

SB 395 (2024)

A Review of County Requirements
for Opioid Antagonists

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SB 395 (2024) – A Brief Summary and FAQ:

In the 2024 Georgia Legislative Session, the General Assembly passed Senate Bill 395. This law requires counties to provide a supply of opioid antagonists in courthouses and other buildings in which the local governing authority regularly meets. It also requires each government entity to establish and implement an internal training and implementation policy for the administration of opioid antagonists.

Lastly, any government official, employee, or agent who receives such training and acts in good faith or fails to act in administering the opioid antagonist will not be civilly liable. Furthermore, no government entity will be civilly liable for failure to provide an automated external defibrillator (AED) or opioid antagonist.

For more information regarding SB 395, please find the [bulletin](#) produced by the Department of Public Health, as well as the following responses to frequently asked questions.

Please note: ACCG offers this document as our general understanding of SB 395 (2024) as it relates to county governments. The information provided herein does not establish an attorney client relationship and should not be interpreted or used as a substitute for a legal opinion or advice from the county attorney or other qualified counsel. Before making legal decisions or relying on information contained within this document, county officials and employees should consult with the county attorney or other qualified counsel.

FAQ:**1. At a minimum, what does SB 395 (2024) require?**

Answer: At minimum, each local government must stock three unit doses of an opioid antagonist in each ‘qualified government building’ and courthouse and establish and implement an internal training and implementation policy related to the location and use of such opioid antagonists.

2. Who is responsible for maintaining the supply of opioid antagonist?

Answer: Local governments are responsible for funding and maintaining a supply of opioid antagonist in courthouses and local qualified government buildings. The State of Georgia is responsible for maintaining a supply of opioid antagonist in state qualified government buildings.

Furthermore, while the law does not specify which government employee is responsible for managing the supply and administration of opioid antagonist, it is advisable that each county appoint a staff member to lead this effort.

3. In which buildings are local governments required to provide a supply of opioid antagonist?

Answer: Local governments must provide a supply of opioid antagonists in courthouses and in ‘qualified government buildings.’ Local governments are responsible for supplying opioid antagonists for buildings housing courts which are under the local government’s jurisdiction.

‘Qualified government buildings’ are limited to those buildings in which the local governing authority regularly meets, provided that such building also houses an automated external defibrillator. Accordingly, libraries, county-owned parks, recreation centers, and other county-owned buildings are not required to house a supply of opioid antagonist under SB 395, unless the local governing authority regularly meets within such buildings, and the buildings house an AED.

4. What are the specific areas inside of the building where the opioid antagonist must be kept?

Answer: This law does not specify the exact location within the qualified government building where a supply of opioid antagonist must be placed. However, the law does specify that local governments must ensure that such supply of opioid antagonists is available and accessible during regular business hours and outside of regular business hours for all government entity events. It seems appropriate to place the supply of opioid antagonist in an area that is publicly accessible. For instance, rather than keeping the supply in a maintenance closet, the opioid antagonist may be better placed in the lobby near the automatic external defibrillator.

5. How much supply of opioid antagonist is required?

Answer: The law requires that local governments supply at least three unit doses of opioid antagonist. It seems appropriate to appoint a county staff member to regularly monitor the supply of opioid antagonist to ensure that the proper number of unit doses are readily available and unexpired.

6. How will the costs of compliance be funded?

Answer: The local governments are expected to cover the costs. Counties are authorized “to receive and administer grants, gifts, contracts, moneys, and donations” in order to cover the cost of supplying opioid antagonist or providing training in the administration of opioid antagonist.

7. What information needs to be included in a county's required internal training policy for the administration of opioid antagonists?

Answer: Each county's internal training and implementation policy must contain at least the following four elements:

- a) Details on how an individual can access the training for opioid antagonist administration.
- b) The location(s) of the county's supply of opioid antagonist.
- c) An affirmative statement that authorizes any trained individual to administer the opioid antagonist to anyone they believe to be facing an opioid overdose.
- d) Contain the following statement: "Georgia law provides that any trained individual shall be immune from civil liability or professional discipline for any good faith act or omission to act in the emergency administration of an opioid antagonist to a person believed to be having an opioid related overdose."

8. Which county staff members are required to be trained to administer opioid antagonist?

Answer: This law does not specify which county employees must receive training. However, it is advisable that any trained staff member(s) are employees who have regular and frequent office hours in the building in which the local governing authority regularly meets.

9. Who is required to train these staff members?

Answer: The law states that no "one employee, officer, agent, contractor, or other individual" will be solely responsible for training any government entity. Instead, counties must establish and implement an internal training and implementation policy for opioid antagonist administration.

Nonetheless, it seems appropriate to collaborate with your local county board of health to lead training efforts to ensure that county employees are prepared to adequately administer opioid antagonist.

10. What is the actual training process for these county employees?

Answer: The Georgia Department of Public Health has created a training video that can be used by local governments for training. The training video can be found at the following link: [Naloxone | Georgia Department of Public Health](#). For additional training resources, counties can coordinate with their local public health districts' Opioid and Substance Misuse offices.

11. Is it required that a specific individual be designated as responsible for administering aid within a building in case of an event?

Answer: No, SB 395 does not require a specific person to be responsible for administering the Narcan/Naloxone. Instead, it seems that the intent of the bill is to have many staff members in the building who are 'trained individuals.'

12. Does the county or its staff face liability for administering opioid antagonists per SB 395?

Answer: SB 395 provides that any person receiving training "shall be immune from civil liability or professional discipline for any good faith act or omission to act related to the emergency administration of an opioid antagonist."