

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 5, 2024

8:02 a.m.

MEMBERS PRESENT

Representative Jamie Allard, Co-Chair
Representative Justin Ruffridge, Co-Chair
Representative Mike Prax
Representative CJ McCormick
Representative Tom McKay
Representative Rebecca Himschoot
Representative Andi Story

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 202

"An Act relating to the availability and administration of
opioid overdose drugs in public schools."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 202

SHORT TITLE: OPIOID OVERDOSE DRUGS IN SCHOOLS

SPONSOR(S): REPRESENTATIVE(S) D.JOHNSON

05/15/23	(H)	READ THE FIRST TIME - REFERRALS
05/15/23	(H)	EDC, HSS
04/03/24	(H)	EDC AT 8:00 AM DAVIS 106
04/03/24	(H)	Heard & Held
04/03/24	(H)	MINUTE(EDC)
04/05/24	(H)	EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

SAVAYA BIEBER, Staff
Representative DeLena Johnson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 202 on behalf of Representative D. Johnson, prime sponsor.

RANDY TRANI, Superintendent
Matanuska-Susitna Borough School District
Palmer, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 202.

REPRESENTATIVE DELENA JOHNSON
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, answered questions during the hearing on HB 202.

ROY GETCHELL, Superintendent
Haines Borough School District
Haines, Alaska

POSITION STATEMENT: Gave invited testimony in support of HB 202.

THERESA WELTON, Manager
Office of Substance Misuse and Addiction Prevention
Department of Health
Anchorage, Alaska

POSITION STATEMENT: Gave invited testimony during the hearing on HB 202.

ACTION NARRATIVE

[8:02:01 AM](#)

CO-CHAIR JUSTIN RUFFRIDGE called the House Education Standing Committee meeting to order at 8:02 a.m. Representatives McKay, Himschoot, Story, and Ruffridge were present at the call to order. Representatives Prax, McCormick, and Allard arrived as the meeting was in progress.

HB 202-OPIOID OVERDOSE DRUGS IN SCHOOLS

[8:02:36 AM](#)

CO-CHAIR RUFFRIDGE announced that the only order of business would be HOUSE BILL NO. 202, "An Act relating to the availability and administration of opioid overdose drugs in public schools."

8:03:25 AM

SAVAYA BIEBER, Staff, Representative DeLena Johnson, Alaska State Legislature, reintroduced HB 202 on behalf of Representative D. Johnson, prime sponsor. She explained that HB 202 would require each school district to ensure that a person who is trained to administer naloxone is on site when the main school building is open to the public during school sponsored events and weekend activities on or off school grounds and on school buses. The bill would also require main school buildings to keep two doses of naloxone on site and at least one dose at school sponsored events and on buses while students are being transferred.

8:04:22 AM

RANDY TRANI, Superintendent, Matanuska-Susitna Borough School District, gave invited testimony in what he stated was general support for HB 202; however, there were some concerns with the wording, he said. He offered his understanding of the intention to have as much naloxone available as possible, but every building is open to the public, and he gave an example of groups using the facilities and that he was concerned about having someone trained on site each time this occurs. Similarly, with buses, he noted that the bus drivers are not the boroughs' employees and not in their contracts; therefore, contracts would have to be renegotiated. He said he understood the idea of having a lifesaving drug around as much as possible, but he asked to rephrase the language to be more like an automated external defibrillator (AED). He acknowledged that the training for dispensing the spray is not lengthy and likely easier than an AED, and he foresaw that it could be available for whenever the building was open. He offered to be available for questions specific to the borough.

8:07:25 AM

REPRESENTATIVE HIMSCHOOT referred to Mr. Trani's conversation about AEDs and asked him to expand on whether it was tied to a statute or guidelines.

MR. TRANI confirmed it was in the school district board policy but that he was not certain it was tied to a statute. He said the AEDs are modern ones where one can be verbally walked through their use. He opined that something similar could be done for the naloxone nasal spray.

[8:08:53 AM](#)

REPRESENTATIVE PRAX asked whether the kits were kept in the offices or hallways.

MR. TRANI said they are in two places: the nurse's office and the front desk, but they are not currently exposed. He added that if it were put into statute, that would change.

REPRESENTATIVE PRAX asked how much the kits cost.

MR. TRANI replied that he did not know the cost because they are provided by the state.

[8:10:42 AM](#)

MS. BIEBER stated that she spoke with the Department of Health (DOH) and a kit containing two doses is \$45.

[8:10:59 AM](#)

REPRESENTATIVE STORY asked whether current policies cover any sort of legal costs or ramifications should something happen.

