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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
56th Legislature, 2nd Session, 2024

Bill Number	<u>SB219</u>	Sponsor	<u>Maestas</u>
Tracking Number	<u>.226990.2</u>	Committee Referrals	<u>SCC/SEC/SFC</u>
Short Title	<u>Naloxone Nasal Spray in High Schools</u>		
Analyst	<u>Hathaway</u>	Original Date	<u>1/30/2024</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

Senate Bill 219 (SB219) makes an appropriation to the Public Education Department (PED) to make naloxone nasal spray available in high schools.

FISCAL IMPACT

The bill appropriates \$1 million from the general fund to PED for expenditure in FY25. Any unexpended or unencumbered balance remaining at the end of FY25 shall revert to the general fund.

SUBSTANTIVE ISSUES

What is Naloxone Spray? The Substance Abuse and Mental Health Services Administration (SAMHSA), an agency within the federal U.S. Department of Health and Human Services, reports naloxone is a medication approved by the Food and Drug Administration (FDA) designed to rapidly reverse opioid overdose. Naloxone is an opioid antagonist, which means it binds to opioid receptors and can reverse and block the effects of other opioids, such as heroin, morphine, and oxycodone, as well as synthetic opioids such as fentanyl. It is administered as an intervention to opioid overdose although additional medical intervention is needed after administration to stabilize individuals who have overdosed.

Naloxone is most often administered via an intranasal spray. The federal FDA also [approved](#) an over-the-counter naloxone spray (Narcan) in March 2023 for purchase and use without a prescription.

Adolescent Overdose Deaths. Adolescent deaths due to overdose because of illicit drug use is rising nationally. The federal Centers for Disease Control (CDC) reported in December 2022 that median monthly overdose deaths among persons aged 10-19 years old (adolescents) increased 109 percent from July-December 2019 to July-December 2021. Among these, deaths involving illicitly manufactured fentanyls (IMFs) increased 182 percent, approximately 90 percent of deaths

involved opioids, and 84 percent involved IMFs. During July 2019 to December 2021, the CDC reports a total of 1,808 adolescent overdose deaths occurred in 32 jurisdictions (including New Mexico).

The CDC writes that “widespread availability of illicitly manufactured IMFs, proliferation of counterfeit pills resembling prescription drugs but containing IMFs or other illicit drugs, and ease of purchasing pills through social media have increased fatal overdose risk among adolescents.” To address this, SAMHSA [recommends](#) ensuring access to naloxone in schools, including elementary schools, to prevent overdose deaths.

Standing Order for Administration of Naloxone in Schools. Consistent with state law (Section 24-23-1 NMSA 1978), the New Mexico Department of Health issued a [Standing Order for Administration of Naloxone by School Personnel](#) (in 2016), for schools to provide and maintain opioid antagonist medications in schools for the treatment of suspected overdose. The standing order allows school nurses to obtain, store, and administer naloxone, and non-clinical staff who have completed an overdose prevention and naloxone administration class to obtain, store, and administer naloxone. It is unclear to what extent naloxone is currently being used in New Mexico schools. Agency analysis for SB219 was not available at the time of writing.

Wastewater Testing in New Mexico High Schools. In December 2023, a [public dashboard](#) with results of wastewater drug testing for public high schools across New Mexico was released. A joint effort of PED, the New Mexico Department of Health, and the New Mexico Environment Department, this dashboard contains a summary of wastewater analysis that assesses drugs and metabolites detected in wastewater on the day that a given school was sampled. Of the 106 schools included in the dashboard so far, the dashboard notes heroin and its metabolite was not found in any of the tested schools, but fentanyl and its metabolite was found in 14 schools (13.2 percent of tested schools) and cocaine and its metabolite was found in 67 schools (63.2 percent of tested schools).

National Context. National tracking of naloxone policies across the country by the Legislative Analysis and Public Policy Association [finds](#) 33 states have laws that expressly allow schools or school employees to “carry, store, or administer naloxone.”

ADMINISTRATIVE IMPLICATIONS

PED would be responsible for administering funds and making naloxone spray available in schools. It is unclear if PED already has programs or policies in place to determine funding amounts, distribution methodology, and budgetary tracking of this appropriation. LESC staff, however, note PED has a Safe and Healthy Schools Bureau that may be able to accommodate this responsibility in its current workflow.

SOURCES OF INFORMATION

- LESC Files

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