

SECOND REGULAR SESSION

SENATE BILL NO. 813

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Pre-filed December 15, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5249S.011

AN ACT

To amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to the dispensing of 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", naloxone hydrochloride that blocks the
4 effects of an opioid overdose that is administered in a manner
5 approved by the United States Food and Drug Administration or any
6 accepted medical practice method of administering;**

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

13 **2. Notwithstanding any other law or regulation to the contrary,
14 any licensed pharmacist or pharmacy technician in Missouri may sell
15 and dispense an opioid antagonist under physician protocol.**

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

22 of the opioid antagonist.

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

25 5. Any person who administers an opioid antagonist to another
26 person shall, immediately after administering the drug, contact
27 emergency personnel. Any person who, acting in good faith and with
28 reasonable care, administers an opioid antagonist to another person
29 whom the person believes to be suffering an opioid-related overdose
30 shall be immune from criminal prosecution, disciplinary actions from
31 his or her professional licensing board, and civil liability due to the
32 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" means
9 naloxone hydrochloride that blocks the effects of an opioid overdose
10 that is administered in a manner approved by the United States Food
11 and Drug Administration, or any accepted medical practice of
12 administering.

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