

**RESOLUTION NO. 1235-2019, ADOPTING LOCAL LAW NO. 6 -2020, A LOCAL LAW TO ALLOW LOCATIONS WITH AUTOMATIC EXTERNAL DEFIBRILLATORS TO MAINTAIN NARCAN ON SITE**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on November 6, 2019, a proposed local law entitled, "**A LOCAL LAW TO ALLOW LOCATIONS WITH AUTOMATIC EXTERNAL DEFIBRILLATORS TO MAINTAIN NARCAN ON SITE**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 6 -2020, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO ALLOW LOCATIONS WITH AUTOMATIC EXTERNAL DEFIBRILLATORS TO MAINTAIN NARCAN ON SITE**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Suffolk County continually strives to protect the health and safety of its residents.

This Legislature also finds and determines that the County provides a number of programs that help to combat the ongoing opioid crisis.

This Legislature further finds and determines that naloxone, more commonly known as Narcan, is an effective and accessible means to reverse the effects of an opioid overdose.

This Legislature finds that the Suffolk County Department of Health Services provides free Narcan training to all individuals, groups, and businesses that request it.

This Legislature determines that Automatic External Defibrillators ("AED") are mandated at certain locations throughout the County and are maintained on a voluntary basis by many other businesses which recognize their life-saving capabilities.

This Legislature also determines that allowing establishments which already have an AED on site to maintain Narcan on premises will aid in reducing the number of deaths resulting from opioid overdoses.

Therefore, the purpose of this law is to allow for all establishments where an AED is present to also maintain Narcan in close proximity to the AED as a means to further protect public health.

## **Section 2. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) – as defined by New York Public Health Law § 3000-b (1) (a), as may be amended from time to time.

ESTABLISHMENT – any business, corporation, company, not-for-profit corporation, or partnership, other than an individual.

NALOXONE (“NARCAN”) - an opioid antagonist used for the complete or partial reversal of opioid overdose, including respiratory depression.

## **Section 3. Naloxone at Locations with Automatic External Defibrillators.**

- A. Any establishment that currently maintains an Automatic External Defibrillator within the County of Suffolk may also maintain up to two (2) dose(s) of Naloxone on premises for use by individuals trained in its administration.
- B. Establishments that choose to maintain naloxone shall:
  - 1. Properly comply with all New York State regulations including, but not limited to Public Health Law §3309 and 10 NYCRR §80.138.
  - 2. Store the Naloxone in a location that is clearly visible and in close physical proximity to the AED.
  - 3. Clearly and visibly label the naloxone with the phrase: “For use by trained personnel only”.
  - 4. Post a sign in bold lettering on a contrasting background with a 16-point font at the entrance of the establishment stating “Naloxone on Premises. For Use by Trained Personnel Only.”
  - 5. Notify the Department of Health Services that they have elected to maintain naloxone on their premises in accordance with this law.
- C. An establishment which maintains naloxone pursuant to this law may obtain it at either a New York State approved opioid overdose prevention program or through purchase at their own cost.

## **Section 4. Awareness and Education.**

- A. The Department of Health Services shall notify all establishments which currently are registered as having an AED of the terms of this law in writing within 30 days of the effective date of this law.
- B. The Department of Health Services is hereby authorized, empowered, and directed to develop a comprehensive educational campaign to inform businesses and the public about this law. This campaign shall include, but not be limited to, publications on the Department’s website and social media outreach components.

**Section 5. Applicability.**

This law shall apply to all establishments that maintain an automatic external defibrillator on or after the effective date of this law.

**Section 6. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 7. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 8. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

DATED: December 17, 2019

APPROVED BY:

/s/ Dennis M. Cohen  
Chief Deputy County Executive of Suffolk County

Date: January 2, 2020

After a public hearing duly held on January 2, 2020  
Filed with the Secretary of State on January 14, 2020