

FIRST REGULAR SESSION

HOUSE BILL NO. 538

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LYNCH.

1040H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to dispensing opioid antagonist drugs.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 195 and 338, RSMo, are amended by adding thereto two new sections, to be known as sections 195.206 and 338.205, to read as follows:

195.206. 1. As used in this section, the following terms shall mean:

(1) “Opioid antagonist”, any drug that binds to opioid receptors and blocks or disinhibits the effects of opioids acting on those receptors including, but not limited to, naloxone hydrochloride;

(2) “Opioid-related drug overdose”, a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. Notwithstanding any other law or regulation to the contrary, a health care professional otherwise authorized to prescribe an opioid antagonist may, directly or by standing order, prescribe and dispense an opioid antagonist and an appropriate device to administer the drug to a person at risk of experiencing an opioid-related drug overdose or to a family member, friend, or other person positioned to assist a person at risk of experiencing an opioid-related drug overdose. Any such prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of professional practice.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **3. A health care professional who, acting in good faith and with reasonable care,**
18 **prescribes or dispenses an opioid antagonist and appropriate device to administer the drug**
19 **shall not be subject to any criminal or civil liability or any professional disciplinary action**
20 **for prescribing or dispensing the opioid antagonist or any outcome resulting from the**
21 **administration of the opioid antagonist.**

22 **4. Notwithstanding any other law or regulation to the contrary, it shall be**
23 **permissible for any person to possess an opioid antagonist.**

24 **5. Any person who, acting in good faith and with reasonable care, administers an**
25 **opioid antagonist to another person whom the person believes to be suffering an opioid-**
26 **related drug overdose shall be immune from criminal prosecution, disciplinary actions**
27 **from his or her professional licensing board, and civil liability due to the administration**
28 **of the opioid antagonist.**

338.205. Notwithstanding any other law or regulation to the contrary, any person
2 **or organization acting under a standing order issued by a health care professional who is**
3 **otherwise authorized to prescribe an opioid antagonist may store an opioid antagonist**
4 **without being subject to the licensing and permitting requirements of this chapter and may**
5 **dispense an opioid antagonist if the person does not collect a fee or compensation for**
6 **dispensing the opioid antagonist.**

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