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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1054, L.D. 1547, Bill, “An Act To Provide Access to Affordable Naloxone Hydrochloride for First Responders”

Amend the bill by striking out the title and substituting the following:

'An Act To Facilitate Access to Naloxone Hydrochloride'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Whereas, the State is facing a crisis due to the number of deaths due to drug overdoses; 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 §2353, sub-§1, ¶D is enacted to read:

D. "Pharmacist" means a pharmacist authorized to dispense naloxone hydrochloride pursuant to Title 32, section 13815.

Sec. 2. 22 MRSA §2353, sub-§2, as amended by PL 2015, c. 351, §1, is further amended to read:

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

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

COMMITTEE AMENDMENT

1 A-1. A pharmacist may dispense naloxone hydrochloride in accordance with
2 protocols established under Title 32, section 13815 to an individual at risk of
3 experiencing an opioid-related drug overdose.

4 B. An individual to whom naloxone hydrochloride is prescribed or dispensed in
5 accordance with paragraph A or A-1 may provide the naloxone hydrochloride so
6 prescribed or dispensed to a member of that individual's immediate family to possess
7 and administer to the individual if the family member believes in good faith that the
8 individual is experiencing an opioid-related drug overdose.

9 C. A health care professional may directly or by standing order prescribe naloxone
10 hydrochloride to a member of an individual's immediate family or a friend of the
11 individual or to another person in a position to assist the individual if the individual is
12 at risk of experiencing an opioid-related drug overdose.

13 C-1. A pharmacist may dispense naloxone hydrochloride in accordance with
14 protocols established under Title 32, section 13815 to a member of an individual's
15 immediate family or a friend of the individual or to another person in a position to
16 assist the individual if the individual is at risk of experiencing an opioid-related drug
17 overdose.

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 in accordance with
20 paragraph C or C-1, that family member, friend or other person may administer the
21 naloxone hydrochloride to the individual if the family member, friend or other person
22 believes in good faith that the individual is experiencing an opioid-related drug
23 overdose.

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

26 **Sec. 3. 22 MRSA §2353, sub-§3**, as enacted by PL 2013, c. 579, §1, is amended
27 to read:

28 **3. Authorized administration of naloxone hydrochloride by law enforcement**
29 **officers and municipal firefighters.** A law enforcement agency as defined in Title 25,
30 section 3701, subsection 1 or a municipal fire department as defined in Title 30-A,
31 section 3151, subsection 1 is authorized to obtain a supply of naloxone hydrochloride to
32 be administered in accordance with this subsection. A law enforcement officer as defined
33 in Title 17-A, section 2, subsection 17, in accordance with policies adopted by the law
34 enforcement agency, and a municipal firefighter as defined in Title 30-A, section 3151,
35 subsection 2, in accordance with policies adopted by the municipality, may administer
36 intranasal naloxone hydrochloride as clinically indicated if the officer or firefighter has
37 received medical training in accordance with protocols adopted by the Medical Direction
38 and Practices Board established in Title 32, section 83, subsection 16-B. The Medical
39 Direction and Practices Board shall establish medical training protocols for law
40 enforcement officers and municipal firefighters pursuant to this subsection.

41 **Sec. 4. 22 MRSA §2353, sub-§5** is enacted to read:

42 **5. Immunity.** The following provisions provide immunity for actions taken in
43 accordance with this section.

