

2026 Regular Session

HOUSE BILL NO. 907

BY REPRESENTATIVE MILLER

HEALTH CARE/PROVIDERS: Provides civil and criminal immunity for the distribution or use of Naloxone and other opioid antagonists beyond their shelf-life end date

1 AN ACT

2 To enact R.S. 40:978.2.3, relative to prescriptions; to provide for civil and criminal
3 immunity for the distribution or use of Naloxone and other opioid antagonists
4 beyond their shelf-life end date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:978.2.3 is hereby enacted to read as follows:

7 §978.2.3. Naloxone; distribution or use after shelf-life end date; limitation of
8 liability

9 A. Notwithstanding any provision of law to the contrary, a person who
10 prescribes, dispenses, distributes, or furnishes naloxone or another opioid antagonist
11 shall not be subject to criminal or civil liability solely on the basis that any labeled
12 shelf-life end date for such product has passed.

13 B. Notwithstanding any provision of law to the contrary, a person acting in
14 good faith who furnishes or administers naloxone or another opioid antagonist,
15 including one for which any labeled shelf-life end date has passed, to an individual
16 reasonably believed to be undergoing an opioid-related drug overdose shall be
17 immune from criminal and civil liability for such furnishing or administration except
18 in the event of gross negligence or willful or wanton misconduct.

1 C. A licensed healthcare practitioner shall not be subject to disciplinary
2 action by a professional licensing board for any action for which the practitioner is
3 granted civil and criminal immunity under Paragraphs A and B of this Section.

4 D. As used in this Section, the term "shelf-life end date" means any labeled
5 date required by 21 CFR part 211.137 or any successor regulation.

6 E. Notwithstanding any provision of this Section, a federally certified health
7 care provider, facility, or entity shall comply with federal regulations and
8 requirements, including such regulations prohibiting the prescribing, dispensing,
9 distributing, furnishing, or administering drugs whose shelf-life end date has passed.

10 Section 2. This Act shall become effective upon signature by the Governor or, if not
11 signed by the Governor, upon expiration of the time for bills to become law without
12 signature by the Governor, as provided in Article III, Section 18 of the Constitution of
13 Louisiana. If vetoed by the Governor and subsequently approved by the Legislature, this Act
14 shall become effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 907 Original

2026 Regular Session

Miller

Abstract: Provides for civil and criminal immunity for the distribution or use of opioid antagonists beyond their shelf-life end dates and prohibits disciplinary actions by professional licensing boards for healthcare professionals granted civil and criminal immunity.

Proposed law prohibits civil and criminal liability for the use of naloxone and other opioid antagonists solely on the basis that any labeled shelf-life end date for such product has passed.

Proposed law prohibits civil or criminal liability for any person acting in good faith who furnishes or administers naloxone or another opioid antagonist to an individual reasonably believed to be undergoing an opioid-related drug overdose except in the event of gross negligence or willful or wanton misconduct.

Proposed law prohibits healthcare professionals from disciplinary action by professional licensing boards when granted civil and criminal immunity under the proposed provisions.

Proposed law defines the term "shelf-life end date".

Proposed law mandates that a federally certified health care provider, facility, or entity comply with federal regulations and requirements regarding prohibiting the prescribing,

dispensing, distributing, furnishing, or administering drugs whose shelf-life end date has passed.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:978.2.3)