

Date of Hearing: June 14, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

SB 367 (Hurtado) – As Amended April 12, 2021

[Note: This bill is doubled referred to the Assembly Committee on Health and will be heard by that Committee as it relates to issues under its jurisdiction.]

SENATE VOTE: 37-0

SUBJECT: Student safety: opioid overdose reversal medication

SUMMARY: Requires California Community Colleges (CCC) and the California State University (CSU), and requests the University of California (UC), to utilize a statewide program to distribute a federally approved opioid overdose reversal medication to students and to provide educational and preventive information about opioid overdose and reversal medication, as specified. Specifically, **this bill:**

- 1) Requires the governing board of each CCC district and the CSU Trustees, and requests the UC Regents, to require each campus health center located on a campus to apply to use the statewide standing order issued by the State Public Health Officer to distribute dosages of a federally approved opioid overdose reversal medication and to participate in the Department of Health Care Services' (DHCS) Naloxone Distribution Project to distribute opioid overdose reversal medication, as specified.
- 2) Requires each CCC district and the CSU Trustees, and requests the UC Regents, in collaboration with campus-based and community-based recovery advocacy organizations, to provide educational and preventive information provided by the California Department of Public Health (CDPH) about opioid overdose and the use and location of opioid overdose reversal medication as part of campus orientations, as specified.

EXISTING LAW:

- 1) Establishes the UC, administered by the Regents of the UC; the CSU, administered by the Trustees of the CSU; and the CCC, administered by the Board of Governors of the CCC as the three segments of public postsecondary education in the state. (Education Code (EDC) Sections 70900, 89000, and 92000)
- 2) Prohibits provisions in higher education law from applying to the UC except to the extent that the Regents of UC, by appropriate resolution, make those provisions applicable. (EDC Section 67400)
- 3) Requires the governing board of each CCC district and the CSU Trustees, and requests the UC Regents, to provide educational and preventative information about sexual violence to students at all campuses of their respective segments, as specified. Requires and requests, as appropriate, campuses to provide specified information as part of established campus orientations. (EDC Sections 67385.7, 66302.5)

- 4) Authorizes licensed health care providers to issue a standing order for the distribution or the administration of naloxone to a person at risk of overdose, or family members, friends, or other persons in a position to assist a person at risk of an opioid-related overdose. Requires a person who is prescribed or possesses naloxone pursuant to a standing order to receive training, as specified. (Civil Code Section 1714.22, et seq.)

FISCAL EFFECT: Pursuant to Senate Rule 28.8, the Senate Committee on Appropriations found that any additional state costs are not significant and do not and will not require the appropriation of additional state funds, and the bill will cause no significant reduction in revenues.

COMMENTS: *Purpose.* According to the author, “SB 367 seeks to reduce opioid-related overdose deaths at all California public universities and colleges by requesting UC campuses, and requiring California State University CSU and CCC campuses, to distribute nasal spray dosages of naloxone (an opioid overdose reversal medication) at all campus health centers. The bill also ensures that [CDPH’s] naloxone administration training information is included in campus orientation materials.”

Naloxone. According to the CDPH website, naloxone, a prescription drug, is an opioid antagonist that works almost immediately to reverse opiate overdose and has few known adverse effects, no potential for abuse, and can be rapidly administered through intramuscular injection or nasal spray. Programs to train and equip bystanders, such as friends, family, and other non-health care providers, and drug users themselves, have gained momentum as an effective way to respond to and reverse an opioid overdose.

Statewide standing order for naloxone distribution. CDPH issued a statewide standing order for naloxone in June 2018. The order allows organizations and entities, including colleges and universities, to distribute naloxone to a person who is at risk of experiencing an overdose or an individual in a position to assist an at-risk person. Staff of community organizations and other entities distributing naloxone under the statewide standing order are required to receive training, and are also required to provide training to individuals who receive naloxone from them. Organizations, including colleges, may apply to use the statewide standing order and meet certain terms and conditions.

A separate distribution program administered through DHCS allows universities and colleges to apply for and obtain naloxone at no cost to the institution. According to the CDPH website, Since October 2018, their Naloxone Distribution Project (NDP) has distributed over 1,000,000 units of naloxone, and recorded over 57,000 overdose reversals.

Prevalence of campus drug overdose and response. According to UC police department data, in 2019-2020 the department received 24 calls relating to student opioid use, 16 of which were overdose related. Within the CSU, there have been a few known cases on-campus in recent years. CCC data was unavailable. This information does not account for overdose experiences that occur off-campus.

