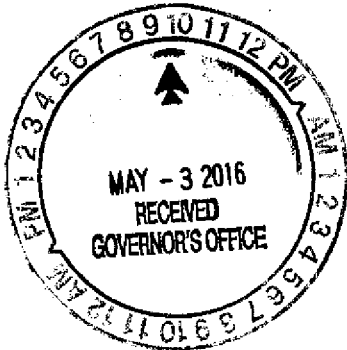


ACT #2016-307

1 HB379  
2 175235-3  
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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ENROLLED, An Act,

To provide that the State Health Officer or a county health officer shall have authority to publish the standing orders, or other requirements that shall be followed, for dispensing opioid antagonists under Section 20-2-280, Code of Alabama 1975; to provide that any individual otherwise qualified, including a registered nurse in the employment of the State Health Department or a county health department, who dispenses in accordance with the standing order and other requirements shall have authority to dispense opioid antagonists as provided under Section 20-2-280, Code of Alabama 1975; and to amend Section 20-2-280, Code of Alabama 1975, to clarify that rescue squads and volunteer fire departments may dispense opioid antagonists; and to provide liability protections for the State Health Officer or a county health officer when performing this function.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Health Officer or the respective county health officers shall have authority to publish the standing order or orders, including any necessary guidelines or other requirements that shall be followed, for dispensing opioid antagonists under Section 20-2-280, Code of Alabama 1975, in their jurisdictions.

1           Section 2. Any individual dispensing an opioid  
 2 antagonist pursuant to Section 20-2-280, Code of Alabama 1975,  
 3 who is otherwise qualified, including a registered nurse in  
 4 the employment of the State Health Department or a county  
 5 health department, and who complies with the standing order or  
 6 orders and other requirements of the State Health Office or a  
 7 county health officer shall have authority to dispense an  
 8 opioid antagonist as provided under Section 20-2-280, Code of  
 9 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, or a registered nurse in the employment of the State  
 22 Health Department or a county health department, may dispense,  
 23 an opioid antagonist to either of the following:

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

1           "(2) A family member, friend, member of a fire  
2 department, rescue squad, volunteer fire department personnel,  
3 or other individual, including law enforcement, in a position  
4 to assist an individual at risk of experiencing an  
5 opiate-related overdose.

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

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

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

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

1 antagonist shall include the receipt of basic instruction and  
2 information on how to administer the opioid antagonist.

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

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

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

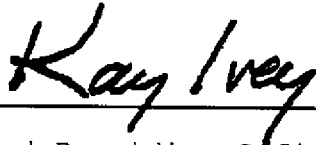
14 "(3) A pharmacist, or registered nurse in the  
15 employment of the State Health Department or a county health  
16 department, who dispenses an opioid antagonist pursuant to  
17 subsection (b)."

18 Section 4. This act shall become effective  
19 immediately following its passage and approval by the  
20 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives



President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 23-MAR-16, as amended.

Jeff Woodard  
Clerk

Senate

03-MAY-16

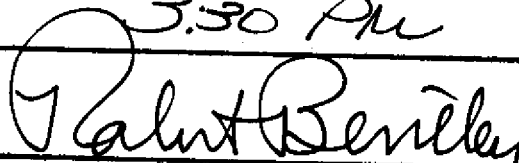
Passed

**APPROVED**

5-10-2016

**TIME**

3:30 PM



**GOVERNOR**

Alabama Secretary Of State

Act Num....: 2016-307  
Bill Num...: H-379

Recv'd 05/10/16 04:50pmSLF

**SPONSOR**

Bells

**SPONSORS**

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**HOUSE ACTION**

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 379

YEAS 103 NAYS 0

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JEFF WOODARD, Clerk

**CONFERENCE COMMITTEE**

House Conferees

**SENATE ACTION**

DATE: 5/5

2010

RD 1 RFD

Health

This Bill was referred to the Standing Committee of the Senate on HEALTH

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s)    w/sub    by a vote of

years 11 nays 2 abstain 0

this 20 day of May 2010

Patrick Harrison

DATE: 5/5

2010

RF   

RD 2 CAL

DATE:   

20  

RE-REFERRED   

RE-COMMITTED

Committee   

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB   

YEAS    NAYS   

PATRICK HARRIS, Secretary