

1 **OVERDOSE OUTREACH PROVIDER AMENDMENTS**

2 2024 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jen Plumb**

5 House Sponsor: Carol S. Moss

6

LONG TITLE

7 **General Description:**

8 This bill modifies provisions related to overdose outreach providers.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ adds peer support specialists, social workers, and substance use disorder counselors
12 to the definition of overdose outreach provider.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **26B-4-501**, as renumbered and amended by Laws of Utah 2023, Chapter 307

20

Be it enacted by the Legislature of the state of Utah:

21 Section 1. Section **26B-4-501** is amended to read:

22 **26B-4-501. Definitions.**

23 As used in this part:

24 (1) "Controlled substance" means the same as that term is defined in Title 58, Chapter
25 37, Utah Controlled Substances Act.
26
27



28 (2) "Critical access hospital" means a critical access hospital that meets the criteria of
29 42 U.S.C. Sec. 1395i-4(c)(2) (1998).

30 (3) "Designated facility" means:

31 (a) a freestanding urgent care center;

32 (b) a general acute hospital; or

33 (c) a critical access hospital.

34 (4) "Dispense" means the same as that term is defined in Section 58-17b-102.

35 (5) "Division" means the Division of Professional Licensing created in Section
36 58-1-103.

37 (6) "Emergency contraception" means the use of a substance, approved by the United
38 States Food and Drug Administration, to prevent pregnancy after sexual intercourse.

39 (7) "Freestanding urgent care center" means the same as that term is defined in Section
40 59-12-801.

41 (8) "General acute hospital" means the same as that term is defined in Section
42 26B-2-201.

43 (9) "Health care facility" means a hospital, a hospice inpatient residence, a nursing
44 facility, a dialysis treatment facility, an assisted living residence, an entity that provides home-
45 and community-based services, a hospice or home health care agency, or another facility that
46 provides or contracts to provide health care services, which facility is licensed under Chapter 2,
47 Part 2, Health Care Facility Licensing and Inspection.

48 (10) "Health care provider" means:

49 (a) a physician, as defined in Section 58-67-102;

50 (b) an advanced practice registered nurse, as defined in Section 58-31b-102;

51 (c) a physician assistant, as defined in Section 58-70a-102; or

52 (d) an individual licensed to engage in the practice of dentistry, as defined in Section
53 58-69-102.

54 (11) "Increased risk" means risk exceeding the risk typically experienced by an
55 individual who is not using, and is not likely to use, an opiate.

56 (12) "Opiate" means the same as that term is defined in Section 58-37-2.

57 (13) "Opiate antagonist" means naloxone hydrochloride or any similarly acting drug
58 that is not a controlled substance and that is approved by the federal Food and Drug

59 Administration for the diagnosis or treatment of an opiate-related drug overdose.

60 (14) "Opiate-related drug overdose event" means an acute condition, including a
61 decreased level of consciousness or respiratory depression resulting from the consumption or
62 use of a controlled substance, or another substance with which a controlled substance was
63 combined, and that a person would reasonably believe to require medical assistance.

64 (15) "Overdose outreach provider" means:

65 (a) a law enforcement agency;

66 (b) a fire department;

67 (c) an emergency medical service provider, as defined in Section [26B-4-101](#);

68 (d) emergency medical service personnel, as defined in Section [26B-4-101](#);

69 (e) an organization providing treatment or recovery services for drug or alcohol use;

70 (f) an organization providing support services for an individual, or a family of an

71 individual, with a substance use disorder;

72 (g) a certified peer support specialist, as defined in Section [26B-5-610](#);

73 ~~(g)~~ (h) an organization providing substance use or mental health services under
74 contract with a local substance abuse authority, as defined in Section [26B-5-101](#), or a local
75 mental health authority, as defined in Section [26B-5-101](#);

76 ~~(h)~~ (i) an organization providing services to the homeless;

77 ~~(i)~~ (j) a local health department;

78 ~~(j)~~ (k) an individual licensed to practice ~~[pharmacy]~~ under:

79 (i) Title 58, Chapter 17b, Pharmacy Practice Act;

80 (ii) Title 58, Chapter 60, Part 2, Social Worker Licensing Act; or

81 (iii) Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act; or

82 ~~(k)~~ (l) an individual.

83 (16) "Patient counseling" means the same as that term is defined in Section

84 [58-17b-102](#).

85 (17) "Pharmacist" means the same as that term is defined in Section [58-17b-102](#).

86 (18) "Pharmacy intern" means the same as that term is defined in Section [58-17b-102](#).

87 (19) "Physician" means the same as that term is defined in Section [58-67-102](#).

88 (20) "Practitioner" means:

89 (a) a physician; or

90 (b) any other person who is permitted by law to prescribe emergency contraception.

91 (21) "Prescribe" means the same as that term is defined in Section [58-17b-102](#).

92 (22) (a) "Self-administered hormonal contraceptive" means a self-administered
93 hormonal contraceptive that is approved by the United States Food and Drug Administration to
94 prevent pregnancy.

95 (b) "Self-administered hormonal contraceptive" includes an oral hormonal
96 contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch.

97 (c) "Self-administered hormonal contraceptive" does not include any drug intended to
98 induce an abortion, as that term is defined in Section [76-7-301](#).

99 (23) "Sexual assault" means any criminal conduct described in Title 76, Chapter 5, Part
100 4, Sexual Offenses, that may result in a pregnancy.

101 (24) "Victim of sexual assault" means any person who presents to receive, or receives,
102 medical care in consequence of being subjected to sexual assault.

103 **Section 2. Effective date.**

104 This bill takes effect on May 1, 2024.