



SHANNON ZIMMERMAN

STATE REPRESENTATIVE • 30th ASSEMBLY DISTRICT

Assembly Bill 223
Assembly Committee on Education
November 1, 2023

Thank you Chairman Kitchens and committee members for hearing testimony on Assembly Bill 223 today. In its original version, this legislation would have required all schools to keep an opioid antagonist on site. We more commonly know this as the brand name Narcan. As amended, AB 223 provides immunity to a school nurse who administers an opioid antagonist (Narcan).

This immunity provision will mirror current statutes that apply to school nurses for the administration of epinephrine more commonly known as epi pens. These devices counteract anaphylaxis, a severe life-threatening allergic reaction. Wisconsin has previously passed legislation that extends this opioid antagonist liability coverage to the general public, but school nurses were not included in that previous effort because they are licensed individuals and held to different standards.

Over the past several years, the Legislature has advanced legislation to address addiction issues in Wisconsin under the banner of the HOPE Agenda. This legislation continues with that agenda and it will help fight against the addiction epidemic that is infiltrating our schools.

According to the Department of Health Service (DHS), 898 opioid related deaths occurred in Wisconsin between January and August of 2022. The rising presence of fentanyl has made recreational drug use even more deadly. This crisis has no boundaries whether it be urban versus rural, race, and even age. Many schools across the state are proactively maintaining a supply of Narcan on site. It is an unfortunate reality, but one that becomes all the more real every day.

Thank you for your time and attention today and I hope that I can count on your support of this proposal.



November 1st, 2023

Representative Kitchens, Chair
Members of the Assembly Committee on Education

Testimony on 2023 Assembly Bill 223

Relating to: maintaining a supply of usable opioid antagonist at a school.

Thank you, Chairman Kitchens and other members of the committee, for hearing my testimony on Assembly Bill 223 today. The opioid epidemic is not a new issue, and it has no boundaries, whether it be urban, rural, race, and even age. School districts nationwide have recognized the dangers of fentanyl and are proactively stocking their schools with naloxone. I know it must be hard to imagine that this is an issue that is impacting our youth; no one wants to think that our kids are exposed to these dangers. According to WISH (Wisconsin Interactive Statistics on Health) Query System, there were 76 opioid deaths for those 19 years old and younger from 2016-2020, and I can only imagine that after the pandemic and the rising presence of fentanyl that this number has gotten larger.

The WI Department of Health Services *recommends* that schools keep Narcan in their schools' first aid kit. In its original draft, AB 223 would *require* all public and private schools in the state to stock an opioid antagonist, such as naloxone, on school grounds in an accessible place. After hearing some feedback during the Senate Committee on Education, we have decided to offer a substitute amendment on this bill that would remove the mandate of having an opioid antagonist on school grounds and instead extend the same immunity and protections granted under the epinephrine code to school nurses when it comes to opioid antagonists. We hope that, although not the original vision of the bill, this change will help provide some peace of mind to school districts when deciding whether or not to keep an opioid antagonist stocked in their schools voluntarily. Denmark School District in Brown County, WI has already seen the writing on the wall: opioids have infiltrated the school system, and schools need to be prepared. They view having Narcan, a naloxone product, available in schools similar to having automated external defibrillators (AEDs) or Epipens; it's a proactive lifesaving medication that should be accessible in case of emergencies. Beloit School District put Narcan in their emergency response kits this month. Our schools should be equipped for the worst case scenario.

I take advantage of the times I get to have discussions with school age kids in the 23rd Senate District. The kids let me know what is going on in our schools even if our schools pretend, "there is nothing to see here at our school, we don't have those kinds of issues happening here." Our bathrooms are plagued with the use of vape pens; we just don't know what may or may not be in them. CBS New York reported on January 23, 2023 a student brought a vape device which had a marijuana cartridge inside which contained fentanyl. The student used it and suffered an overdose. Nurses at the school administered naloxone and the student was saved. The student did not even know fentanyl was inside the vape cartridge. We also have the #onepillkills campaign that brings awareness to fentanyl being in pills as well. We have had overdoses in Wisconsin taking place not only in our universities, but high schools and middle schools, but we never hear about them. This should never be about an image of schools, this is about life and death.

