

1 HB379  
2 175235-1  
3 By Representatives Sells, Weaver, Harper, South, McCutcheon,  
4 Harbison, Butler, Mooney, Hanes, Williams (JW), Wilcox, Scott,  
5 Givan, Rogers, Moore (M), Ingram, Polizos, Baker and Beech  
6 RFD: Health  
7 First Read: 08-MAR-16

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8 SYNOPSIS: This bill would provide that the State  
9 Health Officer or a county health officer shall  
10 have authority to publish the standing order or  
11 orders, including any necessary guidelines or other  
12 requirements that shall be followed, for dispensing  
13 opioid antagonists under Section 20-2-280, Code of  
14 Alabama 1975.

15 This bill would provide that any individual  
16 who is otherwise qualified, and who dispenses  
17 opioid antagonists in accordance with the standing  
18 order and other requirements from the State Health  
19 Officer or a county health officer shall have  
20 authority to dispense opioid antagonists as  
21 provided under Section 20-2-280, Code of Alabama  
22 1975.

23 This bill would amend Section 20-2-280, Code  
24 of Alabama 1975, to clarify that rescue squads and  
25 volunteer fire departments may dispense opioid  
26 antagonists; and to clarify that the State Health  
27 Officer or a county health officer issuing standing

1 orders pursuant to that section shall have the same  
2 protections from liability as other physicians and  
3 dentists prescribing under that section.

4  
5 A BILL  
6 TO BE ENTITLED  
7 AN ACT

8  
9 To provide that the State Health Officer or a county  
10 health officer shall have authority to publish the standing  
11 orders, or other requirements that shall be followed, for  
12 dispensing opioid antagonists under Section 20-2-280, Code of  
13 Alabama 1975; to provide that any individual otherwise  
14 qualified who dispenses in accordance with the standing order  
15 and other requirements shall have authority to dispense opioid  
16 antagonists as provided under Section 20-2-280, Code of  
17 Alabama 1975; and to amend Section 20-2-280, Code of Alabama  
18 1975, to clarify that rescue squads and volunteer fire  
19 departments may dispense opioid antagonists; and to provide  
20 liability protections for the State Health Officer or a county  
21 health officer when performing this function.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. The State Health Officer or the  
24 respective county health officers shall have authority to  
25 publish the standing order or orders, including any necessary  
26 guidelines or other requirements that shall be followed, for

1 dispensing opioid antagonists under Section 20-2-280, Code of  
2 Alabama 1975, in their jurisdictions.

3 Section 2. Any individual dispensing an opioid  
4 antagonist pursuant to Section 20-2-280, Code of Alabama 1975,  
5 who is otherwise qualified and who complies with the standing  
6 order or orders and other requirements of the State Health  
7 Office or a county health officer shall have authority to  
8 dispense an opioid antagonist as provided under Section  
9 20-2-280, Code of Alabama 1975.

10 Section 3. Section 20-2-280 of the Code of Alabama  
11 1975, is amended to read as follows:

12 "§20-2-280.

13 "(a) For the purposes of this section, "opioid  
14 antagonist" means naloxone hydrochloride or other similarly  
15 acting drug that is approved by the federal Food and Drug  
16 Administration for the treatment of an opioid overdose.

17 "(b) A physician licensed under Article 3 of Chapter  
18 24 of Title 34, or dentist licensed under Chapter 9 of Title  
19 34, acting in good faith may directly or by standing order  
20 prescribe, and a pharmacist licensed under Chapter 23 of Title  
21 34, may dispense, an opioid antagonist to either of the  
22 following:

23 "(1) An individual at risk of experiencing an  
24 opiate-related overdose.

25 "(2) A family member, friend, member of a fire  
26 department, rescue squad, volunteer fire department personnel,  
27 or other individual, including law enforcement, in a position

1 to assist an individual at risk of experiencing an  
2 opiate-related overdose.

3 "(c) As an indicator of good faith, the physician or  
4 dentist, prior to prescribing an opioid antagonist under this  
5 section, may require receipt of a written communication that  
6 provides a factual basis for a reasonable conclusion as to  
7 either of the following:

8 "(1) The individual seeking the opioid antagonist is  
9 at risk of experiencing an opiate-related overdose.

10 "(2) The individual other than the individual at  
11 risk of experiencing an opiate-related overdose and who is  
12 seeking the opioid antagonist is in relation to the individual  
13 at risk of experiencing an opiate-related overdose as a family  
14 member, friend, or otherwise in the position to assist the  
15 individual.

16 "(d) An individual who receives an opioid antagonist  
17 that was prescribed pursuant to subsection (b) may administer  
18 an opioid antagonist to another individual if he or she has a  
19 good faith belief that the other individual is experiencing an  
20 opiate-related overdose and he or she exercises reasonable  
21 care in administering the opioid antagonist. Evidence of  
22 exercising reasonable care in administering the opioid  
23 antagonist shall include the receipt of basic instruction and  
24 information on how to administer the opioid antagonist.

25 "(e) All of the following individuals are immune  
26 from any civil or criminal liability for actions authorized  
27 under this article:

1                   "(1) A physician or dentist who prescribes an opioid  
2 antagonist pursuant to subsection (b) and who has no  
3 managerial authority over the individuals administering the  
4 opioid antagonist or the State Health Officer or any county  
5 health officer who issues standing orders or other  
6 requirements pursuant to subsection (b).

7                   "(2) An individual who administers an opioid  
8 antagonist pursuant to subsection (d).

9                   "(3) A pharmacist who dispenses an opioid antagonist  
10 pursuant to subsection (b)."

11                   Section 4. This act shall become effective  
12 immediately following its passage and approval by the  
13 Governor, or its otherwise becoming law.