

Representative Scott H. Chew proposes the following substitute bill:

1 **CONCURRENT RESOLUTION ON DEATHS FROM**
2 **OPIOID-INDUCED POSTOPERATIVE RESPIRATORY**
3 **DEPRESSION**

4 2018 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Kevin T. Van Tassell**

7 House Sponsor: Scott H. Chew

9 **LONG TITLE**

10 **General Description:**

11 This concurrent resolution of the Legislature and the Governor recognizes the
12 devastating effects of the sudden death of Utah residents from opioid-induced
13 postoperative respiratory depression, urges further study of this issue, and encourages
14 physicians to prescribe in-home monitoring devices where appropriate for patients who
15 are discharged with opioids after surgery.

16 **Highlighted Provisions:**

17 This resolution:

- 18 ▶ recognizes the effects of sudden death from opioid-induced postoperative
19 respiratory depression;
- 20 ▶ urges the Department of Health, hospitals, practitioners, and academics to further
21 study this issue; and
- 22 ▶ encourages physicians to prescribe in-home monitoring devices where appropriate
23 for patients who are discharged with opioids after surgery.

24 **Special Clauses:**

25 None



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Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, opioids have been prescribed without understanding their full impact on the human body, leading to a public health crisis on a scale that has never before been seen in this country;

WHEREAS, President Donald J. Trump has declared the nation's opioid crisis to be a public health emergency;

WHEREAS, the people of the state of Utah continue to be devastated by addiction and deaths resulting from the use of opioids;

WHEREAS, opioids have been known to affect the part of the brain that regulates breathing, resulting in respiratory depression and death, particularly in patients who are recovering from a surgical operation;

WHEREAS, in November 2014, the World Health Organization issued a warning about the risk of respiratory depression and death from opioid use;

WHEREAS, following the unexpected death of their son, Parker Stewart, from respiratory depression after taking the prescribed dose of an opioid after a routine surgery, members of his family have advocated tirelessly to raise awareness of the risks of death from opioid-induced postoperative respiratory depression;

WHEREAS, other families have had to face the sudden death of a loved one from respiratory depression after taking opioids post-surgery;

WHEREAS, deaths from opioid-induced postoperative respiratory depression may sometimes be misdiagnosed and could therefore be under-reported;

WHEREAS, the use of an in-home monitoring device to alert a caregiver of low oxygen saturation might alert a caregiver to intervene sooner and possibly prevent some of these needless deaths;

WHEREAS, in August 2012, the Joint Commission, an independent, not-for-profit organization that accredits and certifies nearly 21,000 health care organizations and programs in the United States, published a Sentinel Event Alert to health care professionals urging specific steps to prevent serious complications and deaths from opioid use, including monitoring patient oxygenization due to the higher risk of respiratory depression;

WHEREAS, advances in technology have made in-home monitoring devices that

57 satisfy the recommendations of the Joint Commission accessible and affordable for hospitals,
58 physicians, and patients;

59 WHEREAS, capnography and acoustic monitoring are increasingly becoming the
60 standard of care in the hospital to detect changes in breathing, and the United States Food and
61 Drug Administration has recently approved devices using these technologies for in-home use
62 by a qualified health care provider; and

63 WHEREAS, respiratory care providers and other health care professionals, particularly
64 from Intermountain Health Care and Uintah Basin Healthcare, have taken proactive measures
65 to protect against the risk of death from opioid-induced respiratory depression:

66 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
67 Governor concurring therein, urges the Department of Health to convene a multi-stakeholder,
68 cross-sector group dedicated to gathering data and best practices to avoid deaths from
69 opioid-induced postoperative respiratory depression.

70 BE IT FURTHER RESOLVED that health care professionals be advised about the
71 dangers of opioid-induced respiratory depression and the need for in-home monitoring of
72 patients who are prescribed an opioid after surgery.

73 BE IT FURTHER RESOLVED that hospitals and academics are urged to collect more
74 data about the risks of taking an opioid after surgery and the deaths resulting from
75 opioid-induced postoperative respiratory depression, especially regarding the effects of the
76 opioid on a patient's breathing.

77 BE IT FURTHER RESOLVED that the state of Utah shall make every effort to avoid
78 the continuing needless deaths that result from the use of opioids throughout the state.

79 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Department
80 of Health and to the health care organizations for distribution to members who perform
81 procedures that incorporate the use of opioids and have the potential for post-operative
82 respiratory depression.