

1 **SENATE FLOOR VERSION**

2 April 13, 2023

3 ENGROSSED HOUSE  
4 BILL NO. 1408

By: Culver of the House

5 and

6 Gollihare of the Senate

7  
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  
12 exposure be provided to medical review officer;  
13 providing for codification; and providing an  
14 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. "Controlled dangerous substance" means a drug, substance or  
immediate precursor in Schedules I through V of the Uniform

1 Controlled Dangerous Substances Act or any drug, substance or  
2 immediate precursor listed either temporarily or permanently as a  
3 federally controlled substance;

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

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

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

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

21 A. The first responder or volunteer first responder subject to  
22 drug testing shall verbally report, to the first responder's agency  
23 or private employer prior to testing, any specific known potential  
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1 passive exposure to any controlled dangerous drug that has occurred  
2 in the previous fourteen (14) days while responding to an emergency.

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
9 April 13, 2023 - DO PASS

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