
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1152 Session of
2022

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

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
MARCH 24, 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) 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 (b) Design.--The system must be designed to avoid data entry
20 duplication wherever possible, which may include using one or
21 more application programming interfaces to transfer information
22 about overdose incidents that are currently reported to active
23 databases existing in this Commonwealth.

24 Section 4. Entry requirements for law enforcement and
25 individuals who administer emergency services.

26 (a) Reporting by law enforcement officers.--A law
27 enforcement officer who goes to an overdose incident must report
28 information about the overdose incident to an information
29 technology platform as soon as possible, but no later than 24
30 hours after the overdose incident, to the extent that the

1 information is known.

2 (b) Reporting by individual who administers emergency
3 services.--An individual who administers emergency services who
4 goes to an overdose incident, or who transports an individual
5 experiencing a confirmed or suspected overdose to a medical
6 facility, must report information about the overdose incident to
7 an information technology platform as soon as possible, but no
8 later than 24 hours after the overdose incident, to the extent
9 that the information is known.

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

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

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

24 Section 5. Implementation.

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

- 27 (1) Shall enter into participation agreements, data
28 sharing agreements and other memoranda of understanding
29 necessary to fully implement the system with other
30 Commonwealth, county or local entities.

1 (2) May promulgate rules, regulations or standard
2 operating procedures necessary to carry out the requirements
3 of this act.

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

9 (c) Compliance.--The failure of a law enforcement officer or
10 individual who administers emergency services to report
11 information about an overdose incident as required by this act
12 constitutes a form of unprofessional conduct. The Pennsylvania
13 State Police may:

14 (1) Refer matters of noncompliance to the appropriate
15 local entity supervisor.

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

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

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

30 (1) Participation agreements.

1 (2) Data sharing agreements.

2 (3) Memoranda of understanding.

3 (b) Limitations.--

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

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

22 Section 7. Funding.

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

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

- 1 the gifts, grants or endowments.
- 2 Section 8. Effective date.
- 3 This act shall take effect in 60 days.