

Stricken language would be deleted from and underlined language would be added to present law.
Act 811 of the Regular Session

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H4/3/23

A Bill

HOUSE BILL 1514

By: Representatives T. Shephard, F. Allen, Barker, M. Berry, Clowney, A. Collins, Cozart, Ennett, Eubanks, K. Ferguson, V. Flowers, D. Garner, Gazaway, Gramlich, Hudson, Magie, McCullough, Nicks, Painter, Pilkington, J. Richardson, Schulz, Scott, Springer, Tosh, Unger, Wardlaw, D. Whitaker
By: Senators L. Chesterfield, F. Love, C. Tucker, G. Leding, K. Hammer, Hester

For An Act To Be Entitled

AN ACT TO REQUIRE THAT OPIOID OVERDOSE RESCUE KITS BE LOCATED ON EACH CAMPUS OF EACH PUBLIC HIGH SCHOOL AND STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THAT OPIOID OVERDOSE RESCUE KITS BE LOCATED ON EACH CAMPUS OF EACH PUBLIC HIGH SCHOOL AND STATE-SUPPORTED INSTITUTION OF HIGHER EDUCATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended to add an additional section to read as follows:

6-18-720. Opioid overdose rescue kit – Required.

(a) The Division of Elementary and Secondary Education shall consult and collaborate with the Criminal Justice Institute and the office of the Arkansas Drug Director to ensure that, no later than January 1, 2024, each public high school campus in the State of Arkansas has an opioid overdose rescue kit that is clearly visible and labeled with the words "Overdose Rescue Kit – Naloxone Nasal Spray" or other language approved by the division.

(b) The location of each opioid overdose rescue kit required under



subsection (a) of this section shall be registered with the school nurse and school resource officer.

(c) A school nurse and a school resource officer shall carry on their person at all times:

(1) Narcan;

(2) Naloxone; or

(3) Another medication approved by the Department of Health and the United States Food and Drug Administration that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the human body.

(d) An opioid overdose rescue kit required under subsection (a) of this section shall:

(1) Be:

(A) Located where it is readily available for public use;
and

(B) Placed within all storage locations that currently contain an automated external defibrillator for public use;

(2) Be visually free of advertisement; and

(3) Include without limitation:

(A) Narcan;

(B) Naloxone; or

(C) Another medication approved by the Department of Health and the United States Food and Drug Administration that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the human body.

(e) A school resource officer or school nurse, as appropriate, shall report through the Criminal Justice Institute to the office of the Arkansas Drug Director within the Department of Human Services immediately following the use of an opioid overdose rescue kit required under this section.

SECTION 2. Arkansas Code Title 6, Chapter 60, Subchapter 1, is amended to add an additional section to read as follows:

6-60-119. Opioid overdose rescue kit – Required.

(a) The Division of Higher Education shall consult and collaborate with the Arkansas Drug Director within the Department of Human Services to implement requirements related to ensuring that each campus of each

institution in the State of Arkansas, by January 1, 2024, has an opioid overdose rescue kit in a clearly visible location that is labeled with the words "Opioid Overdose Rescue Kit – Naloxone Nasal Spray" or other language approved by the division.

(b) An opioid overdose rescue kit required under subsection (a) of this section shall:

(1) Be visually free of advertisements;

(2) Be located where it is readily available for public use; and

(3) Include without limitation:

(A) Narcan;

(B) Naloxone; or

(C) Another medication approved by the Department of Health and the United States Food and Drug Administration that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the human body.

(c)(1) The location of each opioid overdose rescue kit required under subsection (a) of this section shall be registered with the campus police of the institution.

(2)(A) An opioid overdose rescue kit required under subsection (a) of this section shall be located within the storage locations that currently contain automated external defibrillators in each of the following on each campus of each institution without limitation:

(i) An educational building;

(ii) A dormitory;

(iii) A student union;

(iv) A sporting venue;

(v) An on-campus, free-standing, institution-owned sorority or fraternity house;

(vi) A campus health center; and

(vii) Other locations as necessary.

(B) In the event that an automated external defibrillator is not available in a location required under subdivision (c)(2)(A) of this section, an opioid overdose rescue kit shall be on an affixed wall mount that is clearly visible and located by the nearest fire extinguisher.

(3) Each institution shall:

(A) Perform inspections during the first month of each

academic semester to determine if an opioid overdose rescue kit required under subsection (a) of this section is in the required location; and

(B) Replace used or expired opioid overdose rescue kits located on the campus of the institution as necessary.

(4) A list of locations of each opioid overdose rescue kit required under subsection (a) of this section shall be available through each institution's campus health center and the Department of Public Safety.

(d)(1) The administering institution official or other appropriate individual as designated shall report the use of an opioid overdose rescue kit required under this section to the Arkansas Drug Director within the Department of Human Services.

(2) Reporting for purposes of complying with subdivision (d)(1) of this section may be made via:

(A) A quick response code visible on a Naloxone box or an affixed wall mount on which an opioid overdose rescue kit is; or

(B) The NARCANSas App made available by the Department of Human Services.

(e)(1) Each institution shall provide training regarding the use and location of each opioid overdose rescue kit required under subsection (a) of this section during a freshman student orientation program sponsored by the institution.

(2) Training regarding the use and location of each opioid overdose rescue kit required under subsection (a) of this section for students other than those students attending a freshman student orientation program may be made available through the following offered by the Department of Human Services:

(A) The NARCANSas App; or

(B) An in-person Collegiate NARCAN Campaign (SOR II).

(f) As used in this section, "institution" means a state-supported two-year or four-year institution of higher education located in the State of Arkansas.

/s/T. Shephard

APPROVED: 4/13/23