

**House File 595 - Introduced**

HOUSE FILE 595  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 104)

**A BILL FOR**

1 An Act relating to controlled substances including the  
2 manufacture, delivery, or possession of a controlled  
3 substance including fentanyl; the manufacture of a  
4 controlled substance in the presence of a minor; conspiracy  
5 to manufacture for delivery or delivery or intent or  
6 conspiracy to deliver a controlled substance to a  
7 minor; receipt, provision, and administration of opioid  
8 antagonists, including by secondary distributors; providing  
9 for immunity; and providing penalties.  
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MANUFACTURE, DELIVERY, OR POSSESSION OF A CONTROLLED SUBSTANCE

Section 1. Section 124.401, subsection 1, paragraph a, subparagraph (8), Code 2023, is amended to read as follows:

(8) More than ten kilograms of a mixture or substance containing any detectable amount of those substances identified in section 124.204, subsection 9, except for a mixture or substance containing any detectable amount of fentanyl or any fentanyl-related substance identified in section 124.204, subsection 9.

Sec. 2. Section 124.401, subsection 1, paragraph a, Code 2023, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (9) More than fifty grams of a mixture or substance containing a detectable amount of fentanyl or any fentanyl-related substance identified in section 124.204, subsection 9.

Sec. 3. Section 124.401, subsection 1, paragraph b, Code 2023, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (10) More than five grams but not more than fifty grams of a mixture or substance containing a detectable amount of fentanyl or any fentanyl-related substance identified in section 124.204, subsection 9.

Sec. 4. Section 124.401, subsection 1, paragraph c, Code 2023, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (10) Five grams or less of a mixture or substance containing a detectable amount of fentanyl or any fentanyl-related substance identified in section 124.204, subsection 9.

Sec. 5. Section 124.401, subsection 1, Code 2023, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *g.* A person who causes the death of another person while participating in a violation of this subsection and who is not entitled to protection under section 124.418, shall be sentenced to three times the term otherwise imposed by law, and no such judgment, sentence, or part thereof shall be

1 deferred or suspended.

2 NEW PARAGRAPH. *h.* A person who causes serious bodily injury  
3 to another person while participating in a violation of this  
4 subsection and who is not entitled to protection under section  
5 124.418, shall be sentenced to two times the term otherwise  
6 imposed by law, and no such judgment, sentence, or part thereof  
7 shall be deferred or suspended.

8 NEW PARAGRAPH. *i.* For purposes of this subsection, a  
9 person's act of manufacturing or delivering a controlled  
10 substance resulting in the death of another person shall  
11 be deemed to have caused the other person's death when the  
12 controlled substance contributes to the other person's death.

13 Sec. 6. Section 124.401C, subsection 1, Code 2023, is  
14 amended to read as follows:

15 1. In addition to any other penalties provided in this  
16 chapter, a person who is eighteen years of age or older and  
17 who either directly or by extraction from natural substances,  
18 or independently by means of chemical processes, or both,  
19 unlawfully manufactures ~~methamphetamine, its salts, isomers,~~  
20 ~~or salts of its isomers~~ a controlled substance, counterfeit  
21 substance, simulated controlled substance, or imitation  
22 controlled substance in violation of section 124.401,  
23 subsection 1, paragraph "a", "b", or "c", in the presence  
24 of a minor shall be sentenced up to an additional term of  
25 confinement of five years to two times the term otherwise  
26 imposed by law, and no such judgment, sentence, or part thereof  
27 shall be deferred or suspended. However, the additional term  
28 of confinement shall not be imposed on a person who has been  
29 convicted and sentenced for a child endangerment offense under  
30 section 726.6, subsection 1, paragraph "g", arising from the  
31 same facts.

32 Sec. 7. Section 124.401D, Code 2023, is amended to read as  
33 follows:

34 **124.401D Conspiracy to manufacture for delivery or delivery**  
35 **or intent or conspiracy to deliver amphetamine or methamphetamine**

1 to a minor.

2 1. a. It is unlawful for a person eighteen years of age  
3 or older to act with, or enter into a common scheme or design  
4 with, or conspire with one or more persons to manufacture  
5 for delivery to a person under eighteen years of age a  
6 ~~material, compound, mixture, preparation, or substance that~~  
7 ~~contains any detectable amount of amphetamine, its salts,~~  
8 ~~isomers, or salts of its isomers, or methamphetamine, its~~  
9 ~~salts, isomers, or salts of its isomers~~ controlled substance,  
10 counterfeit substance, simulated controlled substance, or  
11 imitation controlled substance in violation of section 124.401,  
12 subsection 1, paragraph "a", "b", or "c".