MR. TRANI replied he had not looked into that specifically, but due to having the AEDs already available, it is likely that the insurance carrier would not have any concerns with another lifesaving technology available to the public. He added that training is provided while students are in the building and there has been no concern with insurance coverage with staff being taught how to use the technology.

REPRESENTATIVE STORY asked for confirmation whether an amendment may be needed regarding legal issues that should be addressed.

[8:12:54 AM](#)

MS. BIEBER added that the Good Samaritan law had specific language for naloxone use.

CO-CHAIR RUFFRIDGE agreed and added that a person is allowed to attempt to save someone's life.

[8:13:21 AM](#)

REPRESENTATIVE HIMSCHOOT alluded to a situation that might arise where the spray is left on a bus and freezes.

MR. TRANI said he could not speak to shelf stability of the drug, but he agreed it was worth looking into.

[8:15:21 AM](#)

REPRESENTATIVE DELENA JOHNSON, Alaska State Legislature, added that she was looking into an amendment that might take buses out of the equation. She stated she would find out more about the shelf life and stability of the kit.

[8:16:23 AM](#)

ROY GETCHELL, Superintendent, Haines Borough School District, gave invited testimony in support of HB 202 and related that he found an article on the Centers for Disease Control and Prevention (CDC) website regarding opioid deaths and concerns, and he offered an example of a situation in his own community. As a result, he said, the district worked closely with "Project Gabe" to be a part of a community-wide solution, and that the project has actual boxes that look similar to an AED that people have easy access to. He noted there is a box by the school gym due to evening activities when staff is not there, and another kit in the office. He said the challenge is that the kits do not "walk off." He explained that there is a potential that a student or community member has someone they are concerned about at home and takes the contents of the box with them. He said he checked with a nurse in Juneau who related that almost everyone in the Southeast is participating. He opined it is an important initiative for schools and communities, but with some reservations. All staff are trained, he said, but he cannot ensure that the kits are stocked, and he wished to see some limits of liability. He offered his agreement with former concerns on buses being involved. He welcomed questions from committee members.

[8:21:57 AM](#)

REPRESENTATIVE HIMSCHOOT said Project Gabe triggered a memory in that the project specifically worked with the fishing industry, placing kits on fishing vessels and in processing plants. She asked whether Project Gabe provided the material needed for the Haines School District free of charge.

MR. GETCHELL confirmed that the district has been provided the materials. He added that the kits are in a highly recognized box and convenient location, which makes them easy to spot.

8:24:23 AM

REPRESENTATIVE STORY asked Mr. Getchell whether he was aware of other single site districts across the state having similar partnerships, and about having at least one person trained to respond at all times to this crisis.

MR. GETCHELL replied that he did not have data on other districts, but he talked with the public health nurse in Juneau who related that many school districts are involved with Project Gabe or Project HOPE, but he was not aware of it being statewide. He said he advocated for the boxes as they contain directions and aids for many different things aside from the antidote in the event of an overdose.

REPRESENTATIVE STORY asked Mr. Getchell whether there would be regular public education to ensure the public and his staff are aware.

MR. GETCHELL stated that he had a lot of support in Haines, and there are a lot of single site schools that may have different access to "these kinds of things," and challenges may be different statewide. He said that in a rural and isolated district, he would be unsure of the kits being stocked on a regular basis and making sure there are no legal ramifications.

8:29:03 AM

THERESA WELTON, Manager, Office of Substance Misuse and Addiction Prevention, Department of Health, gave invited testimony during the hearing on HB 202 and stated she hoped to answer questions raised regarding naloxone, also known as Narcan. She stressed that it only works on an opioid overdose, but not on overdoses of cocaine, methamphetamines or sedative overdose; however, if it is used in those cases, it does not cause harm. She offered additional facts about naloxone including that there is no age limit for being treated with the spray, it expires after three years, and it freezes at 32 degrees [Fahrenheit], but if it is frozen and warmed up it can still be effective, she said. The spray restores breathing until emergency services arrive, and a person can use multiple doses without harm. Training takes approximately 15 minutes, is very straightforward, and many have had training to administer naloxone. Previous conversation in the hearing covered her additional information on the drug. She concluded her testimony by relating that research has shown no evidence that naloxone

leads to more drug use. She welcomed questions from committee members.

8:32:50 AM

REPRESENTATIVE STORY asked Ms. Welton what the cost is to distribute to the 13 districts and sought clarity about not having the budget to expand distribution to all 54 districts.

