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AB-1841 Student safety: opioid overdose reversal medication: student housing facilities. (2023-2024)

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Assembly Bill No. 1841

CHAPTER 942

An act to amend Section 67384 of, and to add Section 67384.5 to, the Education Code, relating to public postsecondary education.

[Approved by Governor September 29, 2024. Filed with Secretary of State September 29, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1841, Weber. Student safety: opioid overdose reversal medication: student housing facilities.

Existing law requires the governing board of each community college district and the Trustees of the California State University, in collaboration with campus-based and community-based recovery advocacy organizations, to provide, as part of established campus orientations, educational and preventive information provided by the State Department of Public Health about opioid overdose and the use and location of fentanyl test strips and opioid overdose reversal medication to students at all campuses of their respective segments, and to notify students of the presence and location of fentanyl test strips, as specified. Existing law requires the governing board of each community college district and the Trustees of the California State University to require that each campus health center 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, apply to participate in the Naloxone Distribution Project administered by the State Department of Health Care Services, distribute, upon approval for use of the statewide standing order and participation in the Naloxone Distribution Project, a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project, as provided, and stock and distribute fentanyl test strips, as specified.

The bill would require the governing board of each community college district and the Trustees of the California State University to notify, by sending an email at the beginning of each academic semester or term, students of the presence and location of opioid overdose reversal medication and that each residential advisor and house manager, or the equivalent position, has received opioid overdose prevention and treatment training. The bill would require that each campus train all students who live on campus on the use of opioid overdose reversal medication during student orientation for each academic semester or term. The bill would also require the governing board of each community college district and the Trustees of the California State University to require each campus health center located on a campus within their respective segments to distribute, at the beginning of each academic semester or term, 2 doses of a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project to each university- or college-affiliated student housing facility and each university- or college-affiliated fraternity or sorority facility, to be maintained by the housing facility, fraternity, or sorority in an accessible location, as provided. The bill would prohibit disciplinary measures from being imposed for any violation of the institution's student conduct policy regarding drug possession, use, or treatment that occurs at or near the time of an incident where a residential advisor, resident, or house manager administers a dose of a federally approved opioid overdose reversal medication, as provided. The bill would also require each residential advisor and house manager to receive opioid overdose prevention and treatment training, as provided. By imposing new duties on community college districts, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 67384 of the Education Code is amended to read:

67384. (a) The governing board of each community college district and the Trustees of the California State University shall, and the Regents of the University of California are requested to, do both of the following:

(1) In collaboration with campus-based and community-based recovery advocacy organizations, provide, as part of established campus orientations, educational and preventive information provided by the State Department of Public Health about opioid overdose and information about the use and location of fentanyl test strips and opioid overdose reversal medication to students at all campuses of their respective segments.

(2) Notify, by sending an email at the beginning of each academic semester or term, students of the presence and location of fentanyl test strips and opioid overdose reversal medication.

(b) The governing board of each community college district and the Trustees of the California State University shall, and the Regents of the University of California are requested to, require that each campus health center located on a campus within their respective segments do all of the following:

(1) 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 Naloxone Distribution Project administered by the State Department of Health Care Services.

(2) Upon approval for use of the statewide standing order and participation in the Naloxone Distribution Project, distribute a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project in accordance with its terms and conditions.

(3) Stock fentanyl test strips in the campus health center and distribute the fentanyl test strips through the campus health center. Written instructions on how to properly use the fentanyl test strips shall be distributed together with the fentanyl test strips.

SEC. 2. Section 67384.5 is added to the Education Code, to read:

67384.5. (a) The governing board of each community college district and the Trustees of the California State University shall do all of the following:

(1) Notify students, by sending an email at the beginning of each academic semester or term, that each residential advisor and house manager, or the equivalent position, has received opioid overdose prevention and treatment training consistent with Naloxone Distribution Project terms and conditions.

(2) Require that each campus train all students who live on campus on the use of opioid overdose reversal medication during student orientation for each academic semester or term.

(3) Require that each campus health center located on a campus within their respective segments distribute, at the beginning of each academic semester or term, two doses of a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project in accordance with its terms and conditions, to each university- or college-affiliated student housing facility and each university- or college-affiliated fraternity or sorority facility.

(4) Require each university- or college-affiliated student housing facility to maintain unexpired doses of the opioid overdose reversal medication in two different accessible locations in a lockable, emergency-breakable box and ensure that each residential advisor, or the equivalent position, and each resident are aware of the locations of the lockable, emergency-breakable boxes.

(5) Require each university- or college-affiliated fraternity or sorority facility to maintain unexpired doses of the opioid overdose reversal medication in an accessible location and ensure that each house manager, or the equivalent position, is aware of the location of the opioid overdose reversal medication.

(6) (A) Ensure that each residential advisor and each house manager, or the equivalent positions, receives opioid overdose prevention and treatment training consistent with Naloxone Distribution Project terms and conditions.

(B) The training required by subparagraph (A) shall include instruction that, at the beginning of each academic semester or term, each residential advisor and house manager, or the equivalent positions, shall inform students that they have training to use opioid overdose reversal medication and access to it in the event of an overdose.

(b) The institution's primary concern in implementing paragraphs (4) and (5) of subdivision (a) shall be student safety. Disciplinary measures shall not be imposed for any violation of the institution's student conduct policy regarding drug possession, use, or treatment that occurs at or near the time of the incident where the residential advisor or house manager, or the equivalent position, or resident administers a dose of a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project in accordance with its terms and conditions.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.