STATE SENATOR

JESSE



JAMES

23RD DISTRICT


We need this in our schools. One box, which contains two-4mg doses, is good for a period of three years. If a dose has to be replaced, the Narcan Direct program and local DHS departments should be able to help. These efforts start with us. I am asking for your support on this life-saving legislation. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov

TO: Members, Assembly Committee on Education

FROM: Daniel Henderson, School Programs Coordinator 

SUBJECT: AB-223 – Maintaining a supply of usable opioid antagonists at a school.

DATE: November 1, 2023

Thank you for the opportunity to submit comments on AB-223. The Wisconsin Council of Religious and Independent Schools (WCRIS) takes no position on AB-223. We do ask for the committee's help.

WCRIS represents more than 10 percent of the state's K-12 students. We represent over 600 private schools enrolling over 120,000 students in K-12 schools across the state. WCRIS supports measures to keep its students safe. Drugs know no boundaries and they are becoming a dark reality of our society.

Earlier this year, we testified on the Senate version of the bill and urged for liability protections for schools. Since then, an amendment was introduced to address those concerns. We are grateful for the amendment.

We urge this committee to adopt the amendment providing liability protections.

Thank you for your consideration on this matter.

Don't hesitate to contact me, or WCRIS Executive Director Sharon Schmeling, if our office can be of additional service.

Archdiocese of Milwaukee

Association of Christian
Schools International

Christian Schools
International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church
Missouri Synod
North Wisconsin District

Lutheran Church
Missouri Synod
South Wisconsin District

Wisconsin Association
of Independent Schools

Wisconsin Conference
of Seventh Day Adventists

Wisconsin Evangelical
Lutheran Synod
Northern Wisconsin District

Wisconsin Evangelical
Lutheran Synod
Western Wisconsin District

Wisconsin Evangelical
Lutheran Synod
Southeastern Wisconsin
District

Associate Members

PHONE
(608) 287-1224

E-MAIL
wcris.staff@wcris.org

WEBSITE
www.wcris.org

ADDRESS
110 East Main Street
Suite 802
Madison, WI 53703



**Testimony to the Assembly Education Committee on Assembly Bill 223,
relating to maintaining a supply of usable opioid antagonist in schools
November 1, 2023**

The Wisconsin Association of School Nurses (WASN) represents school nurses working in school settings across Wisconsin. WASN appreciates and shares the goal of the authors of AB 223 of making opioid antagonist as available as possible in our schools. But AB 223, as drafted, needs to be amended to ensure the best possible language is put into statute and that it is consistent with other provisions relating to school health that already exist in our statutes.

Specifically, the bill should:

- Create language that clearly supports schools being able to receive doses of an opioid antagonist in the school's name and stock such medication under a medication policy written by a school nurse (currently, that is the requirement for all other medications) in conjunction with those designated by the school board.
- Make it clear that prescribers can write prescriptions and orders for opioid antagonist and pharmacies can fill orders in the name of a school, not just an individual.
- Ensure that the bill's language is linked to the medication training for school employees currently required in state statute.
- Ensure that licensed healthcare providers (school nurses) may administer these medications to students and others.

These changes will ensure better and safer health care delivery in the school setting, and more clarity for those who implement state laws on a daily basis. We look forward to working with the bill's authors on an amendment to ensure these changes are included in the bill.

We shared this language in testimony to the Senate Education Committee back in May when that committee brought up SB 206, the companion bill to AB 223. Unfortunately, we have not seen the language we proposed incorporated into an amendment. Instead, we have seen a substitute amendment drafted to both SB 206 and AB 223 that substitutes the original language with language that would create immunity from liability for administering opioid antagonist.

If the substitute amendment is adopted, WASN will remain neutral on the bill. WASN continues to urge legislators to pass legislation that supports the stocking of opioid antagonist in schools.

Thank you for considering the views of the state's school nurses.