13 b. A violation of ~~this subsection~~ is a felony punishable  
14 under ~~section 902.9, subsection 1,~~ paragraph "a" A person  
15 violating this subsection shall be sentenced to two times the  
16 term otherwise imposed under section 124.401, subsection 1, and  
17 no such judgment, sentence, or part thereof shall be deferred  
18 or suspended.

19 c. A second or subsequent violation of ~~this subsection~~ is a  
20 class "A" felony.

21 2. a. It is unlawful for a person eighteen years of age  
22 or older to deliver, or possess with the intent to deliver to  
23 a person under eighteen years of age, a ~~material, compound,~~  
24 ~~mixture, preparation, or substance that contains any detectable~~  
25 ~~amount of amphetamine, its salts, isomers, or salts of its~~  
26 ~~isomers, or methamphetamine, its salts, isomers, or salts~~  
27 ~~of its isomers~~ controlled substance, counterfeit substance,  
28 simulated controlled substance, or imitation controlled  
29 substance in violation of section 124.401, subsection 1,  
30 paragraph "a", "b", or "c", or to act with, or enter into a  
31 common scheme or design with, or conspire with one or more  
32 persons to deliver or possess with the intent to deliver to  
33 a person under eighteen years of age a material, compound,  
34 mixture, preparation, or substance that contains any detectable  
35 amount of amphetamine, its salts, isomers, or salts of its

1 ~~isomers, or methamphetamine, its salts, isomers, or salts~~  
2 ~~of its isomers~~ controlled substance, counterfeit substance,  
3 simulated controlled substance, or imitation controlled  
4 substance in violation of section 124.401, subsection 1,  
5 paragraph "a", "b", or "c".

6 ~~b. A violation of this subsection is a felony punishable~~  
7 ~~under section 902.9, subsection 1, paragraph "a"~~ A person  
8 violating this subsection shall be sentenced to two times the  
9 term otherwise imposed under section 124.401, subsection 1, and  
10 no such judgment, sentence, or part thereof shall be deferred  
11 or suspended.

12 ~~c. A second or subsequent violation of this subsection is a~~  
13 ~~class "A" felony.~~

14 3. Delivery to a minor or possession with intent to deliver  
15 to a minor a controlled substance, counterfeit substance,  
16 simulated controlled substance, or imitation controlled  
17 substance in violation of section 124.401, subsection 1,  
18 paragraph "a", "b", or "c", shall include the following products  
19 if the person knew or had reasonable cause to believe the  
20 controlled, counterfeit, simulated, or imitation controlled  
21 substance would be delivered to a person under eighteen years  
22 of age:

23 a. Combining a controlled substance listed in section  
24 124.401, subsection 1, paragraph "a", "b", or "c", with a food  
25 or beverage product.

26 b. Marketing or packaging a controlled substance listed in  
27 section 124.401, subsection 1, paragraph "a", "b", or "c", to  
28 appear similar to a food or beverage product.

29 c. Modifying the flavor or color of a controlled substance  
30 listed in section 124.401, subsection 1, paragraph "a", "b", or  
31 "c", to appear similar to a food or beverage product.

32 Sec. 8. Section 124.413, subsection 1, Code 2023, is amended  
33 to read as follows:

34 1. Except as provided in subsection 3 and sections 901.11  
35 and 901.12, a person sentenced pursuant to section 124.401,

1 subsection 1, paragraph "a", "b", "e", ~~or "f"~~, "g", or "h" shall  
2 not be eligible for parole or work release until the person  
3 has served a minimum term of confinement of one-third of the  
4 maximum indeterminate sentence prescribed by law.

5 Sec. 9. Section 811.1, subsections 1 and 2, Code 2023, are  
6 amended to read as follows:

7 1. A defendant awaiting judgment of conviction and  
8 sentencing following either a plea or verdict of guilty of a  
9 class "A" felony; forcible felony as defined in [section 702.11](#);  
10 any class "B" felony included in [section 462A.14](#) or [707.6A](#); any  
11 felony included in [section 124.401, subsection 1](#), paragraph  
12 "a" or "b"; a second or subsequent offense under section  
13 124.401, subsection 1, paragraph "c"; ~~any felony punishable~~  
14 ~~under [section 902.9, subsection 1](#), paragraph "a"~~; any public  
15 offense committed while detained pursuant to [section 229A.5](#);  
16 or any public offense committed while subject to an order of  
17 commitment pursuant to [chapter 229A](#).

