MAINE STATE LEGISLATURE

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2 Date: 4-11-14

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4 **STATE OF MAINE**

5 **HOUSE OF REPRESENTATIVES**

6 **126TH LEGISLATURE**

7 **SECOND REGULAR SESSION**

8 HOUSE AMENDMENT "*H*" to COMMITTEE AMENDMENT "A" to H.P. 1209,
9 L.D. 1686, Bill, "An Act To Address Preventable Deaths from Drug Overdose"

10 Amend the amendment in section 1 by striking out all of §2353 and inserting the
11 following:

12 '**§2353. Naloxone hydrochloride**

13 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
14 following terms have the following meanings.

15 A. "Health care professional" means a person licensed under Title 32 who is
16 authorized to prescribe naloxone hydrochloride.

17 B. "Immediate family" has the same meaning as in Title 21-A, section 1, subsection
18 20.

19 C. "Opioid-related drug overdose" means a condition including, but not limited to,
20 extreme physical illness, decreased level of consciousness, respiratory depression,
21 coma or death resulting from the consumption or use of an opioid, or another
22 substance with which an opioid was combined, or a condition that a reasonable
23 person would believe to be an opioid-related drug overdose that requires medical
24 assistance.

25 **2. Prescription; possession; administration.** The prescription, possession and
26 administration of naloxone hydrochloride is governed by this subsection.

27 A. A health care professional may prescribe naloxone hydrochloride to an individual
28 at risk of experiencing an opioid-related drug overdose.

29 B. An individual to whom naloxone hydrochloride is prescribed in accordance with
30 paragraph A may provide the naloxone hydrochloride so prescribed to a member of
31 that individual's immediate family to possess and administer to the individual if the
32 family member believes in good faith that the individual is suffering an opioid-related
33 drug overdose.

34 C. A health care professional may prescribe naloxone hydrochloride to a member of
35 an individual's immediate family for administration to the individual in the event of
36 an opioid-related drug overdose if:

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1   (1) The health care professional has an established health care professional-
2   patient relationship with the individual; and

3   (2) The individual is at risk of experiencing an opioid-related drug overdose.

4   A health care professional who prescribes naloxone hydrochloride to a member of an
5   individual's immediate family in accordance with this paragraph shall document in
6   the individual's patient medical record the name of each family member who receives
7   such a prescription and the health care professional's intention that the naloxone
8   hydrochloride be administered to the individual.

9   D. If a member of an individual's immediate family is prescribed naloxone
10   hydrochloride in accordance with paragraph C, that family member may administer
11   the naloxone hydrochloride to the individual if the family member believes in good
12   faith that the individual is experiencing an opioid-related drug overdose.

13 Nothing in this subsection affects the provisions of law relating to maintaining the
14 confidentiality of medical records.

15   **3. Authorized administration of naloxone hydrochloride by law enforcement**
16 **officers and municipal firefighters.** A law enforcement officer as defined in Title 17-A,
17 section 2, subsection 17 and a municipal firefighter as defined in Title 30-A, section
18 3151, subsection 2 may administer intranasal naloxone hydrochloride as clinically
19 indicated.

20   **4. Authorized administration of naloxone hydrochloride by emergency medical**
21 **personnel.** An advanced emergency medical technician, basic emergency medical
22 services person, basic emergency medical technician, first responder and emergency
23 medical services' person as defined in Title 32, section 83 may administer naloxone
24 hydrochloride in accordance with the provisions of Title 32, chapter 2-B.'

25   **SUMMARY**

26   This amendment removes language in Committee Amendment "A" concerning
27 exemptions from pharmacy license requirements for those who store or dispense opioid
28 antagonists under standing orders from health care professionals and removes language
29 authorizing collaborative practice between pharmacists and health care professionals with
30 respect to naloxone hydrochloride. This amendment retains the provisions in Committee
31 Amendment "A" that authorize emergency medical personnel, law enforcement officers
32 and municipal firefighters to administer naloxone hydrochloride. In addition, this
33 amendment replaces the language in Committee Amendment "A" governing the
34 prescription, possession and administration of naloxone hydrochloride and instead
35 specifically authorizes:

36   1. A health care professional to prescribe naloxone hydrochloride to an individual at
37 risk of experiencing an opioid-related drug overdose, and a member of that individual's
38 immediate family to possess and administer naloxone hydrochloride to the individual if
39 the family member believes in good faith that the individual is experiencing an opioid-
40 related drug overdose;

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2. A health care professional to prescribe naloxone hydrochloride to a member of an individual's immediate family for administration to the individual in the event of an opioid-related drug overdose if the health care professional has an established health care professional-patient relationship with the individual and the individual is at risk of experiencing an opioid-related drug overdose; and

3. A family member who is prescribed naloxone hydrochloride to administer it to the individual if the family member believes in good faith that the individual is suffering an opioid-related drug overdose.

SPONSORED BY: _____

    (Representative GIDEON)

        TOWN: Freeport

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