

Date of Hearing: April 26, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Chris Holden, Chair
AB 19 (Joe Patterson) – As Amended February 27, 2023

Policy Committee: Education

Vote: 7 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill requires each public school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist on its campus.

FISCAL EFFECT:

Ongoing Proposition 98 General Fund costs of about \$1.1 million annually for each public school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist on its campus.

This estimate assumes a cost of \$47.50 per dose and 11,000 public schools. It also assumes all doses are used annually. Costs could be less to the extent doses are not used, as opioid reversal medication typically has a shelf life of around two to three years. In addition, costs could be higher or lower, because Narcan, the most widely used opioid antagonist, was very recently approved for over-the-counter use and sale, which could affect its price.

If the Commission on State Mandates determines the bill's requirements to be a reimbursable state mandate, the state would need to reimburse these costs to LEAs or provide funding through the K-12 Mandate Block Grant.

COMMENTS:

1) **Purpose.** According to the author:

It is time we take the initiative to have simple and proven preventative care available to schools where our kids spend a majority of their time. Fentanyl is being disguised as candy and is readily available in every community - why aren't we putting this on every campus? I was pleased to hear that the Governor has set aside \$3.5 million in Prop 98 to fund this program for all middle and high school sites to maintain naloxone on campus, which answers any questions about funding for Assembly Bill 19. I am proud that this is a bipartisanship issue having the governor, Democrats, and Republicans recognize this policy will save children's lives.

2) **Background.** Naloxone hydrochloride is the generic name for an opioid antagonist that rapidly reverses an opioid overdose. On March 29, 2023, the Food and Drug Administration

approved “Narcan,” a brand of naloxone hydrochloride nasal spray, for over-the-counter use and sale. This is the first naloxone hydrochloride product approved for use without a prescription. This will allow this medication to be sold directly to consumers in drug stores, grocery stores, and online.

The California Department of Public Health (CDPH) administers the Naloxone Distribution Project (NDP). NDP provides free naloxone hydrochloride to various eligible entities, including schools, colleges and universities, community organizations, and first responders. According to CDPH, since October 2018, NDP has distributed over one million units of naloxone hydrochloride.

Current law authorizes schools to provide emergency naloxone hydrochloride or another opioid antagonist to school nurses or trained volunteer personnel to provide emergency medical aid to a person suffering, or reasonably believed to be suffering, from an opioid overdose.

- 3) **Governor’s Budget Proposal.** The Governor’s budget for the 2023-24 fiscal year proposes \$97 million to address the opioid crisis, including \$3.5 million in ongoing Proposition 98 General Fund for all middle schools and high schools to maintain at least two doses of naloxone hydrochloride or another medication to reverse an opioid overdose on campus for emergency aid. The Governor’s proposal assumes each of the state’s approximately 5,400 middle and high school students are to maintain a 12-dose kit at a cost of \$570 per kit. The Legislative Analyst’s Office estimates it would cost about \$550,000 in ongoing Proposition 98 General Fund to provide two doses to each of the state’s middle and high schools.

This bill requires all public schools, including elementary schools, to maintain at least two doses of naloxone hydrochloride or another medication to reverse an opioid overdose on campus for emergency aid.

- 4) **Prior Legislation.** SB 367 (Hurtado), Chapter 218, Statutes of 2022, requires each community college district and the Trustees of the California State University, and requests the Regents of the University of California, to apply to participate in NDP and distribute opioid overdose reversal medication once approved.
- 5) **Related Legislation.** AB 915 (Arambula) of this legislative session would require the CDPH to establish, by March 1, 2025, a certification training program for public high school students in grades nine to 12 to gain skills in how to administer naloxone hydrochloride nasal spray during an opioid overdose, and how to store and dispose of the nasal spray, among other provisions. The bill is in the Assembly Health Committee.

SB 472 (Hurtado) of this legislative session requires each public school to maintain at least two doses of naloxone hydrochloride or another opioid antagonist on its campus, among other provisions. The bill is in the Senate Appropriations Committee.