

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1824

H.P. 1344

House of Representatives, February 15, 2012

An Act To Provide Immunity for Prescribing and Dispensing Intranasal Naloxone Kits

Reported by Representative STRANG BURGESS of Cumberland for the Joint Standing Committee on Health and Human Services pursuant to Joint Order, H.P. 1328.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24 MRSA §2908** is enacted to read:

3 **§2908. Limited immunity for intranasal naloxone**

4 **1. Professional immunity.** A health care professional licensed under Title 32 is
5 immune from civil or criminal liability or professional disciplinary action for prescribing,
6 dispensing, purchasing, acquiring or possessing an intranasal naloxone kit or for
7 administering naloxone intranasally to a person who is experiencing or is likely to
8 experience an opiate-related drug overdose if the health care professional acts in good
9 faith and within the applicable scope of practice of that health care professional's
10 profession.

11 **2. General immunity.** A person is immune from civil or criminal liability for
12 purchasing, acquiring or possessing an intranasal naloxone kit or for administering
13 naloxone intranasally to a person who is experiencing or is likely to experience an
14 opiate-related drug overdose.

15 **SUMMARY**

16 This bill provides immunity for health care professionals and persons who assist a
17 person who is experiencing or likely to experience an opiate-related drug overdose with
18 intranasal naloxone. This bill is a recommendation from the Substance Abuse Services
19 Commission's work group convened pursuant to Resolve 2011, chapter 81 and is
20 submitted by the Joint Standing Committee on Health and Human Services.