

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

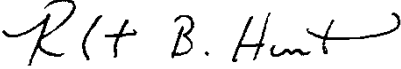
No. 140

H.P. 98

House of Representatives, January 22, 2015

An Act To Expand Access To Lifesaving Opioid Overdose Medication

Reference to the Committee on Health and Human Services suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative BECK of Waterville.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: BATES of Westbrook, FECTEAU of Biddeford.

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

2 **Sec. 1. 22 MRSA §2353, sub-§2**, as enacted by PL 2013, c. 579, §1, is amended
3 to read:

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

6 A. A health care professional may directly or by standing order prescribe naloxone
7 hydrochloride to an individual at risk of experiencing an opioid-related drug
8 overdose.

9 B. An individual to whom naloxone hydrochloride is prescribed in accordance with
10 paragraph A may provide the naloxone hydrochloride so prescribed to a member of
11 that individual's immediate family to possess and administer to the individual if the
12 family member believes in good faith that the individual is experiencing an opioid-
13 related drug overdose.

14 C. A health care professional may directly or by standing order prescribe naloxone
15 hydrochloride to a member of an individual's immediate family ~~for administration to~~
16 ~~the individual in the event of~~ or a friend of the individual or to another person in a
17 position to assist the individual if the individual is at risk of experiencing an opioid-
18 related drug overdose if:

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

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

22 ~~A health care professional who prescribes naloxone hydrochloride to a member of an~~
23 ~~individual's immediate family in accordance with this paragraph shall document in~~
24 ~~the individual's patient medical record the name of each family member who receives~~
25 ~~such a prescription and the health care professional's intention that the naloxone~~
26 ~~hydrochloride be administered to the individual.~~

27 D. If a member of an individual's immediate family, friend of the individual or other
28 person is prescribed naloxone hydrochloride in accordance with paragraph C, that
29 family member, friend or other person may administer the naloxone hydrochloride to
30 the individual if the family member, friend or other person believes in good faith that
31 the individual is experiencing an opioid-related drug overdose.

32 E. A health care practitioner who prescribes and a person who administers naloxone
33 hydrochloride pursuant to this subsection are immune from any civil or criminal
34 liability for actions authorized by this subsection.

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

37 **Sec. 2. 22 MRSA §2353, sub-§4** is enacted to read:

38 **4. Drug-related overdose treatment; limited immunity.** Limited immunity from
39 criminal prosecution is provided as follows.