October 30, 2023

Dear Colleague:

In his 2023 State of the Union address, President Biden launched a major surge against illicit fentanyl that included actions to stop the flow of illicit drugs into our communities, expand access to life-saving resources, and prevent drug use before it begins. This work is already saving lives across the country; though the number of people who have died from an overdose in the last year was still unacceptably high at 107,000, it has begun to drop for the first time in years.

Fentanyl is a synthetic opioid that is so potent even a tiny amount can be fatal. As you have seen in your schools and communities, the rise of illicit fentanyl and its trafficking via social media is having a disproportionate impact on our children. Overdose deaths among adolescents [doubled from 2019 to 2020](#) and continue to rise, even though youth rates of drug use have remained stagnant. That's because a teenager today can log onto social media with a smartphone and buy what they think is an opioid pain medicine or a prescription stimulant to help them study—and instead die from one pill that actually has fentanyl in it. Just one pill. And [data](#) show that two-thirds of adolescent drug poisoning deaths occurred with a potential bystander nearby, but naloxone was often not administered.

In the midst of this fentanyl overdose epidemic, it is important to focus on measures to prevent youth drug use and ensure that every school has naloxone and has prepared its students and faculty to use it. We want to share resources that could help your school and community prevent drug use before it begins and keep students alive long enough to get the help they need in the event of an overdose or poisoning.

One of the most important roles you play as educators and administrators is creating safe environments where students can learn and thrive. As you know, drug use can threaten student safety and impact the growing brain. Stopping drug use before it starts is critical and effective. The [Drug-Free Communities Support Program](#) can be a key partner to schools seeking to stand up primary prevention initiatives. Research-based guides, such as [Preventing Drug Use Among Children and Adolescents](#), offer information and resources for parents, educators, and community leaders. Over the past year, the Department of Education's National Center on Safe and Supportive Learning Environments' (NCSSLE) has added webinars to its "[Lessons from the Field](#)" series focusing on prevention, illicit fentanyl, and other resources to help schools develop safe, supportive, and drug free learning environments. Additionally, in partnership with the Ad Council, the Office of National Drug Control Policy (ONDCP) launched the [Real Deal on Fentanyl](#) campaign to educate young people on the dangers of fentanyl and the life-saving effects of naloxone.

Schools and communities can prepare for potential drug overdoses and poisonings by educating faculty, parents, and students on overdose prevention and response by learning the signs of an overdose, calling 911 when encountering a suspected overdose, and knowing how to use the opioid reversal antidote naloxone immediately. Now is the perfect time to develop or reevaluate schools' or school districts' [emergency operations plans](#) to ensure that school officials, first responders, and other community partners, including public health and public safety entities, are prepared to respond quickly if an emergency occurs. The Department of Education's Readiness and Emergency Management for Schools Technical Assistance Center (REMS) has resources, including webinars, publications, guidance documents, and trainings, to assist schools and communities to support safety, security, emergency management and preparedness, including opioid-related emergencies.

Studies show that naloxone access can reduce overdose death rates, that its availability does not lead to increases in youth drug use, and that it causes no harm if used on a person who is not overdosing on opioids. It is important to note that individuals should not be afraid to administer naloxone, as most states have Good Samaritan Laws protecting bystanders who aid at the scene of an overdose. Our schools are on the frontlines of this epidemic, but our teachers and students can be equipped with tools to save lives.

The Biden-Harris Administration has taken a number of steps to improve access to naloxone. Last month, naloxone nasal spray became available for over-the-counter purchase by any person, without medical training required. It will be important for your schools to take advantage of this opportunity, and to encourage families to have naloxone at home. [Local public health departments](#), [state behavioral health agencies](#), and [state educational agencies](#) can be helpful in working with schools and districts to access naloxone. In addition, support in the form of state model laws that address [school responses to drugs and drug-related incidents](#) and [naloxone access](#) have been made available.

There is no time to waste when responding to an overdose, and it is critical that youth and school personnel can access naloxone on school grounds during and after school. Thank you for your partnership in protecting the health of our nation's students. We look forward to continuing to work together to address youth substance use and to save lives.

