



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1402

Introduced 2/6/2023, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

305 ILCS 65/15 new

Amends the Early Mental Health and Addictions Treatment Act. Requires the Department of Human Services to implement a 2-year pilot program to provide FDA-approved 8-milligram naloxone nasal spray kits to licensed community substance use providers and public health departments in Cook County, DuPage County, Winnebago County, Sangamon County, and St. Clair County. Requires the Department to implement a data collection program to determine the number of 8-milligram naloxone nasal spray kits administered by emergency medical service providers and bystanders per overdose incident during the 2-year term of the pilot program. Provides that the data collected must also include the number of overdose reversals and deaths following the administration of the 8-milligram naloxone nasal spray. Requires the Department to prepare a report on the results of the 2-year pilot program and submit the report to the General Assembly by July 1, 2026. Effective January 1, 2024.

LRB103 25360 KTG 51705 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Early Mental Health and Addictions
5 Treatment Act is amended by adding Section 15 as follows:

6 (305 ILCS 65/15 new)

7 Sec. 15. Pilot program for 8-milligram naloxone nasal
8 spray kits.

9 (a) Findings. The General Assembly finds the following:

10 (1) In its May 2022 Statewide Semiannual Opioid
11 Report, the Department of Public Health reported that
12 3,013 fatalities occurred in 2021 due to opioid overdoses.

13 (2) These 3,013 opioid overdose deaths in Illinois
14 represent a 2.3% increase from 2020 and a 35.8% spike from
15 2019.

16 (3) In 2021, toxicology testing found that 2,672 or
17 89% of the opioid fatalities involved a synthetic opioid
18 such as fentanyl.

19 (4) A 4-milligram naloxone nasal spray has been the
20 principal tool for bystanders and emergency medical
21 service providers to revive an individual from an overdose
22 episode.

23 (5) A study published in the Harm Reduction Journal in

1 May 2022 surveyed 125 adult residents of the United States
2 who were administered a 4-milligram naloxone nasal spray
3 during an opioid overdose. The study found that 78% of the
4 adults surveyed reported using at least 2 or more doses of
5 the 4-milligram naloxone nasal spray. While 30% of the
6 adults surveyed reported using at least 3 or more doses of
7 the 4-milligram naloxone nasal spray.

8 (6) A 2021 article published in the Harm Reduction
9 Journal reported on a study conducted by the Johns Hopkins
10 Bloomberg School of Public Health which surveyed 171
11 people living in suburban Maryland who use opioids.
12 Sixty-one or 35.7% of the persons surveyed reported having
13 received take-home naloxone during the 6-month period
14 immediately prior to the start of the study. 57% of those
15 persons reported using it to reverse an overdose. Out of
16 that group of persons who had an overdose reversal, 79%
17 reported needing at least 2 or more doses of the take-home
18 naloxone.

19 (7) The National Library of Medicine recently
20 published a study that analyzed emergency medical services
21 (EMS) data collected and stored in the National Emergency
22 Medical Services Information System database. The study
23 examined data collected from over 10,000 EMS agencies
24 across 47 states concerning 946,000 EMS calls that
25 involved the administration of naloxone. The study found
26 that naloxone multi-dosing by emergency medical service

1 providers increased 54% over 5 years, from 18.4% to 28.4%
2 in 2020.

3 (8) On April 30, 2021, the U.S. Food and Drug
4 Administration approved a higher 8-milligram dose naloxone
5 nasal spray product to treat opioid overdose.

6 (9) Thirty-three states have Naloxone Standing Orders
7 that authorize eligible entities to have open access to
8 the 8-milligram naloxone nasal spray. Those states are:
9 Ohio, Kentucky, Iowa, Pennsylvania, Massachusetts, New
10 Jersey, Virginia, Alabama, Florida, Tennessee, Colorado,
11 Alaska, New Hampshire, Illinois, Arizona, Kansas,
12 California, Texas, Georgia, South Carolina, North
13 Carolina, West Virginia, Michigan, Connecticut, Oklahoma,
14 Minnesota, Maine, Louisiana, Nevada, Idaho, Oregon,
15 Nebraska, and Vermont.

16 (10) Thirteen state government agencies have purchased
17 the 8-milligram naloxone nasal spray: Alabama, Alaska,
18 Colorado, Florida, Idaho, Iowa, Kentucky, New Hampshire,
19 Ohio, Pennsylvania, Tennessee, Wisconsin, and West
20 Virginia.

21 (11) In November 2021, the U.S. Department of Veterans
22 Affairs added the 8-milligram naloxone nasal spray to the
23 VA National Formulary.

24 (12) 70% of Americans with private health insurance
25 can access the 8-milligram naloxone nasal spray.

26 (13) 90% of Americans with Medicaid, including

1 Medicaid recipients residing in Illinois, can access the
2 8-milligram naloxone nasal spray.

3 (14) The current cost of the 4-milligram naloxone
4 nasal spray is \$5.93 per milligram. In contrast, the
5 8-milligram naloxone nasal spray costs 36.7% less at \$3.75
6 per milligram.

7 (b) The Department of Human Services shall implement a
8 2-year pilot program to provide FDA-approved 8-milligram
9 naloxone nasal spray kits to licensed community substance use
10 providers and public health departments in Cook County, DuPage
11 County, Winnebago County, Sangamon County, and St. Clair
12 County.

13 The Department of Human Services shall implement a data
14 collection program to determine the number of 8-milligram
15 naloxone nasal spray kits administered by emergency medical
16 service providers and bystanders per overdose incident during
17 the 2-year term of the pilot program. The data collected must
18 also include the number of individuals who survived an opioid
19 overdose after receiving the 8-milligram naloxone nasal spray
20 and the number of individuals who died of an opioid overdose
21 after receiving the 8-milligram naloxone nasal spray.

22 The Department of Human Services shall prepare a report on
23 the results of the 2-year pilot program and submit the report
24 to the General Assembly by July 1, 2026.

25 Section 99. Effective date. This Act takes effect January
26 1, 2024.