

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1152 Session of 2022

INTRODUCED BY MASTRIANO, ARGALL, PHILLIPS-HILL, STEFANO AND  
PITTMAN, MARCH 24, 2022

SENATOR STEFANO, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, AS  
AMENDED, JUNE 21, 2022

AN ACT

1 Establishing the Overdose Mapping System; providing for  
2 implementation and for use; and conferring powers and  
3 imposing duties on the Pennsylvania State Police.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Overdose  
8 Mapping Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Application programming interface." A set of tools,  
14 definitions and protocols for building and integrating  
15 application software and services with different software  
16 programs.

17 "Individual who administers emergency services." A paid or  
18 volunteer professional, other than a law enforcement officer,

1 who is trained and licensed in this Commonwealth to provide  
2 emergency services to the public. The term includes, but is not  
3 limited to, a firefighter, emergency medical technician,  
4 emergency medical responder and paramedic.

5 "Information technology platform." As follows:

6 ~~(1) The Washington/Baltimore High Intensity Drug~~ <--  
7 ~~Trafficking Area's Overdose Detection Mapping Application~~  
8 ~~Program (ODMAP).~~

9 ~~(2)~~ The Overdose Information Network (ODIN).

10 ~~(3)~~ (2) Any other platform approved by the Pennsylvania <--  
11 State Police to capture real-time overdose reporting.

12 "Law enforcement officer." Either of the following who is  
13 responsible for the prevention and detection of crime and the  
14 enforcement of the penal, traffic or highway laws of this  
15 Commonwealth:

16 (1) A paid or volunteer employee of a police department  
17 or sheriff's office that is a part of, or administered by,  
18 the Commonwealth or a political subdivision of the  
19 Commonwealth.

20 (2) A full-time or part-time employee of a private  
21 police department.

22 "Overdose." Injury to the body that happens when one or more  
23 substances are taken in excessive amounts.

24 "Overdose incident." An occurrence where a law enforcement  
25 officer or individual who administers emergency services  
26 encounters an individual experiencing, or who recently  
27 experienced, a confirmed or suspected overdose.

28 "Overdose reversal drug." Naloxone hydrochloride or other  
29 similarly acting drug that is approved by the United States Food  
30 and Drug Administration for the emergency treatment of an

1 overdose.

2 "Overdose spike." The occurrence of a significant increase  
3 in the number of confirmed or suspected overdoses in a certain  
4 time frame within a specific geographic area.

5 "System." The overdose mapping and response system  
6 established under this act.

7 Section 3. Establishment and design.

8 (a) Establishment.--The Pennsylvania State Police is  
9 directed to:

10 (1) Ascertain and document the number, trends and  
11 patterns associated with known and suspected overdoses in  
12 this Commonwealth and issue an annual report available in an  
13 online format for reference by county and local officials and  
14 the general public.

15 (2) Utilize an overdose mapping system in which a  
16 central repository containing information about overdose  
17 incidents is established and maintained using data from an  
18 information technology platform.

19 (3) ENSURE ACCESS TO COLLECTED DATA, IN THE FORM OF RAW <--  
20 DATA, DASHBOARDS AND USEFUL EXPORTABLE REPORTS, BY STATE,  
21 COUNTY AND LOCAL GOVERNMENTAL, PUBLIC HEALTH AND PUBLIC  
22 SAFETY STAKEHOLDERS TO REAL TIME DATA THAT MAY BE USED TO  
23 MAKE ACTIONABLE DECISIONS IN AS CLOSE TO REAL-TIME AS  
24 POSSIBLE.

25 (4) SEND AUTOMATIC AND IMMEDIATE OVERDOSE SPIKE-ALERTS  
26 TO PREAPPROVED STATE, COUNTY AND LOCAL GOVERNMENTAL, PUBLIC  
27 HEALTH AND PUBLIC SAFETY LEADERS WHO MAY USE THE NOTIFICATION  
28 TO MAKE DECISIONS REGARDING HOW TO RESPOND TO OVERDOSE  
29 ANOMALIES IN THEIR AREAS OF RESPONSIBILITY. INITIAL  
30 RECOMMENDED SPIKE THRESHOLDS SHALL BE ESTABLISHED USING

1 RELEVANT PUBLIC HEALTH DATA. LOCAL LEADERS SHALL HAVE THE  
2 OPTION TO ADJUST THE LOCAL SPIKE THRESHOLD TO FIT THE LOCAL  
3 RESPONSE PLAN NEEDS.

4 (5) SHARE EXAMPLES OF THE SPIKE-RESPONSE FRAMEWORK WITH  
5 STATE, COUNTY AND LOCAL LEADERS AND SUPPORT THE LEADERS IN  
6 THE IMPLEMENTATION OF THE RESPONSES BY PROVIDING ACCESS TO  
7 OVERDOSE DATA AND USEFUL REPORTS BASED ON THE DATA.

8 (6) USING AN APPLICATION PROGRAMMING INTERFACE, CONNECT  
9 THE DATA IN THE PENNSYLVANIA STATE POLICE SYSTEM WITH THE  
10 OVERDOSE MAPPING APPLICATION PROGRAM CREATED BY THE  
11 WASHINGTON-BALTIMORE HIGH INTENSITY DRUG TRAFFICKING AREAS.

12 (b) Design.--The system must be designed to avoid data entry  
13 duplication wherever possible, which may include using one or  
14 more application programming interfaces to transfer information  
15 about overdose incidents that are currently reported to active  
16 databases existing in this Commonwealth.

