

SENATE, No. 186

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator VINCENT J. POLISTINA

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SYNOPSIS

Requires institutions of higher education to maintain supply of opioid antidotes and permits emergency administration of opioid antidote by campus medical professional or trained employee.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the emergency administration of opioid
2 antidotes at institutions of higher education and supplementing
3 chapter 61D of Title 18A of the New Jersey Statutes.
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. As used in this act:

9 “Institution of higher education” means a public or independent
10 institution of higher education.

11 “Licensed campus medical professional” means a physician,
12 physician assistant, advanced practice nurse, or registered nurse
13 who is appropriately licensed by the State of New Jersey and is
14 employed or engaged by an institution of higher education.

15 “Opioid antidote” means any drug, regardless of dosage amount
16 or method of administration, which has been approved by the
17 United States Food and Drug Administration (FDA) for the
18 treatment of an opioid overdose. "Opioid antidote" includes, but is
19 not limited to, naloxone hydrochloride, in any dosage amount,
20 which is administered through nasal spray or any other FDA-
21 approved means or methods.

22 “Opioid overdose” means an acute condition including, but not
23 limited to, extreme physical illness, decreased level of
24 consciousness, respiratory depression, coma, or death resulting
25 from the consumption or use of an opioid drug or another substance
26 with which an opioid drug was combined, and that a layperson
27 would reasonably believe to require medical assistance.

28 “Secretary” means the Secretary of Higher Education.

29 “Trained designee” means an employee of an institution of
30 higher education who has received training on the administration of
31 opioid antidotes under the provisions of this act.
32

33 2. a. An institution of higher education shall obtain a supply of
34 opioid antidotes pursuant to a standing order under section 4 of the
35 “Overdose Prevention Act,” P.L.2013, c.46 (C.24:6J-4), or section 1
36 of P.L.2017, c.88 (C.45:14-67.2), to be maintained in one or more
37 secure and easily accessible locations at the institution for the
38 purpose of responding to an opioid overdose emergency. Opioid
39 antidotes shall be maintained by the institution in quantities and
40 types deemed adequate by the governing board of the institution, in
41 consultation with the secretary and the Department of Human
42 Services.

43 b. An institution of higher education shall develop a policy, in
44 accordance with guidelines established by the secretary pursuant to
45 section 3 of this act, for the emergency administration of an opioid
46 antidote to a student, staff member, or other person who is
47 experiencing an opioid overdose. The policy shall:

1 (1) designate a licensed campus medical professional to oversee
2 the institution's program for the maintenance and emergency
3 administration of opioid antidotes;

4 (2) permit a licensed campus medical professional and trained
5 employees designated pursuant to subsection c. of this section to
6 administer an opioid antidote to any person whom the licensed
7 campus medical professional or trained employee in good faith
8 believes is experiencing an opioid overdose; and

9 (3) require the transportation of an overdose victim to a hospital
10 emergency room by emergency services personnel after the
11 administration of an opioid antidote, even if the person's symptoms
12 appear to have resolved.

13 c. A licensed campus medical professional shall have the
14 primary responsibility for the emergency administration of an
15 opioid antidote in accordance with a policy developed under this
16 section. The governing board of an institution of higher education
17 shall designate additional employees of the institution who
18 volunteer to administer an opioid antidote in the event that a person
19 experiences an opioid overdose when a licensed campus medical
20 professional is not physically present at the scene. The designated
21 employees shall only be authorized to administer opioid antidotes
22 after receiving the training required under subsection b. of section 3
23 of this act.

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25 3. a. The secretary, in consultation with the Department of
26 Human Services and appropriate medical experts, shall establish
27 guidelines for the development of a policy by an institution of
28 higher education for the emergency administration of opioid
29 antidotes. Each institution of higher education shall implement the
30 guidelines in developing a policy pursuant to section 2 of this act.

31 b. The guidelines shall include a requirement that a licensed
32 campus medical professional and each employee designated
33 pursuant to subsection c. of section 2 of this act receive training on
34 standardized protocols for the administration of an opioid antidote
35 to a person who experiences an opioid overdose. The training shall
36 include the overdose prevention information described in subsection
37 a. of section 5 of the "Overdose Prevention Act," P.L.2013, c.46
38 (C.24:6J-5). The guidelines shall specify an appropriate entity or
39 entities to provide the training.

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41 4. An employee of an institution of higher education, including
42 a licensed campus medical professional, trained designee, or any
43 other officer or agent of an institution of higher education,
44 pharmacist, or a prescriber of opioid antidotes for an institution of
45 higher education through a standing order, shall not be held liable
46 for any good faith act or omission consistent with the provisions of
47 this act. Good faith shall not include willful misconduct, gross
48 negligence, or recklessness.

S186 POLISTINA

4

1 5. This act shall take effect on the first day of the fourth month
2 next following the date of enactment, except the Secretary of
3 Higher Education may take any anticipatory administrative action in
4 advance as shall be necessary for the implementation of this act.

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STATEMENT

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9 This bill requires public and independent institutions of higher
10 education in New Jersey to obtain a supply of opioid antidotes to be
11 maintained in one or more secure and easily accessible locations at
12 the institution. The bill requires the institutions to develop a policy
13 for the emergency administration of an opioid antidote to a student,
14 staff member, or other person who is experiencing an opioid
15 overdose. The policies must: (1) designate a licensed campus
16 medical professional to oversee the institution's program for the
17 maintenance and emergency administration of opioid antidotes; (2)
18 permit a licensed campus medical professional and other designated
19 trained employees of the institution to administer an opioid antidote
20 to any person whom the licensed campus medical professional or
21 trained employee in good faith believes is experiencing an opioid
22 overdose; and (3) require the transportation of an overdose victim to
23 a hospital emergency room by emergency services personnel after
24 the administration of an opioid antidote.

25 Under an institution's policy, a licensed campus medical
26 professional will have the primary responsibility for the emergency
27 administration of an opioid antidote. The governing board of an
28 institution of higher education will designate additional employees
29 of the institution who volunteer to administer an opioid antidote in
30 the event that a person experiences an opioid overdose when a
31 licensed campus medical professional is not physically present at
32 the scene. The licensed campus medical professionals and
33 designated employees are required to receive training on
34 standardized protocols for the administration of an opioid antidote
35 to a person who experiences an opioid overdose. The training will
36 include the overdose prevention information set forth in the State's
37 "Overdose Prevention Act."

38 The bill directs the Secretary of Higher Education, in
39 consultation with the Department of Human Services and
40 appropriate medical experts, to establish guidelines for institutions
41 of higher education in developing their policies for the
42 administration of opioid antidotes, including guidelines concerning
43 the training requirements for licensed campus medical professionals
44 and designated employees. Institutions of higher education will be
45 required to implement the guidelines in developing their policies.
46 The bill provides immunity from liability for licensed campus
47 medical professionals, trained designees, and other employees or
48 agents of an institution of higher education, and for pharmacists and

S186 POLISTINA

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- 1 prescribers of opioid antidotes for an institution of higher
- 2 education, for good faith acts or omissions consistent with the bill's
- 3 provisions.