organization that accredits and certifies nearly 21,000 health care organizations and programs
52 in the United States, published a Sentinel Event Alert to health care professionals urging
53 specific steps to prevent serious complications and deaths from opioid use, including
54 monitoring patient oxygenization due to the higher risk of respiratory depression;

55 WHEREAS, advances in technology have made in-home monitoring devices that
56 satisfy the recommendations of the Joint Commission accessible and affordable for hospitals,
57 physicians, and patients;

58 WHEREAS, capnography and acoustic monitoring are increasingly becoming the

59 standard of care to detect changes in breathing, and the United States Food and Drug
60 Administration has recently approved devices using these technologies for in-home use; and

61 WHEREAS, respiratory care providers and other health care professionals, particularly
62 from Intermountain Health Care and Uintah Basin Healthcare, have taken proactive measures
63 to protect against the risk of death from opioid-induced respiratory depression:

64 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
65 Governor concurring therein, urges the Department of Health to convene a multi-stakeholder,
66 cross-sector group dedicated to gathering data and best practices to avoid deaths from
67 opioid-induced postoperative respiratory depression.

68 BE IT FURTHER RESOLVED that health care professionals be advised about the
69 dangers of opioid-induced respiratory depression and the need for in-home monitoring of
70 patients who are prescribed an opioid after surgery.

71 BE IT FURTHER RESOLVED that hospitals and academics are urged to collect more
72 data about the risks of taking an opioid after surgery and the deaths resulting from
73 opioid-induced postoperative respiratory depression, especially regarding the effects of the
74 opioid on a patient's breathing.

75 BE IT FURTHER RESOLVED that the state of Utah shall make every effort to avoid
76 the continuing needless deaths that result from the use of opioids throughout the state.

77 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Department
78 of Health and to the Utah Medical Association for distribution to the association's members.

Legislative Review Note
Office of Legislative Research and General Counsel