

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 538
98TH GENERAL ASSEMBLY

Reported from the Committee on Veterans' Affairs and Health, May 4, 2015, with recommendation that the Senate Committee Substitute do pass.

1040S.06C

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to dispensing opioid antagonist drugs.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 195 and 338, RSMo, are amended by adding thereto
2 two new sections, to be known as sections 195.206 and 338.205, to read as follows:

195.206. 1. As used in this section, the following terms shall
2 **mean:**

3 (1) "Opioid antagonist", any intranasal or auto-injector
4 administered naloxone that binds to opioid receptors and blocks or
5 disinhibits the effects of opioids acting on those receptors;

6 (2) "Opioid-related drug overdose", a condition including, but not
7 limited to, extreme physical illness, decreased level of consciousness,
8 respiratory depression, coma, or death resulting from the consumption
9 or use of an opioid or other substance with which an opioid was
10 combined or a condition that a layperson would reasonably believe to
11 be an opioid-related drug overdose that requires medical assistance.

12 2. Notwithstanding any other law or regulation to the contrary,
13 any licensed pharmacist or pharmacy technician in Missouri may sell
14 and dispense an opioid antagonist under physician protocol to any
15 person who is at least eighteen years of age with a valid Missouri
16 identification card or driver license. The licensed pharmacist or
17 pharmacy technician shall record the date of sale, the identification
18 number of the dispensed drug, and the name, address, and date of birth
19 of the person receiving the opioid antagonist.

20 3. A licensed pharmacist or pharmacy technician who, acting in
21 good faith and with reasonable care, sells or dispenses an opioid
22 antagonist and appropriate device to administer the drug and the
23 protocol physician shall not be subject to any criminal or civil liability
24 or any professional disciplinary action for prescribing or dispensing
25 the opioid antagonist or any outcome resulting from the administration
26 of the opioid antagonist.

27 4. Notwithstanding any other law or regulation to the contrary,
28 it shall be permissible for any person to possess an opioid antagonist.

29 5. Any person who administers an opioid antagonist to another
30 person shall, immediately after administering the drug, contact
31 emergency personnel. Any person who, acting in good faith and with
32 reasonable care, administers an opioid antagonist to another person
33 whom the person believes to be suffering an opioid-related drug
34 overdose shall be immune from criminal prosecution, disciplinary
35 actions from his or her professional licensing board, and civil liability
36 due to the administration of the opioid antagonist.

 338.205. 1. Notwithstanding any other law or regulation to the
2 contrary, any person or organization acting under a standing order
3 issued by a health care professional who is otherwise authorized to
4 prescribe an opioid antagonist may store an opioid antagonist without
5 being subject to the licensing and permitting requirements of this
6 chapter and may dispense an opioid antagonist if the person does not
7 collect a fee or compensation for dispensing the opioid antagonist.

8 2. As used in this section, the term "opioid antagonist" shall mean
9 any intranasal or auto-injector administered naloxone that binds to
10 opioid receptors and blocks or disinhibits the effects of opioids acting
11 on those receptors.

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