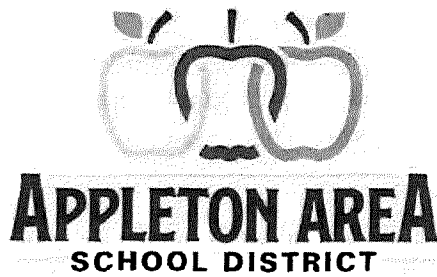
Sincerely,



Miguel A. Cardona, Ed.D.
U.S. Secretary of Education



Rahul Gupta, MD, MPH, MBA
Director
Office of National Drug Control Policy



131 E. Washington St. Suite 1A
Appleton, WI 54911
P: (920) 852-5300
www.aasd.k12.wi.us

November 1, 2023

WI State Legislators,

I am writing to show my support for SB206. My intention was to speak at this hearing in person, however, several obligations preclude me from doing so. It was out of fear that the Appleton Area School District installed Overdose Aid Kits (OAKs) that stock a usable opioid antagonist. The fear was that one of our students would die of an overdose from one of the many varieties of counterfeit pills and other substances (all potentially laced with fentanyl) readily available to children.

When our school district was first approached about installing OAK boxes in our secondary schools, we were reluctant. Although we were aware of the challenges our community, and every other community in Wisconsin, is facing with the opioid epidemic, we were concerned about the image that having OAK boxes in our secondary schools might convey.

As a former high school principal, I sadly have had several alumni of my former school pass away from drug overdoses. However, until last school year, we did not necessarily fear for our current students. We felt this was an adult problem, so we were considering installing the OAK boxes to allow students access to an opioid antagonist that may be needed for a family member or a friend. However, last school year we saw an unprecedented number of student emergencies due to inexperienced children experimenting with synthetic marijuana products. Several of these situations resulted in school staff needing to call 911 for medical assistance. These are traumatic events for students and staff, and we are concerned that a tragedy is going to happen.

So, this is why over this past summer we installed OAK boxes in our middle and high schools. As I said above, we are deeply concerned...because of the seeming ease of access that students have to these products. We are scared because many of the substances come in forms that are appealing to children (gummies, rice crispy bars, colored pills, etc.), and we are scared because we know teenagers at times will make poor choices. Many of our situations last year and already this year occurred when students take these products from their parents, and often students are unfamiliar with a product that is offered to them, so are unable to regulate the amount they ingest, or what they may ingest.

We understand that Appleton is becoming increasingly urban, but when talking with our more suburban neighbors, they are seeing the same behaviors. We can never be fully prepared for a student who is in a crisis due to a potential overdose, but we now have access to an opioid antagonist through our School Nurses, School Resource Officers, and the OAK boxes.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Hartjes", with a long, sweeping horizontal line extending to the right.

