

Legislative Analysis



FIRST RESPONDER AND PEACE OFFICER TRAINING FOR DRUG OVERDOSES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4345 as introduced
Sponsor: Rep. LaTanya Garrett

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4346 as introduced
Sponsor: Rep. Jewell Jones

Committee: Health Policy
Revised 12-3-19

SUMMARY:

House Bill 4345 would amend Part 209 (Emergency Medical Services) of the Public Health Code to require that programs and curricula for paramedics or medical first responders include training in treating drug overdose patients that is equivalent to training provided by the American Heart Association Basic Life Support (BLS) for Health Care Providers.

[Note: BLS certification trains participants to recognize several life-threatening emergencies, give high-quality chest compressions, deliver appropriate ventilations, and provide early use of an automated external defibrillator (AED).]

MCL 333.20912

House Bill 4346 would amend 2014 PA 462, which governs the carrying and administering of opioid antagonists, to ensure that law enforcement agencies require that same training of their peace officers. Current law allows peace officers to possess and administer an opioid antagonist if they have been trained in its proper administration and have reason to believe that the recipient is experiencing an opioid-related overdose. The bill would stipulate that the training required before administration of an opioid antagonist must meet the requirements set out in HB 4345.

The bill would retain the provision in 2014 PA 462 that peace officers who possess or in good faith administer an opioid antagonist are immune from civil liability (as long as the conduct does not amount to gross negligence) and would extend immunity to peace officers who render treatment for drug overdose in accordance with the proposed training.

HB 4346 is tie-barred to HB 4345, which means it could not take effect unless HB 4345 were also enacted.

MCL 28.542, 28.543, and 28.544

Each bill would take effect 90 days after its enactment.

BACKGROUND:

According to data released by the Department of Health and Human Services (DHHS) in July of 2017, the number of drug overdose deaths in Michigan rose by 18% to 2,335 in 2016,¹ as part of an upward trend since 2012. Drug poisoning deaths are the largest category of injury-related deaths in Michigan.

This bill is similar to 2014 PA 312, which required all emergency services personnel to be trained to administer opioid antagonists (defined as naloxone hydrochloride or any similar acting and equally safe drug approved by the federal Food and Drug Administration for the treatment of drug overdose).

Specific treatment such as naloxone hydrochloride, cardiopulmonary resuscitation (CPR), or rescue breathing requires only basic training, but is often the difference between life and death in overdose incidents. (Rescue breathing differs from CPR in including the breathing component but not chest compressions, to account for the fact that sometimes overdose patients have trouble moving air even though their hearts keep beating.)

The Highlights of the 2015 American Heart Association Guidelines Update for CPR and ECC² added the following language to address specific actions recommended in case of an opioid overdose:

- For patients with known or suspected opioid addiction who are unresponsive with no normal breathing but a pulse, it is reasonable for appropriately trained lay rescuers and BLS providers, in addition to providing standard BLS care, to administer intramuscular (IM) or intranasal (IN) naloxone. Opioid overdose response education with or without naloxone distribution to persons at risk for opioid overdose in any setting may be considered.
- Patients with no definite pulse may be in cardiac arrest or may have an undetected weak or slow pulse. These patients should be managed as cardiac arrest patients. Standard resuscitative measures should take priority over naloxone administration, with a focus on high-quality CPR (compressions plus ventilation). It may be reasonable to administer IM or IN naloxone based on the possibility that the patient is in respiratory arrest, not in cardiac arrest. Responders should not delay access to more-advanced medical services while awaiting the patient's response to naloxone or other interventions.

As part of continuing efforts in Michigan to address opioid use in the state, the Michigan Prescription Drug and Opioid Abuse Task Force released the following report of findings and recommendations for action in October of 2015:

http://www.michigan.gov/documents/snyder/Prescription_Drug_and_Opioid_Task_Force_Report_504140_7.pdf

¹ http://www.michigan.gov/som/0,4669,7-192-29942_34762-426226--,00.html

² <https://eccguidelines.heart.org/wp-content/uploads/2015/10/2015-AHA-Guidelines-Highlights-English.pdf>

FISCAL IMPACT:

House Bill 4345 may have modest fiscal implications for DHHS if modifications are needed to education programs that DHHS oversees for emergency medical services (EMS) personnel. The EMS program is funded at \$6.6 million. The EMS licensing and education systems are supported by license fee revenue and state GF/GP funds.

House Bill 4346 would result in significant cost increases for various state departments and for local and tribal governments. Under the bill, the state would be responsible for training costs for approximately 2,300 state-employed law enforcement officers (within the Michigan State Police, Department of Natural Resources, Attorney General, etc.). There are also approximately 16,700 law enforcement officers employed by local and tribal law enforcement entities, and those entities would be responsible for all training costs for those officers. The Michigan Commission on Law Enforcement Standards (MCOLES) currently estimates the necessary amount of instruction to fulfill the bill's training requirements to be a minimum of 26 hours (18 hours of skills training). Costs associated with this instruction would include:

- Costs for lead instructors (\$40 per contact hour): \$1,040 per instructor per course
- Costs for skills assistance instructors (\$30 per contact hour; one instructor per five students): \$540 per instructor per course
- Training equipment and supplies (\$200 per student per course)
- Personnel wages for training attendance

Excluding personnel wages and lead instructor costs (these costs are excluded because they are variable, but would still be incurred by the state and locals), skills instructors and equipment costs for the state's training of 2,300 law enforcement officers would total approximately \$248,400 and \$460,000, respectively. Skills instructors and equipment costs incurred by local/tribal governments for training of 16,700 law enforcement officers would total \$1,803,600 and \$3,340,000, respectively.

MCOLES estimates that a one-time expenditure of \$64,000 would be necessary to develop a module within the existing MCOLES Information Tracking Network (MITN), to track completion of the proposed training. MCOLES estimates that existing staff and resources would be sufficient to maintain the module.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.