

FIRST REGULAR SESSION

# HOUSE BILL NO. 1137

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHROER.

2187H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 195.206, RSMo, and to enact in lieu thereof one new section relating to the use of emergency opioid antagonists.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 195.206, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.206, to read as follows:

195.206. 1. As used in this section, the following terms shall mean:

(1) "Emergency opioid antagonist", naloxone hydrochloride that blocks the effects of an opioid overdose that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(2) "Opioid-related drug overdose", a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. Notwithstanding any other law or regulation to the contrary, any licensed pharmacist in Missouri may sell and dispense an opioid antagonist under physician protocol.

3. A licensed pharmacist who, acting in good faith and with reasonable care, sells or dispenses an opioid antagonist and appropriate device to administer the drug, and the protocol physician, shall not be subject to any criminal or civil liability or any professional disciplinary action for prescribing or dispensing the opioid antagonist or any outcome resulting from the administration of the opioid antagonist.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           4. Notwithstanding any other law or regulation to the contrary, it shall be permissible for  
18 any person to possess an opioid antagonist.

19           5. Any person who administers an opioid antagonist to another person shall, immediately  
20 after administering the drug, contact emergency personnel. Any person who, acting in good faith  
21 and with reasonable care, administers an opioid antagonist to another person whom the person  
22 believes to be suffering an opioid-related overdose shall be immune from criminal prosecution,  
23 disciplinary actions from his or her professional licensing board, and civil liability due to the  
24 administration of the opioid antagonist.

25           **6. (1) If a law enforcement officer or paramedic or emergency medical services**  
26 **personnel or other first responder administers an emergency opioid antagonist to an**  
27 **individual, such law enforcement officer, paramedic, emergency medical services**  
28 **personnel, or other first responder shall report such use of the emergency opioid antagonist**  
29 **to the police or sheriff's department within the jurisdiction in which the emergency opioid**  
30 **antagonist was administered, and such police or sheriff's department shall produce and**  
31 **provide a police report to the appropriate county prosecutor in order to supply such**  
32 **department with information that may support a charge for illegal possession of drugs and**  
33 **use of drugs or drug paraphernalia under chapter 579.**

34           **(2) Such county prosecutor shall, upon receipt and review of such police report,**  
35 **recommend the individual receiving the emergency opioid antagonist under subdivision**  
36 **(1) of this subsection to that circuit's drug court program.**

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