

House File 2380

H-8136

1 Amend House File 2380 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. NEW SECTION. 135.190 Possession and
5 administration of opioid antagonists.

6 1. For purposes of this section, unless the context
7 otherwise requires:

8 a. "Opioid antagonist" means the same as defined in
9 section 147A.1.

10 b. "Opioid-related overdose" means the same as
11 defined in section 147A.1.

12 c. "Person in a position to assist" means a family
13 member, friend, caregiver, health care provider,
14 employee of a substance abuse treatment facility, or
15 other person who may be in a place to render aid to
16 a person at risk of experiencing an opioid-related
17 overdose.

18 2. A person in a position to assist may possess
19 and provide or administer an opioid antagonist to
20 an individual if the person in a position to assist
21 reasonably and in good faith believes that such
22 individual is experiencing an opioid-related overdose.

23 3. A person in a position to assist who has acted
24 reasonably and in good faith shall not be liable for
25 any injury arising from the provision, administration,
26 or assistance in the administration of an opioid
27 antagonist as provided in this section.

28 Sec. 2. Section 147A.1, Code 2016, is amended by
29 adding the following new subsections:

30 NEW SUBSECTION. 6A. "First responder" means an
31 emergency medical care provider, a registered nurse
32 staffing an authorized service program under section
33 147A.12, a physician assistant staffing an authorized
34 service program under section 147A.13, a fire fighter,
35 or a peace officer as defined in section 801.4 who

HF2380.3171 (1) 86

(amending this HF 2380
to CONFORM TO SF 2218)

1 is trained and authorized to administer an opioid
2 antagonist.

3 NEW SUBSECTION. 6B. "*Licensed health care*
4 *professional*" means the same as defined in section
5 280.16.

6 NEW SUBSECTION. 6C. "*Opioid antagonist*" means
7 a drug that binds to opioid receptors and blocks
8 or inhibits the effects of opioids acting on those
9 receptors, including but not limited to naloxone
10 hydrochloride or any other similarly acting
11 drug approved by the United States food and drug
12 administration.

13 NEW SUBSECTION. 6D. "*Opioid-related overdose*"
14 means a condition affecting a person which may
15 include extreme physical illness, a decreased level
16 of consciousness, respiratory depression, a coma, or
17 the ceasing of respiratory or circulatory function
18 resulting from the consumption or use of an opioid, or
19 another substance with which an opioid was combined.

20 Sec. 3. NEW SECTION. 147A.18 **Possession and**
21 **administration of an opioid antagonist — immunity.**

22 1. Notwithstanding any other provision of law to
23 the contrary, a licensed health care professional may
24 prescribe an opioid antagonist in the name of a service
25 program, law enforcement agency, or fire department to
26 be maintained for use as provided in this section.

27 2. A service program, law enforcement agency,
28 or fire department may obtain a prescription for and
29 maintain a supply of opioid antagonists. A service
30 program, law enforcement agency, or fire department
31 that obtains such a prescription shall replace an
32 opioid antagonist upon its use or expiration.

33 3. A first responder employed by a service program,
34 law enforcement agency, or fire department that
35 maintains a supply of opioid antagonists pursuant to

HF2380.3171 (1) 86
(amending this HF 2380
to CONFORM TO SF 2218)

1 this section may possess and provide or administer such
2 an opioid antagonist to an individual if the first
3 responder reasonably and in good faith believes that
4 such individual is experiencing an opioid-related
5 overdose.

6 4. The following persons, provided they have acted
7 reasonably and in good faith, shall not be liable for
8 any injury arising from the provision, administration,
9 or assistance in the administration of an opioid
10 antagonist as provided in this section:

11 a. A first responder who provides, administers, or
12 assists in the administration of an opioid antagonist
13 to an individual as provided in this section.

14 b. A service program, law enforcement agency, or
15 fire department.

16 c. The prescriber of the opioid antagonist.

17 5. The department shall adopt rules pursuant
18 to chapter 17A to implement and administer this
19 section, including but not limited to standards
20 and procedures for the prescription, distribution,
21 storage, replacement, and administration of opioid
22 antagonists, and for the training and authorization
23 to be required for first responders to administer an
24 opioid antagonist.

25 Sec. 4. CONTINGENT IMPLEMENTATION. Implementation
26 of the section of this Act enacting section 147A.18 is
27 contingent upon the availability of funding.>

28 2. Title page, by striking lines 1 through 3 and
29 inserting <An Act relating to the possession and
30 administration of emergency drugs by first responders
31 and other persons in a position to assist for purposes
32 of treating drug overdose victims and including
33 contingent implementation provisions.>

KLEIN of Washington

ABDUL-SAMAD of Polk

HF2380.3171 (1) 86
(amending this HF 2380
to CONFORM TO SF 2218)
jh/nh