18 2. A defendant appealing a conviction of a class "A"  
19 felony; forcible felony as defined in [section 702.11](#); any class  
20 "B" or "C" felony included in [section 462A.14](#) or [707.6A](#); any  
21 felony included in [section 124.401, subsection 1](#), paragraph  
22 "a" or "b"; or a second or subsequent conviction under section  
23 124.401, subsection 1, paragraph "c"; ~~any felony punishable~~  
24 ~~under [section 902.9, subsection 1](#), paragraph "a"~~; any public  
25 offense committed while detained pursuant to [section 229A.5](#);  
26 or any public offense committed while subject to an order of  
27 commitment pursuant to [chapter 229A](#).

28 Sec. 10. Section 901.2, subsection 2, paragraph b, Code  
29 2023, is amended to read as follows:

30 b. The court shall order a presentence investigation when  
31 the offense is ~~any felony punishable under [section 902.9](#),~~  
32 ~~[subsection 1, paragraph "a"](#), or a class "B", class "C", or~~  
33 class "D" felony. A presentence investigation for ~~any felony~~  
34 ~~punishable under [section 902.9, subsection 1](#), paragraph "a"~~,  
35 ~~or a class "B", class "C", or class "D" felony shall not~~

1 be waived. The court may order, with the consent of the  
2 defendant, that the presentence investigation begin prior to  
3 the acceptance of a plea of guilty, or prior to a verdict of  
4 guilty.

5 Sec. 11. Section 901.10, Code 2023, is amended by adding the  
6 following new subsection:

7 NEW SUBSECTION. 1A. A court sentencing a person for a  
8 violation of section 124.401, subsection 1, paragraph "g",  
9 shall not grant any reduction of sentence.

10 Sec. 12. Section 902.9, subsection 1, paragraph a, Code  
11 2023, is amended by striking the paragraph.

12 Sec. 13. Section 906.5, subsection 1, paragraph a, Code  
13 2023, is amended to read as follows:

14 a. The board shall establish and implement a plan by which  
15 the board systematically reviews the status of each person who  
16 has been committed to the custody of the director of the Iowa  
17 department of corrections and considers the person's prospects  
18 for parole or work release. The board at least annually shall  
19 review the status of a person other than a class "A" felon, a  
20 class "B" felon serving a sentence of more than twenty-five  
21 years, ~~or a felon serving an offense punishable under section~~  
22 ~~902.9, subsection 1, paragraph "a",~~ or a felon serving a  
23 mandatory minimum sentence other than a class "A" felon, and  
24 provide the person with notice of the board's parole or work  
25 release decision.

26 Sec. 14. REPEAL. Section 901.5A, Code 2023, is repealed.

27 DIVISION II

28 RECEIPT, PROVISION, AND ADMINISTRATION OF OPIOID ANTAGONISTS

29 Sec. 15. Section 135.190, subsection 1, Code 2023, is  
30 amended by adding the following new paragraph:

31 NEW PARAGRAPH. e. "Secondary distributor" means a law  
32 enforcement agency, emergency medical services program, fire  
33 department, school district, health care provider, licensed  
34 behavioral health provider, county health department, or the  
35 department of health and human services.

1     Sec. 16. Section 135.190, subsections 2 and 4, Code 2023,  
2 are amended to read as follows:

3     2. *a.* Notwithstanding any other provision of law to the  
4 contrary, a licensed health care professional may prescribe an  
5 opioid antagonist to a person in a position to assist or to a  
6 secondary distributor.

7     *b.* (1) Notwithstanding any other provision of law to the  
8 contrary, a pharmacist licensed under [chapter 155A](#) may, by  
9 standing order or through collaborative agreement, dispense,  
10 furnish, or otherwise provide an opioid antagonist to a person  
11 in a position to assist or to a secondary distributor.

12     (2) A pharmacist or secondary distributor who dispenses,  
13 furnishes, or otherwise provides an opioid antagonist pursuant  
14 to a valid prescription, standing order, or collaborative  
15 agreement shall provide written instruction, which shall  
16 include emergency, crisis, and substance use referral contact  
17 information, to the recipient in accordance with any protocols  
18 and instructions developed by the department under this  
19 section.

