

Date:

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## HEALTH AND HUMAN SERVICES

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### STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 449, L.D. 710, “An Act to Expand Access and Reduce Barriers to Access to Naloxone Hydrochloride and Other Opioid Overdose-reversing Medications”

Amend the bill by inserting after the enacting clause the following:

**'Sec. 1. 22 MRSA §2353, sub-§2,** as amended by PL 2023, c. 161, §3, is further amended to read:

**2. Prescription; possession; administration.** The prescription, possession and administration of naloxone hydrochloride or another opioid overdose-reversing medication is governed by this subsection.

A. A health care professional may directly or by standing order prescribe naloxone hydrochloride or another opioid overdose-reversing medication to an individual at risk of experiencing an opioid-related drug overdose. Over-the-counter naloxone hydrochloride or another opioid overdose-reversing medication approved for over-the-counter dispensation by the federal Food and Drug Administration or its successor organization may be provided or administered with or without a prescription.

A-1. A pharmacist may prescribe and dispense naloxone hydrochloride or another opioid overdose-reversing medication in accordance with protocols established under Title 32, section 13815 to an individual of any age at risk of experiencing an opioid-related drug overdose. Over-the-counter naloxone hydrochloride or another opioid overdose-reversing medication approved for over-the-counter dispensation by the federal Food and Drug Administration or its successor organization may be provided or administered with or without a prescription.

B. An individual to whom naloxone hydrochloride or another opioid overdose-reversing medication is prescribed or dispensed in accordance with paragraph A or A-1 may provide the naloxone hydrochloride or another opioid overdose-reversing medication so prescribed or dispensed 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.

1 C. A health care professional may directly or by standing order prescribe naloxone  
2 hydrochloride or another opioid overdose-reversing medication to a member of an  
3 individual's immediate family or a friend of the individual or to another person in a  
4 position to assist the individual if the individual is at risk of experiencing an opioid-  
5 related drug overdose. Over-the-counter naloxone hydrochloride or another opioid  
6 overdose-reversing medication approved for over-the-counter dispensation by the  
7 federal Food and Drug Administration or its successor organization may be provided  
8 or administered with or without a prescription.

9 C-1. A pharmacist may prescribe and dispense naloxone hydrochloride or another  
10 opioid overdose-reversing medication in accordance with protocols established under  
11 Title 32, section 13815 to a person of any age who is a member of an individual's  
12 immediate family or a friend of the individual or to another person in a position to assist  
13 the individual if the individual is at risk of experiencing an opioid-related drug  
14 overdose. Over-the-counter naloxone hydrochloride or another opioid overdose-  
15 reversing medication approved for over-the-counter dispensation by the federal Food  
16 and Drug Administration or its successor organization may be provided or  
17 administered with or without a prescription.

18 D. If a member of an individual's immediate family, friend of the individual or other  
19 person is prescribed or provided naloxone hydrochloride or another opioid overdose-  
20 reversing medication in accordance with paragraph C or C-1, that family member,  
21 friend or other person may administer the naloxone hydrochloride or another opioid  
22 overdose-reversing medication to the individual if the family member, friend or other  
23 person believes in good faith that the individual is experiencing an opioid-related drug  
24 overdose.

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

27 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
28 number to read consecutively.

## 29 SUMMARY

30 This amendment adds language to the bill that clarifies the authority of health care  
31 professionals to administer naloxone hydrochloride or another opioid overdose-reversing  
32 medication approved for over-the-counter dispensation by the federal Food and Drug  
33 Administration or its successor organization with or without a prescription.

## 34 FISCAL NOTE REQUIRED

35 (See attached)