According to information provided by UC, CSU, and CCC, generally campus first responders are trained in opioid overdose response and are able to access opioid reversal medication as needed. A call to 911 activates campus first responders including police officers. Additionally, at UCs, all campuses have campus health centers that provide care and first-aid when needed, including “crash carts” for managing unconscious patients who arrive at the clinic, including with opioid

overdose reversal medication in pharmacies, where present on campus. At CSUs, many campus health centers maintain opioid overdose reversal medication.

Arguments in support. The CSU Chancellor's Office wrote in support, noting that "...while all members of CSU's university police departments are equipped with and trained in the provision of naloxone, maintaining a ready supply within our campus health centers empowers those at risk of experiencing an overdose and those in a position to assist an at-risk person with obtaining this nasal spray and potentially saving a life in the instance of an opioid overdose. While this drug is already available in some CSU student health centers, student safety is of the utmost importance to the CSU, and we appreciate the opportunity to participate in the Department's program to apply for and obtain naloxone at no cost to the institution."

The California Consortium of Addiction Programs and Professionals also wrote in support, noting that "CCAPP has made the availability of Naloxone in all public places a top priority. This low-cost approach to saving lives from opioid overdose is essential and straightforward. California lost 226 young adults under the age of 25 to opioid overdoses in 2018, making this group almost 10% of annual deaths in California. Students, away from home for the first time, are prone to risk taking behavior involving illicit and prescription drugs. They must be educated about opioid overdose and given the tools necessary to respond to overdose emergencies."

Related legislation. AB 635 (Ammiano, Chapter 707, Statutes of 2013) revised and recast provisions of AB 2145 (Ammiano, Chapter 545, Statutes of 2010) to permit a licensed health care provider who is permitted to prescribe an opioid antagonist to prescribe and subsequently dispense or distribute an opioid antagonist to a person at risk of an opioid-related overdose or a family member, friend, or other person in a position to assist a person at risk of an opioid-related overdose. Permits these licensed health care providers to issue standing orders for the distribution of an opioid antagonist and for the administration of an opioid antagonist by a family member, friend, or other person in a position to assist a person experiencing or suspected of experiencing an opioid overdose. Repealed the sunset date.

AB 2145 (Ammiano) extended the sunset date of SB 767 (Ridley-Thomas, Chapter 477, Statutes of 2007) to January 1, 2016. Permitted a person who is not otherwise licensed to administer an opioid antagonist in an emergency without fee if the person has received specified training information and believes in good faith that the other person is experiencing a drug overdose. Prohibited a person, as a result of his or her acts or omissions, from being liable for any violation of any professional licensing statute, or subject to any criminal prosecution arising from or related to the unauthorized practice of medicine or the possession of an opioid antagonist.

SB 767 (Ridley-Thomas) permitted, until January 1, 2011, a licensed health care provider, who is already permitted to prescribe an opioid antagonist, if acting with reasonable care, to prescribe and subsequently dispense or distribute an opioid antagonist in conjunction with an opioid overdose prevention and treatment training program without being subject to civil liability or criminal prosecution.

REGISTERED SUPPORT / OPPOSITION:

Support

A New Path (Parents for Addiction Treatment & Healing)

Agape Addiction Counseling
Arcadia Police Officers Association
Burbank Police Officers' Association
CA Association of Alcohol and Drug Executives, Inc.
California Association of Alcohol and Drug Program Executives, Inc.
California Coalition of School Safety Professionals
California Consortium of Addiction Programs and Professionals
California Faculty Association
California State University, Office of the Chancellor
Central Valley Recovery Services, Inc.
Claremont Police Officers Association
Community Social Model Advocates, Inc.
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Hathaway Recovery Substance Abuse and Behavioral Treatment Center
Inglewood Police Officers Association
Los Angeles School Police Officers Association
My Time Recovery
National Association of Social Workers, California Chapter
National Health Law Program
Newport Beach Police Association
Opus Health, LLC
Palm House, Inc.
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officer Association
Raw - Recovery and Wellness
Riverside Police Officers Association
Riverside Sheriffs' Association
San Jose City College Alcohol and Drug Studies Program
Santa Ana Police Officers Association
Soroptimist House of Hope, Inc.
Stepping Stone of San Diego
The Purpose of Recovery Inc.
Upland Police Officers Association
Young People in Recovery - Antelope Valley Chapter

Opposition

None on file.

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