20     4. A person in a position to assist, a secondary  
21 distributor, or a prescriber of an opioid antagonist who has  
22 acted reasonably and in good faith shall not be liable for  
23 any injury arising from the provision, administration, or  
24 assistance in the administration of an opioid antagonist as  
25 provided in [this section](#).

26     Sec. 17. Section 147A.18, subsections 1 and 2, Code 2023,  
27 are amended to read as follows:

28     1. *a.* Notwithstanding any other provision of law to the  
29 contrary, a licensed health care professional may prescribe  
30 an opioid antagonist in the name of a service program,  
31 law enforcement agency, ~~or~~ fire department, or secondary  
32 distributor to be maintained for use as provided in this  
33 section. For purposes of this section, "secondary distributor"  
34 means the same as defined in section 135.190.

35     *b.* (1) Notwithstanding any other provision of law to the



1 contrary, a pharmacist licensed under [chapter 155A](#) may, by  
2 standing order or through collaborative agreement, dispense,  
3 furnish, or otherwise provide an opioid antagonist in the  
4 name of a service program, law enforcement agency, ~~or~~ fire  
5 department, or secondary distributor to be maintained for use  
6 as provided in [this section](#).

7 (2) A pharmacist or secondary distributor who dispenses,  
8 furnishes, or otherwise provides an opioid antagonist pursuant  
9 to a valid prescription, standing order, or collaborative  
10 agreement shall provide written instruction, which shall  
11 include emergency, crisis, and substance referral contact  
12 information, to the recipient in accordance with the protocols  
13 and instructions developed by the department under this  
14 section.

15 2. A service program, law enforcement agency, ~~or~~ fire  
16 department, or secondary distributor may obtain a prescription  
17 for and maintain a supply of opioid antagonists. A service  
18 program, law enforcement agency, ~~or~~ fire department, or  
19 secondary distributor that obtains such a prescription shall  
20 replace an opioid antagonist upon its use or expiration.

21 Sec. 18. Section 147A.18, Code 2023, is amended by adding  
22 the following new subsection:

23 NEW SUBSECTION. 3A. A secondary distributor may possess  
24 and provide an opioid antagonist to a person in a position to  
25 assist as defined in section 135.190.

26 Sec. 19. Section 147A.18, subsection 4, paragraph b, Code  
27 2023, is amended to read as follows:

28 *b.* A service program, law enforcement agency, ~~or~~ fire  
29 department, or secondary distributor.

30 Sec. 20. Section 147A.18, subsection 4, Code 2023, is  
31 amended by adding the following new paragraph:

32 NEW PARAGRAPH. *d.* The pharmacist who dispenses the opioid  
33 antagonist.

34 Sec. 21. Section 155A.3, subsections 24 and 54, Code 2023,  
35 are amended to read as follows:

1 24. *“Limited distributor”* means a person operating or  
2 maintaining a location, regardless of the location, where  
3 prescription drugs or devices are distributed at wholesale or  
4 to a patient pursuant to a prescription drug order, who is  
5 not eligible for a wholesale distributor license or pharmacy  
6 license. *“Limited distributor”* does not include a secondary  
7 distributor as defined in section 135.190.

8 54. *“Wholesale distributor”* means a person, other than  
9 a manufacturer, a manufacturer’s co-licensed partner, a  
10 third-party logistics provider, or repackager, engaged in the  
11 wholesale distribution of a drug. *“Wholesale distributor”*  
12 does not include a secondary distributor as defined in section  
13 135.190.

14 Sec. 22. Section 155A.46, subsection 1, paragraph a,  
15 subparagraph (1), Code 2023, is amended to read as follows:

16 (1) ~~Naloxone~~ Opioid antagonists for overdose reversals.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with  
19 the explanation’s substance by the members of the general assembly.

20 This bill relates to controlled substances including the  
21 manufacture, delivery, or possession of a controlled substance  
22 including fentanyl; the manufacture of a controlled substance  
23 in the presence of a minor; a conspiracy to manufacture for  
24 delivery or delivery or intent or conspiracy to deliver a  
25 controlled substance to a minor; the receipt, provision, and  
26 administration of opioid antagonists, including by secondary  
27 distributors, provides for immunity; and provides penalties.  
28 The bill is organized by divisions.

