
DIGEST

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Moreno

HB No. 755

Abstract: Provides for limited liability for a medical practitioner who prescribes or a third party who administers naloxone.

Proposed law provides immunity from civil liability, criminal prosecution, or disciplinary or other adverse action under any professional licensing statute for a licensed medical practitioner who, acting in good faith, directly or by standing order, prescribes or dispenses the drug naloxone or another opioid antagonist to a patient at risk of experiencing an opiate-related overdose or a family member or friend of a patient at risk of experiencing an opiate-related overdose who, in the judgment of the medical practitioner, is capable of administering the drug for an emergency opiate-related overdose.

Proposed law requires the medical practitioner, as an indicator of good faith, to require, prior to prescribing naloxone or another opioid antagonist, the receipt of a written communication that provides a factual basis for a reasonable conclusion as to either of the following:

- (1) The patient seeking the naloxone or other opioid antagonist is at risk of experiencing an opiate-related overdose.
- (2) The person other than the person who is at risk of experiencing an opiate-related overdose, and who is seeking the naloxone or other opioid antagonist, is a family member or friend of the patient at risk of experiencing an opiate-related overdose.

Proposed law requires a person who administers naloxone or another opioid antagonist to a person suffering from an opiate-related overdose to immediately notify a local public safety answering point of the situation necessitating the administration.

Proposed law provides immunity from criminal and civil liability to a person acting in good faith who administers naloxone or another opioid antagonist to a person reasonably believed to be undergoing an opiate-related drug overdose, unless personal injury results from the gross negligence or willful or wanton misconduct of the person administering the drug.

(Adds R.S. 40:978.1)