Greg Hartjes
Superintendent
Appleton Area School District



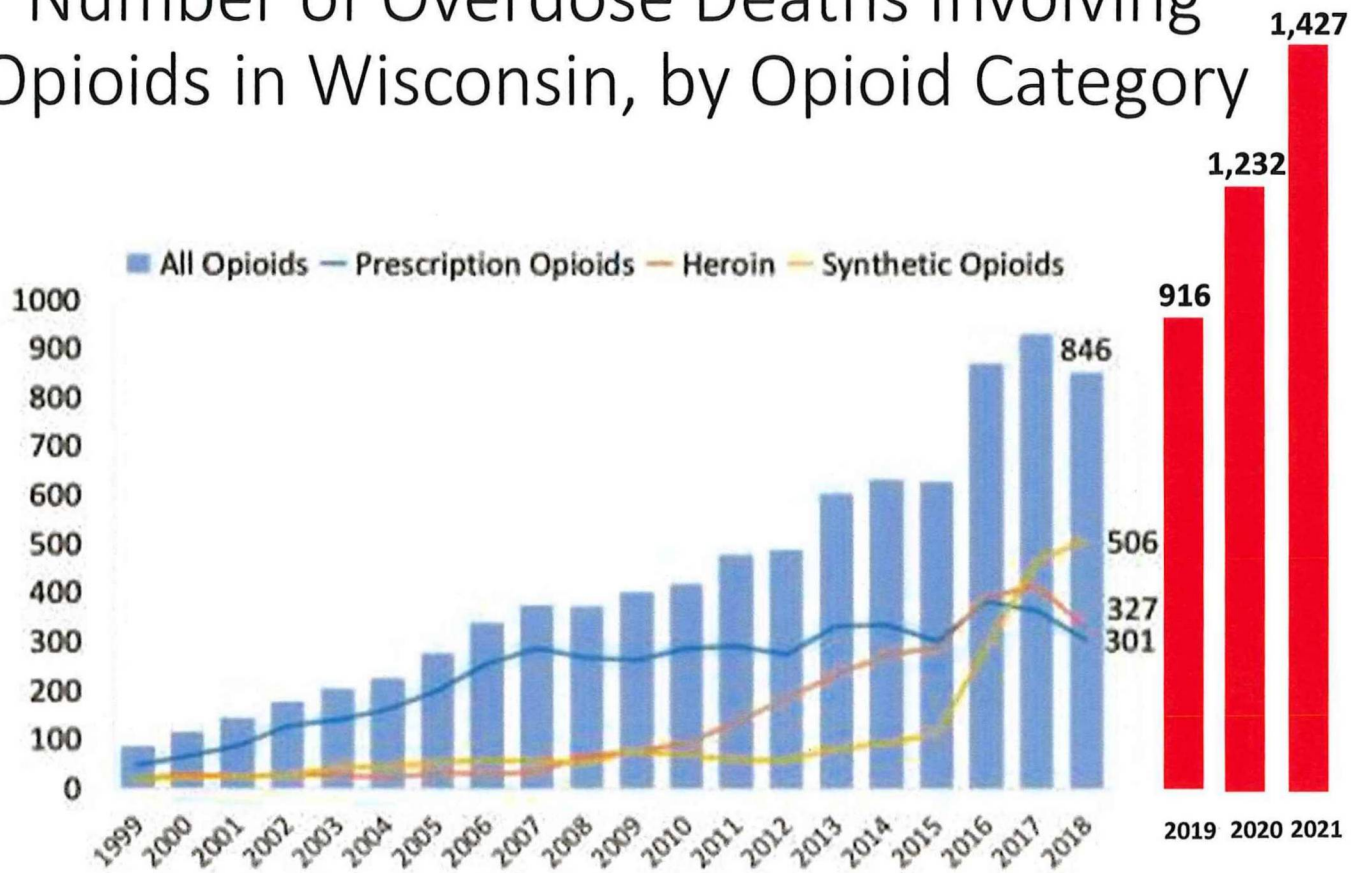
Wisconsin's Opioid Epidemic

The Need for NARCAN In Public and Private Schools

George Moore, Board VP – Addiction Resource Council
Dick Niles, Board Treasurer – Addiction Resource Council