17 Section 4. Entry requirements for law enforcement and  
18 individuals who administer emergency services.

19 (a) Reporting by law enforcement officers.--A law  
20 enforcement officer who goes to an overdose incident must report  
21 information about the overdose incident to an information  
22 technology platform as soon as possible, but no later than ~~24~~ 72 <--  
23 hours after the overdose incident, to the extent that the  
24 information is known.

25 (b) Reporting by individual who administers emergency  
26 services.--An individual who administers emergency services who  
27 goes to an overdose incident, or who transports an individual  
28 experiencing a confirmed or suspected overdose to a medical  
29 facility, must report information about the overdose incident to  
30 an information technology platform as soon as possible, but no

1 later than ~~24~~ 72 hours after the overdose incident, to the <--  
2 extent that the information is known. IF AN INDIVIDUAL IS <--  
3 EXPERIENCING A CONFIRMED OR SUSPECTED OVERDOSE AND WAS NOT  
4 TRANSPORTED TO A MEDICAL FACILITY BY AN INDIVIDUAL REQUIRED TO  
5 REPORT UNDER THIS SUBSECTION, MEDICAL PERSONNEL AT THE RECEIVING  
6 MEDICAL FACILITY SHALL REPORT INFORMATION ABOUT THE OVERDOSE  
7 UNDER THIS SECTION.

8 (c) Information reported.--At a minimum, the following  
9 information about an overdose incident must be reported by the  
10 individuals identified in this section using an information  
11 technology platform:

- 12 (1) The date and time of the overdose incident.
- 13 (2) The location of the overdose incident.
- 14 (3) Whether an overdose reversal drug was administered  
15 and, if so, the number of doses and the type of delivery.
- 16 (4) Whether the confirmed or suspected overdose was  
17 fatal or nonfatal.

18 (d) Other reporting requirements.--An individual's or  
19 entity's report of information about an overdose incident under  
20 this act does not preempt or replace any other reporting  
21 requirement applicable to that individual or entity.

22 Section 5. Implementation.

23 (a) General rule.--During the course of implementing the  
24 system, the Pennsylvania State Police:

- 25 (1) Shall enter into participation agreements, data  
26 sharing agreements and other memoranda of understanding  
27 necessary to fully implement the system with other  
28 Commonwealth, county or local entities.
- 29 (2) May promulgate rules, regulations or standard  
30 operating procedures necessary to carry out the requirements

1 of this act.

2 (b) Limitation of liability.--Individuals or entities  
3 reporting information about an overdose incident under this act  
4 in good faith are not subject to civil or criminal liability or  
5 damages for making the report, unless their acts or omissions  
6 constitute willful and wanton misconduct.

7 (c) Compliance.--The failure of a law enforcement officer or  
8 individual who administers emergency services, OR MEDICAL <--  
9 PERSONNEL IF APPLICABLE, to report information about an overdose  
10 incident as required by this act constitutes a form of  
11 unprofessional conduct. The Pennsylvania State Police may:

12 (1) Refer matters of noncompliance to the appropriate  
13 local entity supervisor.

14 (2) Exempt law enforcement officers or individuals who  
15 administer emergency services based on resource or  
16 technological limitations.

17 (d) Report.--The Pennsylvania State Police shall issue a  
18 progress report to the General Assembly regarding the usage of  
19 the overdose mapping system implementation at six months, 12  
20 months and 30 months after the effective date of this section.  
21 Section 6. Use.

22 (a) General rule.--The information about overdose incidents  
23 reported under this act shall be available to users of an  
24 information technology platform authorized to view the data in  
25 real time. The process by which authorized users are decided  
26 upon and designated shall be addressed in one or more of the  
27 following when implementing the system:

28 (1) Participation agreements.

29 (2) Data sharing agreements.

30 (3) Memoranda of understanding.

1 (b) Limitations.--

2 (1) Information about overdose incidents reported to the  
3 system by an individual or entity other than a law  
4 enforcement officer may not be used for a criminal  
5 investigation or prosecution of any individual who satisfies  
6 the exemption from criminal liability contained in section  
7 13.7 of the act of April 14, 1972 (P.L.233, No.64), known as  
8 The Controlled Substance, Drug, Device and Cosmetic Act. The  
9 reporting of information about overdose incidents as provided  
10 for in this act does not diminish the protections afforded by  
11 section 13.7 of the The Controlled Substance, Drug, Device  
12 and Cosmetic Act.

13 (2) Except for the sharing of personally identifying  
14 information, the sharing of overdose incident information  
15 collected by the system by, between and among governmental  
16 agencies, programs and nongovernmental organizations whose  
17 missions include the mitigation of illegal substance use,  
18 trafficking, treatment, harm reduction and recovery support  
19 is permissible under this act.

20 Section 7. Funding.

21 (a) Federal funds.--The Pennsylvania State Police shall  
22 pursue all Federal funding for the initial start-up and ongoing  
23 activities required under this act.

24 (b) Receipt of funding.--The Pennsylvania State Police may  
25 receive gifts, grants and endowments from public or private  
26 sources as may be made from time to time, in trust or otherwise,  
27 for the use and benefit of the purposes of this act and expend  
28 the same or any income derived from it according to the terms of  
29 the gifts, grants or endowments.

30 Section 8. Effective date.

1        This act shall take effect in 60 days.