



Senate

General Assembly

File No. 295

January Session, 2021

Senate Bill No. 1011

Senate, April 6, 2021

The Committee on Public Safety and Security reported through SEN. BRADLEY of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE USE OF OPIOID ANTAGONISTS AND EPINEPHRINE CARTRIDGE INJECTORS BY POLICE OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section, (1)
2 "epinephrine cartridge injector" has the same meaning as provided in
3 section 19a-909 of the general statutes; (2) "law enforcement unit" and
4 "police officer" have the same meanings as provided in section 7-294a of
5 the general statutes; and (3) "opioid antagonist" has the same meaning
6 as provided in section 17a-714a of the general statutes.

7 (b) Each law enforcement unit shall (1) require its police officers to
8 receive training in the use of an opioid antagonist and an epinephrine
9 cartridge injector, and (2) acquire and maintain a supply of opioid
10 antagonists and epinephrine cartridge injectors for use by its police
11 officers when responding to a medical emergency.

12 (c) Any police officer who completes such training shall be permitted
13 to carry and administer (1) an opioid antagonist to an individual whom

14 the officer believes in good faith is experiencing an opioid-related drug
15 overdose, and (2) an epinephrine cartridge injector to an individual
16 whom the officer believes in good faith is experiencing anaphylaxis.

17 Sec. 2. Section 52-557v of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

19 (a) A person (1) employed to work for the state or any political
20 subdivision thereof that has acquired and maintains a supply of
21 epinephrine cartridge injectors, (2) who is trained in the use of an
22 epinephrine cartridge injector in accordance with subdivision (2) of
23 subsection (a) of section 19a-909 or section 1 of this act, and (3) provides
24 or administers an epinephrine cartridge injector to an individual whom
25 the person believes in good faith is experiencing anaphylaxis during the
26 course of such person's employment, shall not be liable to such
27 individual for civil damages or subject to criminal prosecution for any
28 personal injuries that result from acts or omissions by such person in
29 using an epinephrine cartridge injector, which may constitute ordinary
30 negligence. The immunity provided in this subsection shall not apply to
31 wilful or wanton misconduct or acts or omissions constituting gross
32 negligence.

33 (b) The state or any political subdivision thereof that (1) has acquired
34 and maintains a supply of epinephrine cartridge injectors, and (2)
35 employs a person who (A) is trained in the use of an epinephrine
36 cartridge injector in accordance with subdivision (2) of subsection (a) of
37 section 19a-909 or section 1 of this act, and (B) provides or administers
38 an epinephrine cartridge injector to an individual whom the person
39 believes in good faith is experiencing anaphylaxis during the course of
40 such person's employment, shall not be liable to such individual for civil
41 damages for any personal injuries that result from acts or omissions by
42 such person in using an epinephrine cartridge injector, which may
43 constitute ordinary negligence. The immunity provided in this
44 subsection shall not apply to wilful or wanton misconduct or acts or
45 omissions constituting gross negligence.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	52-557v

PS *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Emergency Services and Public Protection, Dept.; Legislative Mgmt.; Department of Energy and Environmental Protection	GF - Cost	At least 320,000	See Below
Higher Education Constituent Units	Various - Cost	At least 50,000	See Below

Note: GF=General Fund; Various=Various

Municipal Impact:

Municipalities	Effect	FY 22 \$	FY 23 \$
Municipal Police Departments	STATE MANDATE ¹ - Cost	See Below	See Below

Explanation

The bill requires all law enforcement units to carry and receive training on opioid antagonists (Narcan) and epinephrine (EpiPen's) resulting in a cost to various agencies, the higher education constituent units, and municipal police departments.

State agency and higher education law enforcement units already receive this training and carry Narcan but do not carry EpiPen's, resulting in a cost in FY 22 of at least \$320,000 for the Department of

¹ State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

Emergency Services and Public Protection, Legislative Management, and the Department of Energy and Environmental Protection, and at least \$50,000 aggregately for the higher education constituent units. Funding is required to equip each officer with one adult and one children's EpiPen for a cost of approximately \$300 per officer. The ongoing cost will be dependent on how frequently these are used and need to be replaced².

The cost to municipalities would vary based on: 1) how many police officers receive training on the use of Narcan and epinephrine, and 2) how much Narcan and epinephrine police departments choose to keep on hand. It is not known how many municipal police departments already meet the bill's requirements and, therefore, would incur no fiscal impact. For context, it is estimated that supplying the Department of Emergency Services and Public Protection with one Narcan, one adult EpiPen and one children's EpiPen would cost approximately \$338 per trooper.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and how frequently the medications need to be replaced.

² If unused, epinephrine expires in approximately 12-24 months.

OLR Bill Analysis**SB 1011*****AN ACT CONCERNING THE USE OF OPIOID ANTAGONISTS AND EPINEPHRINE CARTRIDGE INJECTORS BY POLICE OFFICERS.*****SUMMARY**

This bill requires law enforcement units to (1) require their police officers to be trained in using opioid antagonists (e.g., Narcan) and epinephrine cartridge injectors (e.g., Epi-Pens) and (2) acquire and maintain a supply of these medications for use by their police officers when responding to a medical emergency.

A police officer who completes the training must be permitted to carry opioid antagonists and epinephrine cartridge injectors and administer them to an individual the officer believes in good faith is experiencing an opioid-related drug overdose or anaphylaxis, respectively.

The bill also grants immunity from civil and criminal liability to the state, municipalities, and their trained police officers who provide or administer an epinephrine auto-injector to a person the officer believes in good faith is experiencing anaphylaxis. Specifically, the bill grants such immunity for any personal injuries resulting from ordinary negligence during the provision or administration of the medication. The immunity does not extend to acts or omissions that constitute gross, willful, or wanton negligence and applies only if the police officer meets the bill's training requirements.

Existing law already grants civil and criminal immunity to any person, acting with reasonable care, who administers an opioid antagonist to a person he or she believes, in good faith, is experiencing an opioid-related drug overdose (CGS § 17a-714a).

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 25 Nay 0 (03/18/2021)