

CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE SENATE BILL 5195

Chapter 273, Laws of 2021

67th Legislature
2021 Regular Session

OPIOID OVERDOSE REVERSAL MEDICATION—PRESCRIBING

EFFECTIVE DATE: July 25, 2021—Except for sections 2 through 4, which
take effect January 1, 2022.

Passed by the Senate April 19, 2021
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 9, 2021
Yeas 89 Nays 8

Laurie Jinkins

**Speaker of the House of
Representatives**

Approved May 12, 2021 2:54 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5195** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

May 12, 2021

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5195

AS AMENDED BY THE HOUSE

Passed Legislature - 2021 Regular Session

State of Washington 67th Legislature 2021 Regular Session

By Senate Ways & Means (originally sponsored by Senators Lias, Muzzall, Das, Dhingra, Nguyen, and Wilson, C.)

READ FIRST TIME 02/22/21.

1 AN ACT Relating to opioid overdose reversal medication; amending
2 RCW 70.41.480 and 39.26.125; adding a new section to chapter 70.41
3 RCW; adding a new section to chapter 71.24 RCW; adding new sections
4 to chapter 74.09 RCW; adding new sections to chapter 70.14 RCW;
5 adding a new section to chapter 41.05 RCW; adding a new section to
6 chapter 48.43 RCW; creating new sections; and providing an effective
7 date.

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

9 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

10 (a) Opioid use disorder is a treatable brain disease from which
11 people recover;

12 (b) Individuals living with opioid use disorder are at high risk
13 for fatal overdose;

14 (c) Overdose deaths are preventable with lifesaving opioid
15 overdose reversal medications like naloxone;

16 (d) Just as individuals with life-threatening allergies should
17 carry an EpiPen, individuals with opioid use disorder should carry
18 opioid overdose reversal medication;

19 (e) There are 53,000 individuals in Washington enrolled in apple
20 health, Washington's medicaid program, that have a diagnosis of

1 opioid use disorder and yet there are alarmingly few medicaid claims
2 for opioid overdose reversal medication; and

3 (f) Most of the opioid overdose reversal medication distributed
4 in Washington is currently paid for with flexible federal and state
5 dollars and distributed in bulk, rather than appropriately billed to
6 a patient's insurance. Those finite flexible funds should instead be
7 used for nonmedicaid eligible expenses or for opioid overdose
8 reversal medication distributed in nonmedicaid eligible settings or
9 to nonmedicaid eligible persons. The state's current methods for
10 acquisition and distribution of opioid overdose reversal medication
11 are not sustainable and insufficient to reach all Washingtonians
12 living with opioid use disorder.

13 (2) Therefore, it is the intent of the legislature to increase
14 access for all individuals with opioid use disorder to opioid
15 overdose reversal medication so that if they experience an overdose,
16 they will have a second chance. As long as there is breath, there is
17 hope for recovery.

18 **Sec. 2.** RCW 70.41.480 and 2019 c 314 s 18 are each amended to
19 read as follows:

20 (1) The legislature finds that high quality, safe, and
21 compassionate health care services for patients of Washington state
22 must be available at all times. The legislature further finds that
23 there is a need for patients being released from hospital emergency
24 departments to maintain access to emergency medications when
25 community or hospital pharmacy services are not available, including
26 medication for opioid overdose reversal and for the treatment for
27 opioid use disorder as appropriate. It is the intent of the
28 legislature to accomplish this objective by allowing practitioners
29 with prescriptive authority to prescribe limited amounts of
30 prepackaged emergency medications to patients being discharged from
31 hospital emergency departments when access to community or outpatient
32 hospital pharmacy services is not otherwise available.

