

1 HB624  
2 160028-2  
3 By Representative Treadaway  
4 RFD: Health  
5 First Read: 20-MAR-14

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8 SYNOPSIS: This bill would authorize a physician or  
9 dentist to prescribe an opioid antagonist to an  
10 individual at risk of experiencing an  
11 opiate-related overdose or to an individual who is  
12 in a position to assist another individual at risk  
13 of experiencing an opiate-related overdose.

14 This bill would provide immunity to a  
15 physician or dentist who prescribes an opioid  
16 antagonist and to an individual who administers an  
17 opioid antagonist.

18 This bill would provide immunity from  
19 prosecution for possession or consumption of  
20 alcohol for an individual under the age of 21 who  
21 seeks medical assistance for another individual  
22 under certain circumstances.

23  
24 A BILL  
25 TO BE ENTITLED  
26 AN ACT  
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1           Relating to drug overdoses; to authorize a physician  
2 or dentist to prescribe an opioid antagonist to an individual  
3 at risk of experiencing an opiate-related overdose or to an  
4 individual who is in a position to assist another individual  
5 at risk of experiencing an opiate-related overdose; to provide  
6 immunity to a physician or dentist who prescribes an opioid  
7 antagonist and to an individual who administers an opioid  
8 antagonist; and to provide immunity from prosecution for  
9 possession or consumption of alcohol for an individual under  
10 the age of 21 who seeks medical assistance for another  
11 individual under certain circumstances.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13           Section 1. (a) As used in this section, "opioid  
14 antagonist" means naloxone hydrochloride that is approved by  
15 the federal Food and Drug Administration for the treatment of  
16 a drug overdose.

17           (b) A physician licensed under Title 34, Chapter 24,  
18 Article 3, Code of Alabama 1975, or dentist licensed under  
19 Title 34, Chapter 9, Code of Alabama 1975, acting in good  
20 faith and exercising reasonable care, may directly or by  
21 standing order prescribe an opioid antagonist to either of the  
22 following:

23           (1) An individual at risk of experiencing an  
24 opiate-related overdose.

25           (2) A family member, friend, or other individual in  
26 a position to assist an individual at risk of experiencing an  
27 opiate-related overdose.

1 (c) As an indicator of good faith, the physician or  
2 dentist, prior to prescribing an opioid antagonist under this  
3 section, may require receipt of a written communication that  
4 provides a factual basis for a reasonable conclusion as to  
5 either of the following:

6 (1) The individual seeking the opioid antagonist is  
7 at risk of experiencing an opiate-related overdose.

8 (2) The individual other than the individual at risk  
9 of experiencing an opiate-related overdose and who is seeking  
10 the opioid antagonist is in relation to the individual at risk  
11 of experiencing an opiate-related overdose as a family member,  
12 friend, or otherwise in the position to assist the individual.

13 (d) An individual who receives an opioid antagonist  
14 that was prescribed pursuant to subsection (b) may administer  
15 an opioid antagonist to another individual if he or she has a  
16 good faith belief that the other individual is experiencing an  
17 opiate-related overdose and he or she exercises reasonable  
18 care in administering the opioid antagonist. Evidence of  
19 exercising reasonable care in administering the opioid  
20 antagonist shall include the receipt of basic instruction and  
21 information on how to administer the opioid antagonist.

22 (e) All of the following individuals are immune from  
23 any civil or criminal liability for actions authorized under  
24 this section:

25 (1) Any physician or dentist who prescribes an  
26 opioid antagonist pursuant to subsection (b).

1           (2) Any individual who administers an opioid  
2 antagonist pursuant to subsection (d).

3           Section 2. Notwithstanding any other law to the  
4 contrary, an individual under the age of 21 shall not be  
5 prosecuted for the possession or consumption of alcoholic  
6 beverages if law enforcement, including campus safety police,  
7 became aware of the possession or consumption of alcohol by  
8 the individual solely because the individual was seeking  
9 medical assistance for another individual. This section shall  
10 apply if, when seeking medical assistance on behalf of  
11 another, the individual did all of the following:

12           (1) Acted in good faith, upon a reasonable belief  
13 that he or she was the first to call for assistance.

14           (2) Used his or her own name when contacting  
15 authorities.

16           (3) Remained with the individual needing medical  
17 assistance until help arrived.

18           Section 3. This act shall become effective on the  
19 first day of the third month following its passage and  
20 approval by the Governor, or its otherwise becoming law.