

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]

# HOUSE BILL NO. 1568

98TH GENERAL ASSEMBLY

4495H.03T

2016

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## AN ACT

To amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to dispensing opioid antagonist drugs.

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

Section A. Chapters 195 and 338, RSMo, are amended by adding thereto two new sections, to be known as sections 195.206 and 338.205, 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

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.

16 **disciplinary action for prescribing or dispensing the opioid antagonist or any outcome**  
17 **resulting from the administration of the opioid antagonist.**

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

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

**338.205. 1. Notwithstanding any other law or regulation to the contrary, any**  
2 **person or organization acting under a standing order issued by a health care professional**  
3 **who is otherwise authorized to prescribe an opioid antagonist may store an opioid**  
4 **antagonist without being subject to the licensing and permitting requirements of this**  
5 **chapter and may dispense an opioid antagonist if the person does not collect a fee or**  
6 **compensation for dispensing the opioid antagonist.**

7 **2. As used in this section, the term "emergency opioid antagonist" means naloxone**  
8 **hydrochloride that blocks the effects of an opioid overdose that is administered in a**  
9 **manner approved by the United States Food and Drug Administration, or any accepted**  
10 **medical practice of administering.**

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