33 (2) A hospital may allow a practitioner to prescribe prepackaged
34 emergency medications and allow a practitioner or a registered nurse
35 licensed under chapter 18.79 RCW to distribute prepackaged emergency
36 medications to patients being discharged from a hospital emergency
37 department in the following circumstances:

38 (a) During times when community or outpatient hospital pharmacy
39 services are not available within fifteen miles by road; or

1 (b) When, in the judgment of the practitioner and consistent with
2 hospital policies and procedures, a patient has no reasonable ability
3 to reach the local community or outpatient pharmacy(~~(~~or~~~~

4 ~~(c) When, in the judgment of the practitioner and consistent with~~
5 ~~hospital policies and procedures, a patient is at risk of opioid~~
6 ~~overdose and the prepackaged emergency medication being distributed~~
7 ~~is an opioid overdose reversal medication. The labeling requirements~~
8 ~~of RCW 69.41.050 and 18.64.246 do not apply to opioid overdose~~
9 ~~reversal medications dispensed, distributed, or delivered pursuant to~~
10 ~~a prescription, collaborative drug therapy agreement, standing order,~~
11 ~~or protocol issued in accordance with this section. The individual or~~
12 ~~entity that dispenses, distributes, or delivers an opioid overdose~~
13 ~~reversal medication as authorized by this section must ensure that~~
14 ~~directions for use are provided)).~~

15 (3) A hospital may only allow this practice if: The director of
16 the hospital pharmacy, in collaboration with appropriate hospital
17 medical staff, develops policies and procedures regarding the
18 following:

19 (a) Development of a list, preapproved by the pharmacy director,
20 of the types of emergency medications to be prepackaged and
21 distributed;

22 (b) Assurances that emergency medications to be prepackaged
23 pursuant to this section are prepared by a pharmacist or under the
24 supervision of a pharmacist licensed under chapter 18.64 RCW;

25 (c) Development of specific criteria under which emergency
26 prepackaged medications may be prescribed and distributed consistent
27 with the limitations of this section;

28 (d) Assurances that any practitioner authorized to prescribe
29 prepackaged emergency medication or any nurse authorized to
30 distribute prepackaged emergency medication is trained on the types
31 of medications available and the circumstances under which they may
32 be distributed;

33 (e) Procedures to require practitioners intending to prescribe
34 prepackaged emergency medications pursuant to this section to
35 maintain a valid prescription either in writing or electronically in
36 the patient's records prior to a medication being distributed to a
37 patient;

38 (f) Establishment of a limit of no more than a forty-eight hour
39 supply of emergency medication as the maximum to be dispensed to a
40 patient, except when community or hospital pharmacy services will not

1 be available within forty-eight hours. In no case may the policy
2 allow a supply exceeding ninety-six hours be dispensed;

3 (g) Assurances that prepackaged emergency medications will be
4 kept in a secure location in or near the emergency department in such
5 a manner as to preclude the necessity for entry into the pharmacy;
6 and

7 (h) Assurances that nurses or practitioners will distribute
8 prepackaged emergency medications to patients only after a
9 practitioner has counseled the patient on the medication.

10 (4) The delivery of a single dose of medication for immediate
11 administration to the patient is not subject to the requirements of
12 this section.

13 (5) Nothing in this section restricts the authority of a
14 practitioner in a hospital emergency department to distribute opioid
15 overdose reversal medication under RCW 69.41.095.

16 (6) A practitioner in a hospital emergency department must
17 dispense or distribute opioid overdose reversal medication in
18 compliance with section 3 of this act.

19 (7) For purposes of this section:

20 (a) "Emergency medication" means any medication commonly
21 prescribed to emergency department patients, including those drugs,
22 substances or immediate precursors listed in schedules II through V
23 of the uniform controlled substances act, chapter 69.50 RCW, as now
24 or hereafter amended.

25 (b) "Distribute" means the delivery of a drug or device other
26 than by administering or dispensing.

27 (c) "Opioid overdose reversal medication" has the same meaning as
28 provided in RCW 69.41.095.

29 (d) "Practitioner" means any person duly authorized by law or
30 rule in the state of Washington to prescribe drugs as defined in RCW
31 18.64.011(29).

32 ~~((d))~~ (e) "Nurse" means a registered nurse as defined in RCW
33 18.79.020.

34 NEW SECTION. Sec. 3. A new section is added to chapter 70.41
35 RCW to read as follows:

36 (1) A hospital shall provide a person who presents to an
37 emergency department with symptoms of an opioid overdose, opioid use
38 disorder, or other adverse event related to opioid use with opioid
39 overdose reversal medication upon discharge, unless the treating

1 practitioner determines in their clinical and professional judgment
2 that dispensing or distributing opioid overdose reversal medication
3 is not appropriate or the practitioner has confirmed that the patient
4 already has opioid overdose reversal medication. If the hospital
5 dispenses or distributes opioid overdose reversal medication it must
6 provide directions for use.