29 DIVISION I — MANUFACTURE, DELIVERY, OR POSSESSION OF A  
30 CONTROLLED SUBSTANCE.

31 FENTANYL. The bill provides that the manufacture, delivery  
32 or possession of a controlled substance containing more than 50  
33 grams of a mixture or substance containing a detectable amount  
34 of fentanyl or any fentanyl-related substance identified in  
35 Code section 124.204(9) is a class “B” felony, punishable by

1 confinement for no more than 50 years and a fine of not more  
2 than \$1 million.

3 The bill provides that the manufacture, delivery or  
4 possession of a controlled substance containing more  
5 than 5 grams but not more than 50 grams of a mixture or  
6 substance containing a detectable amount of fentanyl or  
7 any fentanyl-related substance identified in Code section  
8 124.204(9) is a class "B" felony, punishable by confinement for  
9 no more than 25 years and a fine of not less than \$5,000 nor  
10 more than \$100,000.

11 The bill provides that the manufacture, delivery or  
12 possession of a controlled substance containing 5 grams or  
13 less of a mixture or substance containing a detectable amount  
14 of fentanyl or any fentanyl-related substance identified in  
15 Code section 124.204(9) is a class "C" felony, punishable by  
16 confinement for no more than 10 years and a fine of not less  
17 than \$1,000 nor more than \$50,000.

18 MANUFACTURE, DELIVERY, OR POSSESSION OF CONTROLLED  
19 SUBSTANCES — SENTENCING ENHANCEMENTS. The bill provides  
20 that a person who causes the death of another person while  
21 participating in the manufacture, delivery, or possession of  
22 a controlled substance and who is not entitled to protection  
23 under Code section 124.418 (persons seeking medical assistance  
24 for drug-related overdose), shall be sentenced to three times  
25 the term otherwise imposed by law, and no such judgment,  
26 sentence, or part thereof shall be deferred or suspended.

27 The bill provides that a person who causes serious bodily  
28 injury to another person while participating in a violation  
29 of the manufacture, delivery, or possession of a controlled  
30 substance and who is not entitled to protection under Code  
31 section 124.418, shall be sentenced to two times the term  
32 otherwise imposed by law, and no such judgment, sentence, or  
33 part thereof shall be deferred or suspended.

34 The bill provides that a person's act of manufacturing or  
35 delivering a controlled substance that results in the death

1 on another person shall be deemed to have caused the other  
2 person's death when the controlled substance contributed to the  
3 other person's death.

4       MANUFACTURE OF CONTROLLED SUBSTANCES IN PRESENCE OF A MINOR.  
5 Current law provides that in addition to any other penalties  
6 provided in Code chapter 124, a person who is 18 years of age  
7 or older and who either directly or by extraction from natural  
8 substances, or independently by means of chemical processes,  
9 or both, unlawfully manufactures methamphetamine, its salts,  
10 isomers, or salts of its isomers in the presence of a minor  
11 shall be sentenced up to an additional term of confinement  
12 of five years. The bill amends current law to apply to all  
13 controlled substances listed in Code section 124.401(1)(a,  
14 b, and c) and provides that a person in violation of this  
15 provision shall be sentenced to two times the term otherwise  
16 imposed by law, and no such judgment, sentence, or part thereof  
17 shall be deferred or suspended.

18       CONSPIRACY TO MANUFACTURE CONTROLLED SUBSTANCES FOR DELIVERY  
19 TO MINOR. Current law provides that it is unlawful for a  
20 person 18 years of age or older to act with, or enter into a  
21 common scheme or design with, or conspire with one or more  
22 persons to manufacture for delivery to a person under 18 years  
23 of age a material, compound, mixture, preparation, or substance  
24 that contains any detectable amount of amphetamine, its salts,  
25 isomers, or salts of its isomers, or methamphetamine, its  
26 salts, isomers, or salts of its isomers. A person in violation  
27 of this provision shall be confined for no more than 99 years.  
28 The bill strikes this penalty. The bill amends current law  
29 to apply to all controlled substances listed in Code section  
30 124.401(1)(a, b, and c) and provides that a person in violation  
31 of this provision shall be sentenced to two times the term  
32 otherwise imposed by law, and no such judgment, sentence, or  
33 part thereof shall be deferred or suspended. A second or  
34 subsequent violation is a class "A" felony.

