

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

H.P. 1209 - L.D. 1686

**An Act To Address Preventable Deaths from Drug Overdose**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period because the number of drug overdoses and ensuing deaths is on the rise; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 22 MRSA c. 556-A** is enacted to read:

**CHAPTER 556-A**

**OPIOIDS**

**§2353. Naloxone hydrochloride**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Health care professional" means a person licensed under Title 32 who is authorized to prescribe naloxone hydrochloride.

B. "Immediate family" has the same meaning as set forth in Title 21-A, section 1, subsection 20.

C. "Opioid-related drug overdose" means a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma or death resulting from the consumption or use of an opioid, or another substance with which an opioid was combined, or a condition that a reasonable

person would believe to be an opioid-related drug overdose that requires medical assistance.

**2. Prescription; possession; administration.** The prescription, possession and administration of naloxone hydrochloride is governed by this subsection.

A. A health care professional may prescribe naloxone hydrochloride to an individual at risk of experiencing an opioid-related drug overdose.

B. An individual to whom naloxone hydrochloride is prescribed in accordance with paragraph A may provide the naloxone hydrochloride so prescribed to a member of that individual's immediate family to possess and administer to the individual if the family member believes in good faith that the individual is experiencing an opioid-related drug overdose.

C. A health care professional may prescribe naloxone hydrochloride to a member of an individual's immediate family for administration to the individual in the event of an opioid-related drug overdose if:

(1) The health care professional has an established health care professional-patient relationship with the individual; and

(2) The individual is at risk of experiencing an opioid-related drug overdose.

A health care professional who prescribes naloxone hydrochloride to a member of an individual's immediate family in accordance with this paragraph shall document in the individual's patient medical record the name of each family member who receives such a prescription and the health care professional's intention that the naloxone hydrochloride be administered to the individual.

D. If a member of an individual's immediate family is prescribed naloxone hydrochloride in accordance with paragraph C, that family member may administer the naloxone hydrochloride to the individual if the family member believes in good faith that the individual is experiencing an opioid-related drug overdose.

Nothing in this subsection affects the provisions of law relating to maintaining the confidentiality of medical records.

**3. Authorized administration of naloxone hydrochloride by law enforcement officers and municipal firefighters.** A law enforcement officer as defined in Title 17-A, section 2, subsection 17, in accordance with policies adopted by the law enforcement agency, and a municipal firefighter as defined in Title 30-A, section 3151, subsection 2, in accordance with policies adopted by the municipality, may administer intranasal naloxone hydrochloride as clinically indicated if the officer or firefighter has received medical training in accordance with protocols adopted by the Medical Direction and Practices Board established in Title 32, section 83, subsection 16-B. The Medical Direction and Practices Board shall establish medical training protocols for law enforcement officers and municipal firefighters pursuant to this subsection.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.