

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 HOUSE BILL 1408

 By: Culver

7 AS INTRODUCED

8 An Act relating to public health and safety; creating
9 the First Responders Job Protection Act; defining
10 terms; requiring first responders to report passive
11 drug exposure; requiring reports of passive drug
 exposure be provided to medical review officer;
 providing for codification; and providing an
 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1-539.11 of Title 63, unless
18 there is created a duplication in numbering, reads as follows:

19 This act shall be known and may be cited as the "First
20 Responders Job Protection Act".

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1-539.12 of Title 63, unless
23 there is created a duplication in numbering, reads as follows:

24 As used in this section:

1 1. "Controlled dangerous substance" means a drug, substance or
2 immediate precursor in Schedules I through V of the Uniform
3 Controlled Dangerous Substances Act or any drug, substance or
4 immediate precursor listed either temporarily or permanently as a
5 federally controlled substance;

6 2. "First responder" means an individual who performs emergency
7 medical services on scene in accordance with the Oklahoma Emergency
8 Response Systems Development Act and rules of the State Board of
9 Health promulgated thereto;

10 3. "Passive exposure" means when an individual is exposed to a
11 controlled dangerous substance without actually ingesting or using
12 the substance himself or herself; and

13 4. "Volunteer" means a person who enters into a service or
14 undertaking of the person's free will without compensation or
15 expectation of compensation in money or other thing of value in
16 order to provide a service, care, assistance, advice, or other
17 benefit; provided, being legally entitled to receive compensation
18 for the service or undertaking performed shall not preclude a person
19 from being considered a volunteer.

20 SECTION 3. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1-539.13 of Title 63, unless
22 there is created a duplication in numbering, reads as follows:

23 A. The first responder or volunteer first responder subject to
24 drug testing shall verbally report, to the first responder's agency

1 or private employer prior to testing, any specific known potential
2 passive exposure to any controlled dangerous drug that has occurred
3 in the previous fourteen (14) days while responding to an emergency.

4 B. In the event of a positive drug test, the medical review
5 officer shall be provided with documentation of the verbal report
6 and a subsequent written report provided by the responding agency in
7 order to rule out passive exposure.

8 SECTION 4. This act shall become effective November 1, 2023.

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10 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
11 dated 02/15/2023 - DO PASS.

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