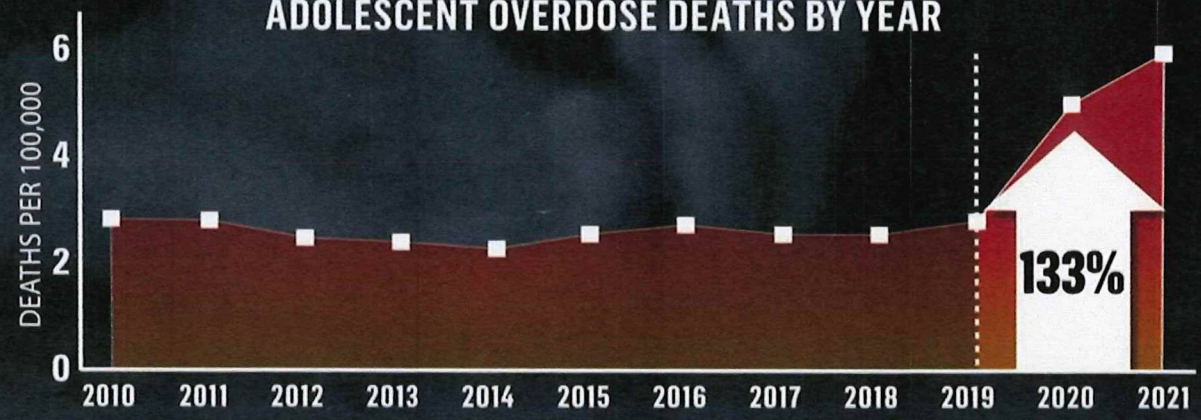


Number of Overdose Deaths Involving Opioids in Wisconsin, by Opioid Category



Source: Wisconsin DHSS.
For additional Wisconsin opioid resources: www.dhs.wisconsin.gov/opioids

ADOLESCENT OVERDOSE DEATHS BY YEAR



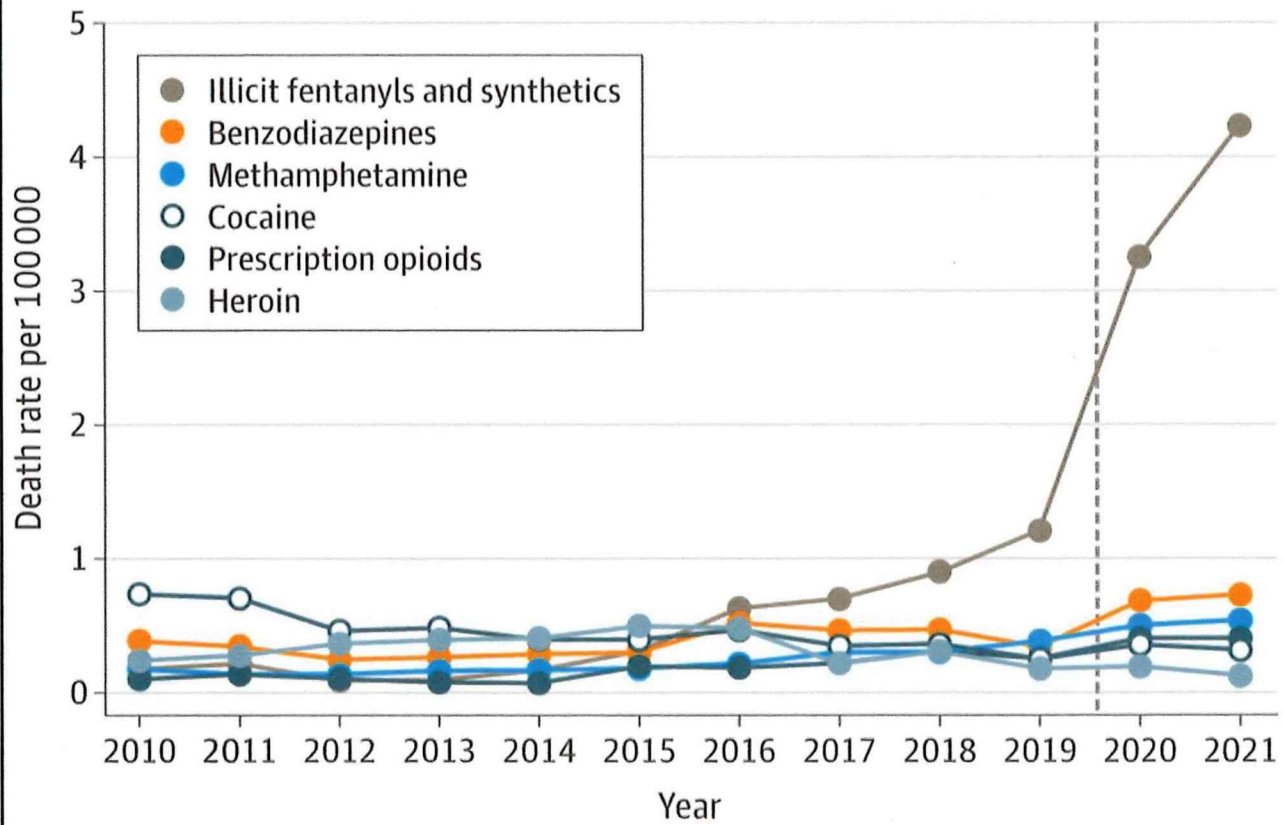
SOURCE: JAMA NETWORK: "TRENDS IN DRUG OVERDOSE DEATHS AMONG U.S. ADOLESCENTS, JANUARY 2010 TO JUNE 2021"

