

132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 710

H.P. 449

House of Representatives, February 25, 2025

An Act to Expand Access and Reduce Barriers to Access to Naloxone Hydrochloride and Other Opioid Overdose-reversing Medications

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204. Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative ZAGER of Portland.

Be it enacted by the People of the State of Maine as follows:

- **Sec. 1. 22 MRSA §2353, sub-§4,** as amended by PL 2023, c. 71, §1 and c. 161, §3, is further amended to read:
- 4. Community-based drug overdose prevention programs; standing orders for naloxone hydrochloride or another opioid overdose-reversing medication. Acting under standing orders from a licensed health care professional authorized by law to prescribe naloxone hydrochloride or another opioid overdose-reversing medication, a public health an agency that provides services to populations at high risk for a drug overdose may establish an overdose prevention program in accordance with rules adopted by the department and the provisions of this subsection.
 - A. Notwithstanding any provision of law to the contrary, an overdose prevention program established under this subsection may store and dispense naloxone hydrochloride or another opioid overdose-reversing medication without being subject to the provisions of Title 32, chapter 117 as long as these activities are undertaken without charge or compensation.
 - B. An overdose prevention program established under this subsection may distribute unit-of-use packages of naloxone hydrochloride or another opioid overdose-reversing medication and the medical supplies necessary to administer the naloxone hydrochloride or another opioid overdose-reversing medication to a person who has successfully completed training provided by the overdose prevention program that meets the protocols and criteria established by the department, so that the person may possess and administer naloxone hydrochloride or another opioid overdose-reversing medication to an individual who appears to be experiencing an opioid-related drug overdose.
 - C. With the express consent of a municipality, an overdose prevention program established under this subsection may provide and maintain naloxone hydrochloride <u>or</u> <u>another opioid overdose-reversing medication</u> in a wall-mounted box or other visible and accessible container, <u>including</u>, but not limited to, a vending machine, on publicly accessible property of the municipality, including a municipal building, public restroom, public library or public park or recreational facility, for use by a member of the public in response to an opioid-related drug overdose.
- The department shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
- **Sec. 2. 22 MRSA §2353, sub-§4-A, ¶B,** as amended by PL 2023, c. 161, §3, is repealed.
- **Sec. 3. 22 MRSA §2353, sub-§4-A,** ¶**C,** as amended by PL 2023, c. 161, §3, is further amended to read:
 - C. A licensed health care professional authorized by law to prescribe naloxone hydrochloride or another opioid overdose-reversing medication shall distribute unit-of-use packages of naloxone hydrochloride or another opioid overdose-reversing medication and any medical supplies necessary to administer the naloxone hydrochloride or another opioid overdose-reversing medication to a recovery residence

that has provided training described in paragraph B so that the recovery residence may possess and administer naloxone hydrochloride or another opioid overdose-reversing medication to an individual who appears to be experiencing a drug-related overdose.

Sec. 4. 22 MRSA §2353, sub-§5, ¶C, as enacted by PL 2023, c. 71, §2, is amended to read:

- C. A municipality or overdose prevention program is immune from criminal and civil liability for providing or maintaining naloxone hydrochloride containers <u>or containers</u> <u>of another opioid overdose-reversing medication</u> under subsection 4, paragraph C.
- **Sec. 5. 22 MRSA §2353, sub-§5, ¶D,** as enacted by PL 2023, c. 154, §2, is amended to read:
 - D. A person not described in this section as being authorized to possess, obtain, store, administer or dispense naloxone hydrochloride or another opioid overdose-reversing medication or a person, notwithstanding any provision of law to the contrary, acting in good faith and with reasonable care, is immune from criminal and civil liability and is not subject to professional or other disciplinary action for providing to another person naloxone hydrochloride or another opioid overdose-reversing medication, or for administering naloxone hydrochloride or another opioid overdose-reversing medication to an individual whom the person believes in good faith is experiencing an opioid-related drug overdose or for any outcome resulting from such actions.

20 SUMMARY

This bill amends the laws governing the requirements for access to and distribution of naloxone hydrochloride or other opioid overdose-reversing medications. The bill removes training requirements for community-based drug overdose prevention programs and recovery residences and expands access by allowing municipalities to provide vending machines for use by the public in response to an opioid-related drug overdose. The bill further provides additional immunity protections for all persons who may administer naloxone hydrochloride or another opioid overdose-reversing medication to another individual in good faith when they believe the other individual is experiencing an opioid-related drug overdose. Lastly, the bill incorporates other opioid overdose-reversing medications in the provisions governing naloxone hydrochloride.