

By Senator Pizzo

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1 A bill to be entitled
2 An act relating to student and parent rights; amending
3 s. 1002.20, F.S.; authorizing a public school to
4 purchase a supply or enter into an arrangement to
5 receive a supply of the opioid antagonist naxolone for
6 a certain purpose; specifying requirements for the
7 maintenance of the naxolone; requiring the school
8 district to adopt a protocol for the administration of
9 the naxolone; providing that a school district and its
10 employees, agents, and the physician who provides the
11 protocol are not liable for any injury arising from
12 the administration of the naxolone; providing
13 exceptions; providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (n) is added to subsection (3) of
18 section 1002.20, Florida Statutes, to read:

19 1002.20 K-12 student and parent rights.—Parents of public
20 school students must receive accurate and timely information
21 regarding their child's academic progress and must be informed
22 of ways they can help their child to succeed in school. K-12
23 students and their parents are afforded numerous statutory
24 rights including, but not limited to, the following:

25 (3) HEALTH ISSUES.—

26 (n) Naxolone use and supply.—

27 1. A public school may purchase a supply of the opioid
28 antagonist naxolone from a wholesale distributor as defined in
29 s. 499.003 or may enter into an arrangement with a wholesale

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30 distributor or manufacturer as defined in s. 499.003 for
31 naxolone at fair-market, free, or reduced prices for use in the
32 event a student has an opioid overdose. The naxolone must be
33 maintained in a secure location on the public school's premises.
34 The participating school district shall adopt a protocol
35 developed by a licensed physician for the administration of the
36 drug by school personnel who are trained to recognize an opioid
37 overdose and to administer naxolone.

38 2. The school district and its employees, agents, and the
39 physician who provides the standing protocol for school naxolone
40 are not liable for any injury arising from the use of the drug
41 if it is administered by trained school personnel who follow the
42 standing protocol and whose professional opinion is that the
43 student is having an opioid overdose:

44 a. Unless the trained school personnel's action is willful
45 and wanton;

46 b. Notwithstanding that the parents or guardians of the
47 student to whom the naxolone is administered have not been
48 provided notice or have not signed a statement acknowledging
49 that the school district is not liable; and

50 c. Regardless of whether authorization has been given by
51 the student's parents or guardians or by the student's
52 physician, physician's assistant, or advanced practice
53 registered nurse.

54 Section 2. This act shall take effect July 1, 2019.