ONE NATION **OVERDOSED**

SCHOOLS GRAPPLE WITH RISE IN TEEN FENTANYL OVERDOSES



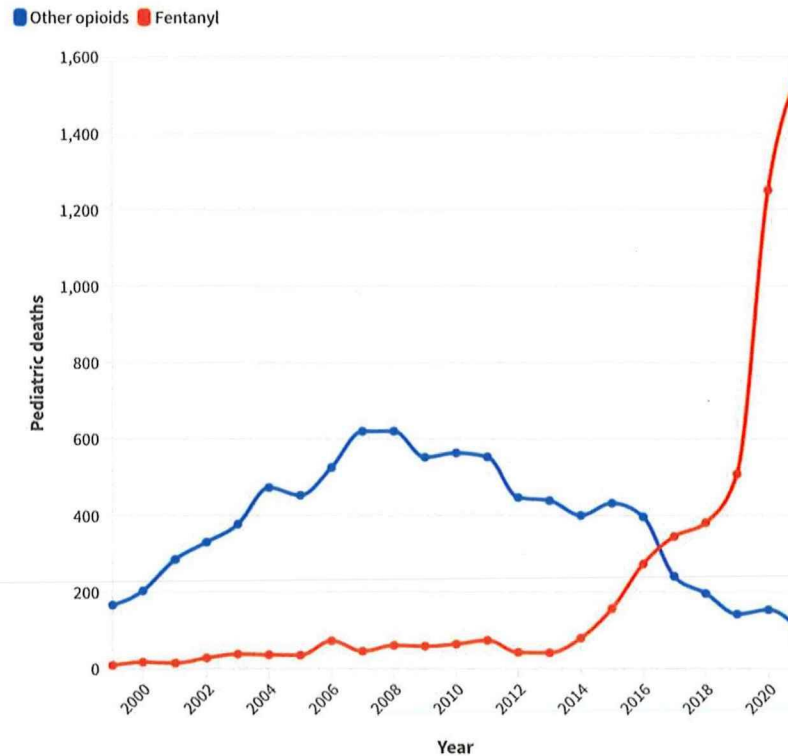
A Overdose mortality among adolescents by substance type (Ages 10-19)



Source: JAMA

The Opioid Crisis

Pediatric opioid deaths 1999–2021, fentanyl vs. other opioids



Pediatric deaths (Age 10-19) from fentanyl in 2021 were more than 30 times higher than they were in 2013

Source: J.R. Gaither/Yale School of Medicine • Visualization: C. Chang

What is Narcan?

- It's the brand name of the OTC nasal spray formulation of the drug naloxone
- It's a medication used to reverse the effects of an opioid overdose
- Is safe for all. Including children, pregnant women, and pets
- Has no effect on someone who has not taken opioids
- Has no potential for abuse
- Has minimal to no side effects
- Wears off in 30 to 90 minutes
- Was administered over 30,000 times in Wisconsin in 2022
- Why the need: Fentanyl was involved in 84% of teen overdose deaths



Harm Reduction

Require NARCAN In All Public/Private Schools

- Opioid Overdoses Are Occurring in US Schools
- According to DHS, Over 100 Wisconsin Adolescents Have Died of Overdoses in the Last 10 Years
- An Overdose Victim Has Only 7-8 Minutes To Live
- Cause is Typically Non-Opioid Fentanyl-Laced Drugs: Marijuana, Cocaine, Meth, Ecstasy, Counterfeit Prescription Pills (i.e., Xanax, Adderall, Oxy, Percocet)
- A CDC Report Found That Bystanders Were Present During 2/3 of Overdose Deaths, But Narcan Was Administered in Only 30% Of Them

