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FISCAL IMPACT REPORT

SPONSOR Maestas LAST UPDATED 02/05/2024
ORIGINAL DATE 01/29/2024
BILL
SHORT TITLE Naloxone Nasal Spray in High Schools NUMBER Senate Bill 219
ANALYST Chilton

APPROPRIATION* (dollars in thousands)

FY24	FY25	Recurring or Nonrecurring	Fund Affected
	\$1,000.0	Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Relates to SB35, HB97, and HB70

Sources of Information

LFC Files

Agency Analysis Received From:
Public Education Department (PED)
Department of Health (DOH)

Agency Analysis was Solicited but Not Received From
Albuquerque Public Schools (APS)

SUMMARY

Synopsis of Senate Bill 219

Senate Bill 219 appropriates \$1 million from the general fund to the Public Education Department for the purpose of making naloxone nasal spray, for the reversal of opioid overdose, available in high schools.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, or May 15, 2024, if enacted.

FISCAL IMPLICATIONS

The appropriation of \$1 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY25 shall revert to the general fund/other fund.

It is difficult to find a price for naloxone nasal spray online. A 2018 Time Magazine article

states the following, “When buying naloxone, the price can vary greatly depending on your insurance plan and the type you want to buy. Generic naloxone nasal spray can cost between \$20 and \$40 per dose, while Narcan can cost around \$130 to \$140 for a kit that includes two doses.” If one used the \$40 price and applied that to the 223 high schools in New Mexico, the cost of supplying generic naloxone nasal spray, one dose for each school, would be \$8,920; at a brand-name Narcan cost of \$140, the same 223 units would cost \$31,220, and some schools might need to have more than a single dose available. Training would emphasize the importance of monitoring the student after the use of the drug and the necessity of calling for emergency help whenever it is used, since its effect may wear off over time; costs of training would be in addition to the cost of the drug.

SIGNIFICANT ISSUES

Opioid use is rampant among the population of the United States as a whole, especially in New Mexico, and including in teens. While efforts are underway to attempt to deal with the problem – especially the potentially lethal fentanyl use epidemic, life-saving treatment for someone experiencing symptoms of opioid overdose is available and should be employed. This bill would make the main drug used for that purpose, naloxone, available at high schools.

Naloxone rapidly reverses the effects of an opioid in almost all instances and thus can be life-saving. However, because the duration of its effect may be as little as 20 minutes and shorter than the duration of the opioid that the student or school employee had ingested or injected, it is of vital importance that the person administering the dose be aware of next steps to take, including monitoring for return of symptoms of the overdose and contacting emergency medical services.

The Department of Health gives statistics regarding drug overdose deaths as follows:

Medical examiner data indicate that the most common drugs causing unintentional overdose death for the period were prescription opioids (e.g., methadone, oxycodone, morphine 48 percent), heroin (34 percent), tranquilizers/muscle relaxants (23 percent), cocaine (17 percent), methamphetamine (16 percent) and antidepressants (12 percent) (not mutually exclusive).” Naloxone could reverse the first two categories (prescription opioids and heroin, as well as the increasingly used fentanyl), thus erasing some 82 percent of drug overdose fatalities. DOH gives evidence that naloxone is proven to be the most effective way of reversing an opioid drug overdose.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB219 relates with the following bills:

HB70 School-Based Mental Health Counselors, who may deal with substance use issues, as noted by PED;

HB97 Prenatal substance abuse taskforce, as pregnant high school students may abuse fentanyl; and

SB35 Medical Treatment for Substance Abuse.

In addition, and as regards duplication, DOH states that naloxone and training in its use are already available through that department to all schools in New Mexico. Further, DOH states that “SB219 does not directly address training, reporting, or liability issues which may arise from the

distribution of naloxone. There are already existing programs within the Department of Health (NMDOH) which provide naloxone access to all schools in New Mexico.”

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Students and personnel in schools may continue to die from opioid overdoses that could have been prevented had naloxone been available but not obtained through existing DOH programs.

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