



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0009

Introduced 12/3/2004, by Rep. David E. Miller

SYNOPSIS AS INTRODUCED:

New Act

Creates the Drug Overdose Prevention Act. Provides that the Director of Public Health shall publish a report on drug overdose trends statewide that reviews State death rates from available data to ascertain changes in the causes or rates of fatal and nonfatal drug overdose for the preceding period of not less than 5 years. Provides that the report shall also provide information on interventions that would be effective in reducing the rate of fatal or nonfatal drug overdose. Provides that the Director shall establish a program to provide for the production and publication of drug overdose prevention, recognition, and response literature. Provides that the Director shall award grants to support local drug overdose prevention, recognition and response projects. Provides that in awarding grants, the Director shall give preference to proposals that provide life-saving interventions and responses and provide information to drug users on how to access drug treatment or other strategies for abstaining from illegal drugs. Effective immediately.

LRB094 03508 RXD 33511 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Drug
5 Overdose Prevention Act.

6 Section 5. Definitions. In this Act:

7 "Opioid antagonist" means naloxone hydrochloride or any
8 other similarly acting and equally safe drug approved by the
9 U.S. Food and Drug Administration for the treatment of drug
10 overdose.

11 "Department" means the Department of Public Health.

12 "Director" means the Director of Public Health.

13 Section 10. Reports of drug overdose.

14 (a) The Director shall publish a report on drug overdose
15 trends statewide that reviews State death rates from available
16 data to ascertain changes in the causes or rates of fatal and
17 nonfatal drug overdose for the preceding period of not less
18 than 5 years. The report shall also provide information on
19 interventions that would be effective in reducing the rate of
20 fatal or nonfatal drug overdose.

21 (b) The report shall include:

22 (1) trends in drug overdose death rates;

23 (2) trends in emergency room utilization related to
24 drug overdoses and the cost impact of emergency room
25 utilization;

26 (3) trends in utilization of pre-hospital and
27 emergency services and the cost impact of emergency
28 services utilization;

29 (4) suggested improvements in data collection; and

30 (5) a description of other interventions effective in
31 reducing the rate of fatal or nonfatal drug overdoses.

1 Section 15. Programs; drug overdose prevention.

2 (a) The Director shall establish a program to provide for
3 the production and publication of drug overdose prevention,
4 recognition, and response literature. The program shall also
5 provide assistance in the development of curricula for use by
6 professionals, organizations, individuals, or committees
7 interested in the prevention of fatal and nonfatal drug
8 overdose, including, but not limited to, drug users, jail and
9 prison personnel, jail and prison inmates, drug treatment
10 professionals, emergency medical personnel, hospital staff,
11 families and associates of drug users, peace officers,
12 firefighters, public safety officers, needle exchange program
13 staff, and other interested people. In addition to information
14 regarding drug overdose prevention, recognition and response,
15 literature produced by the Department shall stress that drug
16 use remains illegal and highly dangerous and that complete
17 abstinence from illegal drug use is the healthiest choice.

18 (b) The Director shall provide advice to State and local
19 officials on the growing drug overdose crisis, including the
20 prevalence of drug overdose incidents, trends in drug overdose
21 incidents, and solutions to the drug overdose crisis.

22 Section 20. Grants.

23 (a) The Director shall award grants, in accordance with
24 this Section, to support local drug overdose prevention,
25 recognition, and response projects. Municipal health
26 departments, correctional institutions, and community-based
27 organizations may apply to the Department for a grant pursuant
28 to this Section at such time and in such manner as the Director
29 prescribes.

30 (b) In awarding grants, the Director shall consider the
31 necessity for overdose prevention projects in various settings
32 and shall encourage all grant applicants to develop
33 interventions that will be effective and viable in their local
34 areas.

1 (c) The Director shall give preference for grants to
2 proposals that, in addition to providing life-saving
3 interventions and responses, provide information to drug users
4 on how to access drug treatment or other strategies for
5 abstaining from illegal drugs. The Director shall give
6 preference to proposals that include one or more of the
7 following elements:

8 (1) policies and projects to encourage people,
9 including drug users, to call 9-1-1 when they witness a
10 potentially fatal drug overdose;

11 (2) drug overdose prevention, recognition and response
12 education projects in jails, prisons, drug treatment
13 centers, and other organizations that work with, or have
14 access to, drug users, their families and communities;

15 (3) drug overdose recognition and response training,
16 including rescue breathing, in jails, prisons, drug
17 treatment centers, and other organizations that work with,
18 or have access to, drug users, their families and
19 communities;

20 (4) the production and distribution of targeted or mass
21 media materials on drug overdose prevention and response;

22 (5) naloxone hydrochloride prescription or
23 distribution projects;

24 (6) the institution of education and training projects
25 on drug overdose response and treatment for emergency
26 services and law enforcement personnel; or

27 (7) a system of parent, family, and survivor education
28 and mutual support groups.

29 The Director shall seek grants from private foundations,
30 the federal government, and other sources to fund the grants
31 under this Section and to fund an evaluation of the programs
32 supported by the grants.

33 Section 25. Prescription; administration. A licensed
34 health care professional who is permitted by law to prescribe
35 an opioid antagonist, if acting with reasonable care, may

1 prescribe, dispense, distribute, or administer an opioid
2 antagonist without being liable for damages in a civil action
3 or subject to criminal prosecution.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.