MS. WELTON named the 13 school districts that receive the distribution of the kits, and she stated she did not have the numbers on the cost but would get the information to the committee at a later date. She said the budget is funded by a couple federal grant programs and that she could answer neither regarding authorization for what the monies were to be spent on nor about the coverage of the 54 school districts.

REPRESENTATIVE STORY asked whether there would be the capacity to work with all 54 school districts.

MS. WELTON replied that currently, she had one staff member who handled the program and worked with many volunteers across the state that help with distribution and training. She added that it would be very difficult to expand to 54 districts.

8:36:08 AM

REPRESENTATIVE HIMSCHOOT asked Ms. Welton how difficult it would be for public health nurses to ensure the supplies are available and updated.

MS. WELTON replied that she did not want to speak to the public health nurses and their capacity to do so; however, they have been very instrumental in helping Project HOPE distribute the kits throughout the state as well as provide training. She noted that the drug could be easily ordered now that it is over the counter (OTC).

REPRESENTATIVE HIMSCHOOT asked what the reach of the public health nurses was across the state; for example, whether there was a nurse in every hub community.

MS. WELTON said that was not her office and she does not have the answer, aside from relating that they are in many hub communities. She added she could provide a more detailed answer to the committee at a later date.

[8:40:38 AM](#)

REPRESENTATIVE STORY inquired about who provided training for the school districts.

MS. WELTON replied that the training is provided to anyone both in person and virtual. She added "train the trainer" had been done with most of the public health nurses and public educators. She reiterated the simplicity of the training, as it is just a nasal applicator.

[8:42:25 AM](#)

CO-CHAIR RUFFRIDGE thanked Ms. Welton for providing testimony and invited questions for the bill sponsor.

[8:42:47 AM](#)

REPRESENTATIVE STORY touched on affordability and whether the opioid settlement group had plans to get money for the school districts.

REPRESENTATIVE D. JOHNSON responded that her intent is, before the bill goes to the House Finance Committee, to go through the funding sources and look for the opioid settlement money.

[8:44:19 AM](#)

REPRESENTATIVE PRAX referred to the discussion regarding school buses and expressed his concern that something that is going to be prescribed in statute be thoroughly considered.

MS. BIEBER said they are looking at ways to take out the section on bus drivers and that they are exploring "a couple different routes."

REPRESENTATIVE D. JOHNSON agreed it was a good point the committee brought up and acknowledged the multiple contracts that already exist. She stated that it may be prudent to take out the bus portion.

REPRESENTATIVE PRAX asked Representative D. Johnson whether she had talked to the Department of Law about liability.

REPRESENTATIVE D. JOHNSON replied there was a legal memo from Legislative Legal Services that spoke of the Good Samaritan law, and as far as liability not being in the kit, she expressed that

would be the biggest concern she had. She reiterated that naloxone is a safe drug and giving it to districts even without a large amount of training has the potential to save lives, she opined.

[8:50:45 AM](#)

REPRESENTATIVE HIMSCHOOT expressed her gratitude for the piece of proposed legislation and noted that it was the fourth unfunded mandate in the committee under consideration this session. She further expressed her concern for districts if doses get lost or taken, resulting in the rise of costs adding up. She stated she would be happy to work with Representative D. Johnson on the bill.

[8:51:56 AM](#)

REPRESENTATIVE STORY referred to the time frame and characterized the responsibility of a district to have a trained staff person present as problematic, and she asked whether any thought had been given to coming up with a solution.

REPRESENTATIVE D. JOHNSON confirmed she had given it thought, and it may be that is not a possibility to have at every school event; however, the intention is to have coaches possibly be trained. She stressed that the most important thing is having the kit supplied and that people know about it.

REPRESENTATIVE STORY suggested the possibility of language that could be added to the existing language in the bill even referencing the community and off-hours, as well as having negotiated contracts for bus drivers.

REPRESENTATIVE D. JOHNSON welcomed the suggestion.

[8:55:26 AM](#)

CO-CHAIR RUFFRIDGE offered his opinion that there is a level of individual responsibility that can be taken for life saving medications in the state. He provided examples of medications than can be easily managed and stored. He welcomed closing comments.

[8:57:02 AM](#)

REPRESENTATIVE D. JOHNSON shared that it occurred to her that many school districts are taking similar steps and that out in

the Bush, the schools are the center of activity and there are not many pharmacies. Lifesaving medication should be available in small Alaska towns, especially, she opined.

[8:59:17 AM](#)

CO-CHAIR RUFFRIDGE announced that HB 202 was held over.

[8:59:48 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:00 a.m.