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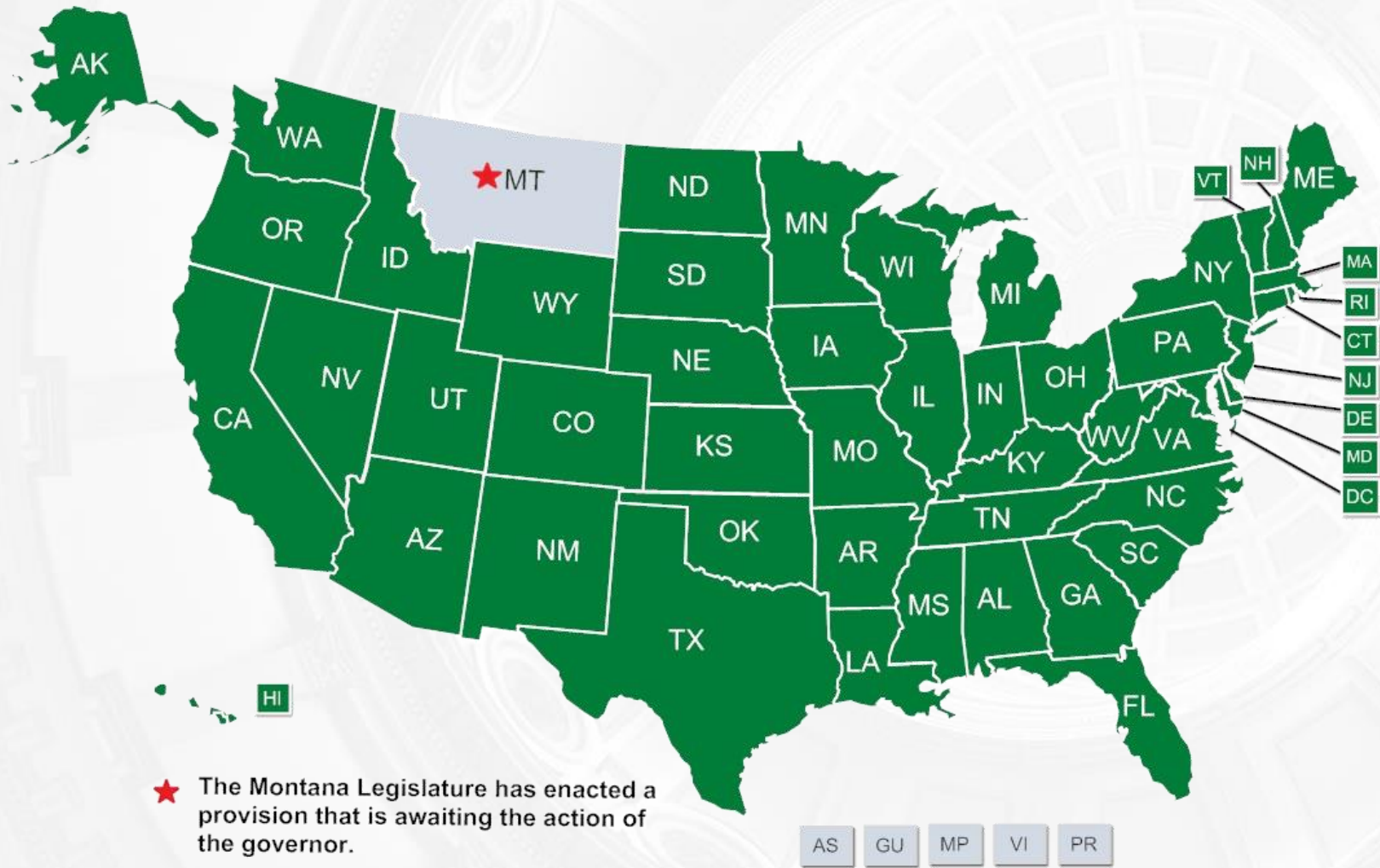
AN OVERVIEW OF STATE NALOXONE POLICY AND LEGISLATION

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Forty-nine states and D.C. have naloxone access laws.



Concerns Addressed by Naloxone Access Laws

- State law generally discourages or prohibits the prescription of drugs:
 1. To a person other than the person to whom they will be administered (3rd party prescription)
 2. To a person the physician has not personally examined (prescription via standing order)
- Prescriber liability concerns
- Overdose bystander/administration liability concerns

Source: Corey Davis, Network for Public Health Law, [Legal Interventions to Reduce Overdose Mortality: Naloxone Access and Overdose Good Samaritan Laws](#), June 2016



What are the most common components of naloxone access laws to address these concerns?



1. Prescriber Immunity

- In the majority of states this includes:
 - ▣ Civil Immunity
 - ▣ Criminal Immunity
 - ▣ Disciplinary Immunity/Licensure Protection

2. Dispenser Immunity

- In the majority of states this includes:
 - ▣ Civil Immunity
 - ▣ Criminal Immunity
 - ▣ Disciplinary Immunity/Licensure Protection



3. Immunity for Lay Administrators

- In the majority of states this includes:
 - ▣ Civil Immunity
 - ▣ Criminal Immunity

4. Immunity to Allow for Distribution by Lay Persons

- At least 18 states provide for this specifically in statute and several others imply that this is ok via statutory text.



5. Authorizing 3rd Party Prescription

- The majority of states specifically allow this practice.

6. Authorizing Standing Order Prescription

- The majority of states specifically allow prescription via standing order.



7. Immunity to Allow for Possession by a Lay Person Without a Prescription

- This provision has not been adopted by a majority of the states, but a significant number of states have now included this immunity in statutory language.



Since nearly every state has legislation what is the latest happening in state legislatures?



Legislative Action

- More than 55 bills related to naloxone access were enacted in 2016
 - ▣ 160+ introduced
- At least 16 enacted in 2017 (so far)
 - ▣ 120+ introduced

Source: NCSL Injury Prevention Database

<http://www.ncsl.org/research/health/injury-prevention-legislation-database.aspx>



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- Expansion of existing naloxone access provisions
 - E.g., schools and/or school employees
- Education and training
- Funding
 - Programs
 - Bulk purchasing
- Coverage



Naloxone Tracking

- PDMP tracking
 - ▣ West Virginia HB 431 (2016)
 - ▣ Other “drugs of concern”
 - 17 states + D.C.
- Programmatic reporting/tracking
 - ▣ Administration (e.g., first responders)
 - ▣ Other reporting (e.g., Vermont)

Source: Sherry Green, National Alliance for Model State Drug Laws (NAMSDL); NCSL



Questions?

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