7 (2) The opioid overdose reversal medication may be dispensed with
8 technology used to dispense medications.

9 (3) A person who is provided opioid overdose reversal medication
10 under this section must be provided information and resources about
11 medication for opioid use disorder and harm reduction strategies and
12 services which may be available, such as substance use disorder
13 treatment services and substance use disorder peer counselors. This
14 information should be available in all languages relevant to the
15 communities that the hospital serves.

16 (4) The labeling requirements of RCW 69.41.050 and 18.64.246 do
17 not apply to opioid overdose reversal medications dispensed or
18 distributed in accordance with this section.

19 (5) Until the opioid overdose reversal medication bulk purchasing
20 and distribution program established in section 7 of this act is
21 operational:

22 (a) If the patient is enrolled in a medical assistance program
23 under chapter 74.09 RCW, the hospital must bill the patient's
24 medicaid benefit for the patient's opioid overdose reversal
25 medication utilizing the appropriate billing codes established by the
26 health care authority. This billing must be separate from and in
27 addition to the payment for the other services provided during the
28 hospital visit.

29 (b) If the patient has available health insurance coverage other
30 than medical assistance under chapter 74.09 RCW, the hospital must
31 bill the patient's health plan for the cost of the opioid overdose
32 reversal medication.

33 (c) For patients who are not enrolled in medical assistance and
34 do not have any other available insurance coverage, the hospital must
35 bill the health care authority for the cost of the patient's opioid
36 overdose reversal medication.

37 (6) This section does not prohibit a hospital from dispensing
38 opioid overdose reversal medication to a patient at no cost to the
39 patient out of the hospital's prepurchased supply.

1 (7) Nothing in this section prohibits or modifies a hospital's
2 ability or responsibility to bill a patient's health insurance or to
3 provide financial assistance as required by state or federal law.

4 (8) A hospital, its employees, and its practitioners are immune
5 from suit in any action, civil or criminal, or from professional or
6 other disciplinary action, for action or inaction in compliance with
7 this section.

8 (9) For purposes of this section:

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

11 (b) "Practitioner" has the meaning provided in RCW 18.64.011.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 71.24
13 RCW to read as follows:

14 (1) For any client presenting with symptoms of an opioid use
15 disorder, or who reports recent use of opioids outside legal
16 authority, all licensed or certified behavioral health agencies that
17 provide individuals treatment for mental health or substance use
18 disorder, withdrawal management, secure withdrawal management,
19 evaluation and treatment, or opioid treatment programs must during
20 the client's intake, discharge, or treatment plan review, as
21 appropriate:

22 (a) Inform the client about opioid overdose reversal medication
23 and ask whether the client has opioid overdose reversal medication;
24 and

25 (b) If a client does not possess opioid overdose reversal
26 medication, unless the behavioral health provider determines using
27 clinical and professional judgment that opioid overdose reversal
28 medication is not appropriate, the behavioral health provider must:

29 (i) Prescribe the client opioid overdose reversal medication or
30 utilize the statewide naloxone standing order; and

31 (ii) Assist the client in directly obtaining opioid overdose
32 reversal medication as soon as practical by:

33 (A) Directly dispensing the opioid overdose reversal medication,
34 if authorized by state law;

35 (B) Partnering with a pharmacy to obtain the opioid overdose
36 reversal medication on the client's behalf and distributing the
37 opioid overdose reversal medication to the client;

38 (C) Assisting the client in utilizing a mail order pharmacy or
39 pharmacy that mails prescription drugs directly to the behavioral

1 health agency or client and distributing the opioid overdose reversal
2 medication to the client, if necessary;

3 (D) Obtaining and distributing opioid overdose reversal
4 medication through the bulk purchasing and distribution program
5 established in section 7 of this act; or

6 (E) Using any other resources or means authorized by state law to
7 provide opioid overdose reversal medication.

8 (2) Until the opioid overdose reversal medication bulk purchasing
9 and distribution program established in section 7 of this act is
10 operational, if a behavioral health agency listed in subsection (1)
11 of this section dispenses, distributes, or otherwise assists the
12 client in directly obtaining the opioid overdose reversal medication
13 such that the agency is the billing entity, the behavioral health
14 agency must:

15 (a) For clients enrolled in medical assistance under chapter
16 74.09 RCW, bill the client's medicaid benefit for the client's opioid
17 overdose reversal medication utilizing the appropriate billing codes
18 established by the health care authority.

