

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5804

68th Legislature
2024 Regular Session

Passed by the Senate March 4, 2024
Yeas 49 Nays 0

President of the Senate

Passed by the House February 27, 2024
Yeas 95 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5804** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5804

AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Kuderer, Wellman, Dhingra, Frame, Hasegawa, Hunt, Lias, Lovelett, Nguyen, Nobles, Stanford, Valdez, and C. Wilson)

READ FIRST TIME 01/17/24.

1 AN ACT Relating to opioid overdose reversal medication in public
2 schools; and amending RCW 28A.210.390 and 28A.210.395.

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

4 **Sec. 1.** RCW 28A.210.390 and 2019 c 314 s 39 are each amended to
5 read as follows:

6 (1) For the purposes of this section:

7 (a) (~~"High school" means a school enrolling students in any of~~
8 ~~grades nine through twelve;~~

9 ~~(b))~~ "Opioid overdose reversal medication" has the meaning
10 provided in RCW 69.41.095;

11 ~~((e))~~ (b) "Opioid-related overdose" has the meaning provided in
12 RCW 69.41.095; and

13 ~~((d))~~ (c) "Standing order" has the meaning provided in RCW
14 69.41.095.

15 (2)(a) For the purpose of assisting a person at risk of
16 experiencing an opioid-related overdose, a ~~((high))~~ public school may
17 obtain and maintain opioid overdose reversal medication through a
18 standing order prescribed and dispensed in accordance with RCW
19 69.41.095.

20 (b) Opioid overdose reversal medication may be obtained from
21 donation sources, but must be maintained and administered in a manner

1 consistent with a standing order issued in accordance with RCW
2 69.41.095.

3 (c) A school district (~~(with two thousand or more students)~~) must
4 obtain and maintain at least one set of opioid overdose reversal
5 medication doses in each of its (~~(high)~~) public schools as provided
6 in (a) and (b) of this subsection. A school district that
7 demonstrates a good faith effort to obtain the opioid overdose
8 reversal medication through a donation source, but is unable to do
9 so, is exempt from the requirement in this subsection (2)(c).

10 (3)(a) The following personnel may distribute or administer the
11 school-owned opioid overdose reversal medication to respond to
12 symptoms of an opioid-related overdose pursuant to a prescription or
13 a standing order issued in accordance with RCW 69.41.095: (i) A
14 school nurse; (ii) a health care professional or trained staff person
15 located at a health care clinic on public school property or under
16 contract with the school district; or (iii) designated trained school
17 personnel.

18 (b) Opioid overdose reversal medication may be used on school
19 property, including the school building, playground, and school bus,
20 as well as during field trips or sanctioned excursions away from
21 school property. A school nurse or designated trained school
22 personnel may carry an appropriate supply of school-owned opioid
23 overdose reversal medication on field trips or sanctioned excursions.

24 (c) Public schools are encouraged to include opioid overdose
25 reversal medication in each first aid kit maintained on school
26 property and in any coach or sports first aid kits maintained by the
27 public school, provided that these kits are not accessible to people
28 other than school personnel who have been designated to distribute or
29 administer opioid overdose reversal medication under this section.

30 (d) Public schools are encouraged to include at least one
31 location of opioid overdose reversal medication on the school's
32 emergency map.

33 (4) Training for school personnel who have been designated to
34 distribute or administer opioid overdose reversal medication under
35 this section must meet the requirements for training described in RCW
36 28A.210.395 and any rules or guidelines for such training adopted by
37 the office of the superintendent of public instruction. Each (~~(high)~~)
38 public school is encouraged to designate and train at least one
39 school personnel to distribute and administer opioid overdose

1 reversal medication if the (~~high~~) public school does not have a
2 full-time school nurse or trained health care clinic staff.

3 (5) (a) The liability of a person or entity who complies with this
4 section and RCW 69.41.095 is limited as described in RCW 69.41.095.

5 (b) If a student is injured or harmed due to the administration
6 of opioid overdose reversal medication that a practitioner, as
7 defined in RCW 69.41.095, has prescribed and a pharmacist has
8 dispensed to a school under this section, the practitioner and
9 pharmacist may not be held responsible for the injury unless he or
10 she acted with conscious disregard for safety.

11 (6) This section governs school operation and management under
12 RCW 28A.710.040 and 28A.715.020 and applies to charter schools
13 established under chapter 28A.710 RCW and state-tribal education
14 compact schools subject to chapter 28A.715 RCW.

15 **Sec. 2.** RCW 28A.210.395 and 2019 c 314 s 40 are each amended to
16 read as follows:

17 (1) For the purposes of this section:

18 (a) "Opioid overdose reversal medication" has the meaning
19 provided in RCW 69.41.095; and

20 (b) "Opioid-related overdose" has the meaning provided in RCW
21 69.41.095.

22 (2) (a) To prevent opioid-related overdoses and respond to medical
23 emergencies resulting from overdoses, by January 1, 2020, the office
24 of the superintendent of public instruction, in consultation with the
25 department of health and the Washington state school directors'
26 association, shall develop opioid-related overdose policy guidelines
27 and training requirements for public schools and school districts.

28 (b) (i) The opioid-related overdose policy guidelines and training
29 requirements must include information about: The identification of
30 opioid-related overdose symptoms; how to obtain and maintain opioid
31 overdose reversal medication on school property issued through a
32 standing order in accordance with RCW 28A.210.390; how to obtain
33 opioid overdose reversal medication through donation sources; the
34 distribution and administration of opioid overdose reversal
35 medication by designated trained school personnel; free online
36 training resources that meet the training requirements in this
37 section; and sample standing orders for opioid overdose reversal
38 medication.

1 (ii) The opioid-related overdose policy guidelines may: Include
2 recommendations for the storage and labeling of opioid overdose
3 reversal medications that are based on input from relevant health
4 agencies or experts; and allow for opioid-related overdose reversal
5 medications to be obtained, maintained, distributed, and administered
6 by health care professionals and trained staff located at a health
7 care clinic on public school property or under contract with the
8 school district.

9 (c) In addition to being offered by the school, training on the
10 distribution or administration of opioid overdose reversal medication
11 that meets the requirements of this subsection (2) may be offered by
12 nonprofit organizations, higher education institutions, and local
13 public health organizations.

14 (3) (a) By ~~((March 1, 2020))~~ September 1, 2024, the Washington
15 state school directors' association must collaborate with the office
16 of the superintendent of public instruction and the department of
17 health to either update existing model policy or develop a new model
18 policy that meets the requirements of subsection (2) of this section.

19 (b) ~~((Beginning with the 2020-21 school year, the following
20 school))~~ School districts must adopt an opioid-related overdose
21 policy ~~((:(a)[(i)] School districts with a school that obtains,
22 maintains, distributes, or administers opioid overdose reversal
23 medication under RCW 28A.210.390; and (b) [(ii)] school districts
24 with two thousand or more students))~~ in accordance with RCW
25 28A.210.390.

26 (c) The office of the superintendent of public instruction and
27 the Washington state school directors' association must maintain the
28 model policy and procedure on each agency's website at no cost to
29 school districts.

30 (4) Subject to the availability of amounts appropriated for this
31 specific purpose, the office of the superintendent of public
32 instruction shall develop and administer a grant program to provide
33 funding to public schools ~~((with any of grades nine through twelve))~~
34 and public higher education institutions to purchase opioid overdose
35 reversal medication and train personnel on the administration of
36 opioid overdose reversal medication to respond to symptoms of an
37 opioid-related overdose. The office must publish on its website a
38 list of annual grant recipients, including award amounts.

--- END ---