

Senate File 2218 - Enrolled

Senate File 2218

AN ACT

RELATING TO THE POSSESSION AND ADMINISTRATION OF EMERGENCY
DRUGS BY FIRST RESPONDERS AND OTHER PERSONS IN A POSITION TO
ASSIST FOR PURPOSES OF TREATING DRUG OVERDOSE VICTIMS AND
INCLUDING CONTINGENT IMPLEMENTATION PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 135.190 **Possession and
administration of opioid antagonists.**

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

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

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

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

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

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

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

NEW SUBSECTION. 6A. *"First responder"* means an emergency medical care provider, a registered nurse staffing an authorized service program under section 147A.12, a physician assistant staffing an authorized service program under section 147A.13, a fire fighter, or a peace officer as defined in section 801.4 who is trained and authorized to administer an opioid antagonist.

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

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

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

combined.

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

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

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

3. A first responder employed by a service program, law enforcement agency, or fire department that maintains a supply of opioid antagonists pursuant to this section may possess and provide or administer such an opioid antagonist to an individual if the first responder reasonably and in good faith believes that such individual is experiencing an opioid-related overdose.

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

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

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

c. The prescriber of the opioid antagonist.

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

Sec. 4. CONTINGENT IMPLEMENTATION. Implementation of the

section of this Act enacting section 147A.18 is contingent upon the availability of funding.

PAM JOCHUM
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2218, Eighty-sixth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2016

TERRY E. BRANSTAD
Governor