19 (b) For clients with available health insurance coverage other
20 than medical assistance under chapter 74.09 RCW, bill the client's
21 health plan for the cost of the opioid overdose reversal medication.

22 (c) For clients who are not enrolled in medical assistance under
23 chapter 74.09 RCW and do not have any other available health
24 insurance coverage, bill the health care authority for the cost of
25 the client's opioid overdose reversal medication.

26 (3) A pharmacy that dispenses opioid overdose reversal medication
27 through a partnership or relationship with a behavioral health agency
28 as described in subsection (1) of this section must bill the health
29 care authority for the cost of the client's opioid overdose reversal
30 medication for clients that are not enrolled in medical assistance
31 under chapter 74.09 RCW and do not have any other available health
32 insurance coverage.

33 (4) The labeling requirements of RCW 69.41.050 and 18.64.246 do
34 not apply to opioid overdose reversal medication dispensed or
35 delivered in accordance with this section.

36 (5) A person who is provided opioid overdose reversal medication
37 under this section must be provided information and resources about
38 medication for opioid use disorder and harm reduction strategies and
39 services which may be available, such as substance use disorder
40 treatment services and substance use disorder peer counselors. This

1 information should be available in all languages relevant to the
2 communities that the behavioral health agency serves.

3 (6) The individual or entity that dispenses, distributes, or
4 delivers an opioid overdose reversal medication in accordance with
5 this section shall ensure that the directions for use are provided.

6 (7) Actions taken in compliance with subsection (1) of this
7 section by an entity that provides only mental health treatment may
8 not be construed as the entity holding itself out as providing or in
9 fact providing substance use disorder diagnosis, treatment, or
10 referral for treatment for purposes of state or federal law.

11 (8) A behavioral health agency, its employees, and providers are
12 immune from suit in any action, civil or criminal, or from
13 professional or other disciplinary action, for action or inaction in
14 compliance with this section.

15 (9) For purposes of this section, "opioid overdose reversal
16 medication" has the meaning provided in RCW 69.41.095.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.09
18 RCW to read as follows:

19 Until the opioid overdose reversal medication bulk purchasing and
20 distribution program established in section 7 of this act is
21 operational:

22 (1) Upon initiation or renewal of a contract with the authority
23 to administer a medicaid managed care plan, a managed care
24 organization must reimburse a hospital or behavioral health agency
25 for dispensing or distributing opioid overdose reversal medication to
26 a covered person under sections 3 and 4 of this act.

27 (2) If the person is not enrolled in a medicaid managed care plan
28 and does not have any other available insurance coverage, the
29 authority must reimburse a hospital, behavioral health agency, or
30 pharmacy for dispensing or distributing opioid overdose reversal
31 medication under sections 3 and 4 of this act.

32 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.09
33 RCW to read as follows:

34 (1) The authority, in consultation with the department of health,
35 the office of the insurance commissioner, and the addictions, drug,
36 and alcohol institute at the University of Washington, shall provide
37 technical assistance to hospitals and licensed or certified,
38 behavioral health agencies to assist these entities, practitioners,

1 and providers in complying with sections 3 and 4 of this act. The
2 technical assistance provided to behavioral health agencies must
3 include:

4 (a) Training nonmedical providers on distributing and providing
5 client education and directions for use of opioid overdose reversal
6 medication;

7 (b) Providing written guidance for billing for opioid overdose
8 reversal medication; and

9 (c) Analyzing the cost of additional behavioral health agency
10 staff time to carry out the activities in section 4 of this act, and
11 providing written guidance no later than January 1, 2022, for funding
12 and billing direct service activities related to assisting clients to
13 obtain opioid overdose reversal medication.

14 (2) The authority shall develop written materials in all relevant
15 languages for each hospital and applicable licensed or certified
16 behavioral health agency to comply with sections 3 and 4 of this act,
17 including directions for the use of opioid overdose reversal
18 medication, and provide them to all hospitals and behavioral health
19 agencies by January 1, 2022.

