

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1428

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H.P. 1044

House of Representatives, April 12, 2021

### **An Act To Increase the Availability of Nasal Naloxone in Community Settings**

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Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative DODGE of Belfast.  
Cosponsored by Representatives: BRENNAN of Portland, HARNETT of Gardiner,  
MADIGAN of Waterville, MORALES of South Portland, STOVER of Boothbay, TEPLER of  
Topsham, ZAGER of Portland, Senator: RAFFERTY of York.

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

2 **Sec. 1. 22 MRSA §2353, sub-§4-B** is enacted to read:

3 **4-B. Community organizations; standing orders for nasal naloxone**  
4 **hydrochloride.** If a community organization opts to possess and administer nasal naloxone  
5 hydrochloride at the community organization's facility, acting under standing orders from  
6 a licensed health care professional authorized by law to prescribe nasal naloxone  
7 hydrochloride, the community organization shall operate in accordance with rules adopted  
8 by the department and the provisions of this subsection.

9 A. Notwithstanding any provision of law to the contrary, a community organization  
10 may store at the organization's facility and dispense nasal naloxone hydrochloride and  
11 is not subject to the provisions of Title 32, chapter 117.

12 B. A community organization shall obtain training in administration of nasal naloxone  
13 hydrochloride that meets the protocols and criteria established by the department. A  
14 community organization may seek out an appropriate training entity to train the  
15 organization's employees in the administration of nasal naloxone hydrochloride and  
16 overdose identification and prevention. Employees of the community organization  
17 who administer nasal naloxone hydrochloride and all other persons involved in the  
18 administration of the community organization shall successfully complete the training  
19 and possess documentation of having successfully completed the training from the  
20 training entity or community organization that conducted the training.

21 C. A syringe services program certified by the Maine Center for Disease Control and  
22 Prevention or other entity that provides nasal naloxone hydrochloride shall provide  
23 unit-of-use packages of nasal naloxone hydrochloride to a community organization that  
24 has provided training described in paragraph B so that the community organization  
25 may possess and administer nasal naloxone hydrochloride to an individual who appears  
26 to be experiencing a drug-related overdose.

27 D. For purposes of this subsection, unless the context otherwise indicates, "community  
28 organization" means a private or nonprofit organization operating a facility that serves  
29 the community.

30 The department shall adopt rules to implement this subsection. Rules adopted pursuant to  
31 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter  
32 2-A.

33 **SUMMARY**

34 This bill allows community organizations, which are defined as private or nonprofit  
35 organizations operating a facility that serves the community, to store and administer nasal  
36 naloxone hydrochloride upon a standing order from a licensed health care professional  
37 authorized by law to prescribe nasal naloxone hydrochloride.