35       Current law provides that it is unlawful for a person 18

1 years of age or older to deliver, or possess with the intent  
2 to deliver to a person under 18 years of age, a material,  
3 compound, mixture, preparation, or substance that contains any  
4 detectable amount of amphetamine, its salts, isomers, or salts  
5 of its isomers, or methamphetamine, its salts, isomers, or  
6 salts of its isomers. A person in violation of this provision  
7 shall be confined for no more than 99 years. The bill strikes  
8 this penalty. The bill amends current law to apply to all  
9 controlled substances listed in Code section 124.401(1)(a,  
10 b, and c) and provides that a person in violation of this  
11 provision shall be sentenced to two times the term otherwise  
12 imposed by law, and no such judgment, sentence, or part  
13 thereof shall be deferred or suspended. A second or subsequent  
14 violation is a class "A" felony.

15 The bill provides that a person who is sentenced for  
16 the death or serious bodily injury to another person while  
17 participating in the manufacture, delivery, or possession of  
18 a controlled substance, and who is not entitled to protection  
19 under Code section 124.418 (persons seeking medical assistance  
20 for drug-related overdose), shall not be eligible for parole  
21 or work release until the person has served a minimum term of  
22 confinement of one-third of the maximum indeterminate sentence  
23 prescribed by law.

24 The bill makes conforming Code changes due to the strike of  
25 the 99-year penalty.

26 DELIVERY OF A CONTROLLED SUBSTANCE TO MINOR — FOOD OR  
27 BEVERAGE PRODUCTS. The bill provides that delivery to a minor  
28 or possession with intent to deliver to a minor a controlled  
29 substance, counterfeit substance, simulated controlled  
30 substance, or imitation controlled substance shall include the  
31 following products if the person knew or had reasonable cause  
32 to believe the controlled substance, counterfeit substance,  
33 simulated controlled substance, or imitation controlled  
34 substance would be delivered to a person under 18 years of  
35 age: combining a controlled substance with a food or beverage

1 product; marketing or packaging a controlled substance to  
2 appear similar to a food or beverage product; or modifying the  
3 flavor or color of a controlled substance to appear similar to  
4 a food or beverage product.

5 The bill provides that a person sentenced for causing  
6 the death of another while participating in the manufacture,  
7 delivery, or possession of a controlled substance shall not be  
8 granted a reduction of sentence.

9 DIVISION II — RECEIPT, PROVISION, AND ADMINISTRATION OF  
10 OPIOID ANTAGONISTS — SECONDARY DISTRIBUTORS — IMMUNITY.

11 Current law provides that a licensed health care professional  
12 may prescribe an opioid antagonist to a person in a position  
13 to assist. The bill expands this authorization to provide  
14 that a licensed health care provider may prescribe an opioid  
15 antagonist to a secondary distributor as defined in the bill.

16 Current law provides that a licensed pharmacist may, by  
17 standing order or through collaborative agreement, dispense,  
18 furnish, or otherwise provide an opioid antagonist in the  
19 name of a service program, law enforcement agency, or fire  
20 department. The bill expands this authorization to provide  
21 that a licensed pharmacist may, by standing order or through  
22 collaborative agreement, dispense, furnish, or otherwise  
23 provide an opioid antagonist in the name of a secondary  
24 distributor.

25 The bill includes secondary distributors and the pharmacist  
26 who dispenses the opioid antagonist, provided they have acted  
27 reasonably and in good faith, to the list of persons who shall  
28 not be liable for any injury arising from the provision,  
29 administration, or assistance in the administration of an  
30 opioid antagonist.

31 The bill provides that a secondary distributor may obtain a  
32 prescription for and maintain a supply of opioid antagonists.  
33 A secondary distributor that obtains such a prescription shall  
34 replace an opioid antagonist upon its use or expiration.

35 The bill provides that a pharmacist or secondary distributor

1 who dispenses, furnishes, or otherwise provides an opioid  
2 antagonist pursuant to a valid prescription, standing order,  
3 or collaborative agreement shall provide written instruction,  
4 including emergency, crisis, and substance use referral contact  
5 information, to the recipient.

6 The bill provides that a secondary distributor may possess  
7 and provide an opioid antagonist to a person in a position to  
8 assist.

9 The bill provides that the terms "limited distributor" and  
10 "wholesale distributor" do not include a secondary distributor  
11 for purposes of Code chapter 155A (pharmacy).

12 The bill provides that a pharmacist may order and administer  
13 opioid antagonists for overdose reversals to patients ages 18  
14 years and older instead of naloxone.