20 NEW SECTION. **Sec. 7.** A new section is added to chapter 70.14
21 RCW to read as follows:

22 (1) As soon as reasonably practicable, the health care authority
23 shall establish a bulk purchasing and distribution program for opioid
24 overdose reversal medication. The health care authority is authorized
25 to:

26 (a) Purchase or enter into contracts as necessary to purchase and
27 distribute opioid overdose reversal medication, collect an
28 assessment, and administer the program;

29 (b) Bill, charge, and receive payment from health carriers,
30 managed health care systems, and to the extent that any self-insured
31 health plans choose to participate, self-insured health plans; and

32 (c) Perform any other functions as may be necessary or proper to
33 establish and administer the program.

34 (2) To establish and administer the opioid overdose reversal
35 medication bulk purchasing and distribution program, the health care
36 authority may adopt rules providing the following:

37 (a) A dosage-based assessment and formula to determine the
38 assessment for each opioid overdose reversal medication provided to

1 an individual through the program that includes administrative costs
2 of the program;

3 (b) The mechanism, requirements, and timeline for health
4 carriers, managed health care systems, and self-insured plans to pay
5 the dosage-based assessments;

6 (c) The types of health care facilities, health care providers,
7 or other entities that are required to or are permitted to
8 participate in the program;

9 (d) The billing procedures for any participating health care
10 facility, health care provider, or other entity participating in the
11 program; and

12 (e) Any other rules necessary to establish, implement, or
13 administer the program.

14 (3) The following agencies, health plans, and insurers must
15 participate in the bulk purchasing and distribution program:

16 (a) Health carriers;

17 (b) Managed health care systems administering a medicaid managed
18 care plan; and

19 (c) The health care authority for purposes of:

20 (i) Health plans offered to public employees and their
21 dependents;

22 (ii) Individuals enrolled in medical assistance under chapter
23 74.09 RCW that are not enrolled in a managed care plan; and

24 (iii) Uninsured individuals.

25 (4) The health care authority may establish an interest charge
26 for late payment of any assessment under this section. The health
27 care authority shall assess a civil penalty against any health
28 carrier, managed health care system, or self-insured health plan that
29 fails to pay an assessment within three months of billing. The civil
30 penalty under this subsection is 150 percent of such assessment. The
31 health care authority is authorized to file liens and seek judgment
32 to recover amounts in arrears and civil penalties, and recover
33 reasonable collection costs, including reasonable attorneys' fees and
34 costs. Civil penalties so levied must be deposited in the opioid
35 overdose reversal medication account created in section 8 of this
36 act.

37 (5) The health care authority in coordination with the office of
38 the insurance commissioner may recommend to the appropriate
39 committees of the legislature the termination of the bulk purchasing
40 and distribution mechanism for opioid overdose reversal medication if

1 it finds that the original intent of its formation and operation has
2 not been achieved.

3 (6) By January 1, 2022, the health care authority shall submit a
4 report to the legislature on the progress towards establishing the
5 bulk purchasing and distribution program. The health care authority
6 shall submit an updated report on the progress towards establishing
7 the bulk purchasing and distribution program by January 1, 2023.

8 (7) By July 1, 2025, the health care authority shall submit
9 recommendations to the appropriate committees of the legislature on
10 whether and how the opioid overdose reversal medication bulk
11 purchasing and distribution program may be expanded to include other
12 prescription drugs.

13 (8) "Opioid overdose reversal medication" has the same meaning as
14 provided in RCW 69.41.095.

15 NEW SECTION. **Sec. 8.** A new section is added to chapter 70.14
16 RCW to read as follows:

17 The opioid overdose reversal medication account is created in the
18 custody of the state treasurer. All receipts from collections under
19 section 7 of this act must be deposited into the account.
20 Expenditures from the account may be used only for the operation and
21 administration of the opioid overdose reversal medication bulk
22 purchasing and distribution program identified in section 7 of this
23 act. Only the director of the health care authority or the director's
24 designee may authorize expenditures from the account. The account is
25 subject to allotment procedures under chapter 43.88 RCW, but an
26 appropriation is not required for expenditures.