Recommendation:

Require NARCAN In All Public/Private Schools

- School Superintendents Are Concerned About the Ease of Obtaining Illicit Drugs in Schools, Increasing Numbers of Drug Incidents, Ease of Purchasing Pills Through Social Media, and the Proliferation of Illicitly Manufactured Fentanyl (IMFs) Counterfeit Pills
- NARCAN Is Available in 14/16 UW System Dorms--We Feel It's Needed in K-12 Schools as Well.
- To Provide NARCAN and Virtual Training to the Roughly 2,700 Wisconsin K-12 Schools Would Involve a One-Time Cost of Roughly \$350k to \$675k
- Protecting Our Wisconsin Schoolchildren Would Involve a One-Time Cost of Less Than \$1.00 Per Pupil

Recommendation:
Pass AB223 In It's Original Form Plus the Amendment

- Protects Our Kids
- Deals With Liability Concerns
- Based on Our Discussions and Research, Overwhelming Public Support
- DPI Support As Well (In Governor's Budget)
- Surrounding States Have Already Taken Similar Measures
- The White House on Monday, 10/30 Urged Schools to Carry Narcan

From the October 30 White House Message:

“Studies show that naloxone access can reduce overdose death rates, that its availability does not lead to increases in youth drug use, and that it causes no harm if used on a person who is not overdosing on opioids. It is important to note that individuals should not be afraid to administer naloxone, as most states have Good Samaritan Laws protecting bystanders who aid at the scene of an overdose. Our schools are on the frontlines of this epidemic, but our teachers and students can be equipped with tools to save lives.”



To Whom It May Concern:

My name is Madeline Brown and I am the Clinical Substance Abuse Counselor at Horizon High School in Madison Wisconsin. I have over 10 years of clinical experience in helping people suffering from substance abuse issues to lead healthier, balanced lifestyles. When the opportunity arose for me to work in Wisconsin's only recovery high school, I eagerly picked up my life and moved for the opportunity. I did this because I wholeheartedly believe in the mission of Horizon High School and other recovery schools across the country. It is a common opinion among addiction professionals that it is imperative to help those suffering from substance abuse issues sooner than later. Substance Use Disorders are chronic, progressive disorders and early intervention saves lives. Recovery Schools provide this type of early intervention to support young people who are working to maintain sobriety. Our school provides a low student to staff ratio so we are able to support students in ways that public schools simply are not able to provide. As a result, we are able to support our students therapeutically when they need it most. Many teenagers in our state unfortunately do not have supportive living environments that foster continued growth and sobriety. Luckily, our school is able to provide life saving support 8 hours a day to our students who do not otherwise have support in maintaining their sobriety.

The average cost of treatment in a residential rehabilitation facility is at least \$600 per day. Many young people who meet clinical criteria for this level of care do not have sufficient insurance or the funds to cover this type of treatment. The majority of our students who enter our school would meet clinical criteria for residential treatment. However, due to wait-lists, lack of availability, and financial difficulties inpatient treatment is not an option. As a result of the support, education, and therapeutic services this school provides, every single student is now clean and sober.

Two to three times per week I facilitate group therapy for all of our students. I utilize materials from the Matrix Model of Addiction Treatment and Stanford Medicine's Safety First Program. In addition to group therapy, I am available daily to meet with our students individually to offer additional support.

Horizon High School is not only providing a robust education, but also life saving therapeutic services to fifteen local students who struggle with substance abuse disorders. There are countless students across the state who are in need of an environment like Horizon High School. Please don't keep our teenagers suffering in silence. They deserve an opportunity to get sober and stay sober. They deserve happiness and a hopeful future.

Sincerely,

Madeline Brown, CSAC
Horizon High School, Madison WI
madelinebrown@horizonhs.org

October 31, 2023