27 **Sec. 9.** RCW 39.26.125 and 2012 c 224 s 14 are each amended to
28 read as follows:

29 All contracts must be entered into pursuant to competitive
30 solicitation, except for:

31 (1) Emergency contracts;

32 (2) Sole source contracts that comply with the provisions of RCW
33 39.26.140;

34 (3) Direct buy purchases, as designated by the director. The
35 director shall establish policies to define criteria for direct buy
36 purchases. These criteria may be adjusted to accommodate special
37 market conditions and to promote market diversity for the benefit of
38 the citizens of the state of Washington;

1 (4) Purchases involving special facilities, services, or market
2 conditions, in which instances of direct negotiation is in the best
3 interest of the state;

4 (5) Purchases from master contracts established by the department
5 or an agency authorized by the department;

6 (6) Client services contracts;

7 (7) Other specific contracts or classes or groups of contracts
8 exempted from the competitive solicitation process when the director
9 determines that a competitive solicitation process is not appropriate
10 or cost-effective;

11 (8) Off-contract purchases of Washington grown food when such
12 food is not available from Washington sources through an existing
13 contract. However, Washington grown food purchased under this
14 subsection must be of an equivalent or better quality than similar
15 food available through the contract and must be able to be paid from
16 the agency's existing budget. This requirement also applies to
17 purchases and contracts for purchases executed by state agencies,
18 including institutions of higher education as defined in RCW
19 28B.10.016, under delegated authority granted in accordance with this
20 chapter or under RCW 28B.10.029;

21 (9) Contracts awarded to companies that furnish a service where
22 the tariff is established by the utilities and transportation
23 commission or other public entity;

24 (10) Intergovernmental agreements awarded to any governmental
25 entity, whether federal, state, or local and any department,
26 division, or subdivision thereof;

27 (11) Contracts for services that are necessary to the conduct of
28 collaborative research if the use of a specific contractor is
29 mandated by the funding source as a condition of granting funds;

30 (12) Contracts for architectural and engineering services as
31 defined in RCW 39.80.020, which shall be entered into under chapter
32 39.80 RCW;

33 (13) Contracts for the employment of expert witnesses for the
34 purposes of litigation; ~~((and))~~

35 (14) Contracts for bank supervision authorized under RCW
36 ~~((30.38.040))~~ 30A.38.040; and

37 (15) Contracts for the purchase of opioid overdose reversal
38 medication authorized under section 7 of this act.

1 NEW SECTION. **Sec. 10.** A new section is added to chapter 41.05
2 RCW to read as follows:

3 A health plan offered to public employees and their covered
4 dependents under this chapter that is issued or renewed on or after
5 January 1, 2023, must participate in the bulk purchasing and
6 distribution program for opioid overdose reversal medication
7 established in section 7 of this act once the program is operational.

8 NEW SECTION. **Sec. 11.** A new section is added to chapter 48.43
9 RCW to read as follows:

10 For health plans issued or renewed on or after January 1, 2023,
11 health carriers must participate in the opioid overdose reversal
12 medication bulk purchasing and distribution program established in
13 section 7 of this act once the program is operational. A health plan
14 may not impose enrollee cost sharing related to opioid overdose
15 reversal medication provided through the bulk purchasing and
16 distribution program established in section 7 of this act.

17 NEW SECTION. **Sec. 12.** A new section is added to chapter 74.09
18 RCW to read as follows:

19 (1) Upon initiation or renewal of a contract with the authority
20 to administer a medicaid managed care plan, a managed health care
21 system must participate in the opioid overdose reversal medication
22 bulk purchasing and distribution program established in section 7 of
23 this act once the program is operational.

24 (2) The health care authority must participate in the opioid
25 overdose reversal medication bulk purchasing and distribution program
26 established in section 7 of this act once the program is operational
27 for purposes of individuals enrolled in medical assistance under this
28 chapter that are not enrolled in a managed care plan and are
29 uninsured individuals.

30 NEW SECTION. **Sec. 13.** (1) The health care authority may adopt
31 rules necessary to implement sections 7 through 12 of this act.

32 (2) The insurance commissioner may adopt rules necessary to
33 implement sections 7 and 11 of this act.

34 NEW SECTION. **Sec. 14.** Sections 2 through 4 of this act take
35 effect January 1, 2022.

Passed by the Senate April 19, 2021.
Passed by the House April 9, 2021.
Approved by the Governor May 12, 2021.
Filed in Office of Secretary of State May 12, 2021.

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