

House Research Act Summary

CHAPTER: 232

SESSION: 2014 Regular Session

TOPIC: Drug and Alcohol Overdose Prevention

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Overview

This act authorizes certain licensed health care providers to authorize certain non-health care providers to administer drugs for the treatment of alcohol or drug overdose. The act also creates “Steve’s Law,” in sections 3 and 4, which provides immunity for certain civil and criminal penalties for administering an opiate antagonist and provides immunity from prosecution for certain charges stemming from seeking assistance for a person’s drug-related overdose.

Section

- 1 Basic life support.** Amends § 144E.101, subdivision 6. Adds administration of an opiate antagonist to duties a basic life-support ambulance service medical director may authorize service personnel to perform.
- 2 Administration of opiate antagonists for drug overdose.** Amends § 151.37 by adding subdivision 12. Allows a licensed physician, advanced practice registered nurse, or physician assistant to authorize an emergency medical responder, police officer, or staff of community-based health disease prevention or social service programs to administer opiate antagonists. Those individuals may only administer the drug if they have received training on signs of overdose and have either a standing order or protocol from the physician, physician assistant, or advanced practice registered nurse. States that nothing in this section prohibits the possession and administration of naloxone pursuant to section 604A.04.
- 3 Good Samaritan overdose prevention.** Adds § 604A.04.
 - Subd. 1. Definitions; opiate antagonist.** Defines opiate antagonist as naloxone hydrochloride or other similarly acting drug approved by the FDA for the treatment of drug overdose.

Section

Subd. 2. Authority to possess and administer opiate antagonists; release from liability. (a) Allows non-health care providers to either possess or administer an opiate antagonist that is prescribed, dispensed, or distributed by a licensed health care professional pursuant to subdivision 3.

(b) Releases a non-health care provider from criminal prosecution and civil damages for acts or omissions resulting from the act if that person, in good faith, administers an opiate antagonist to another person whom the person believes in good faith to be suffering from a drug overdose.

Subd. 3. Health care professionals; release from liability. Releases licensed health care professionals authorized to prescribe opiate antagonists from civil or criminal liability for, directly or by standing order, prescribing, dispensing, distributing, or administering the drug, in good faith. States the immunity applies even if the opiate antagonist is administered by someone other than person to whom it was prescribed or to someone other than the person to whom it was prescribed.

Effective date. States this section is effective the day following final enactment and applies to actions arising from incidents occurring on or after that date.

4 Good Samaritan overdose medical assistance. Adds § 604A.05.

Subd. 1. Person seeking medical assistance; immunity from prosecution. Exempts persons acting in good faith who seek medical assistance for another person experiencing a drug overdose from charging and prosecution for the possession, sharing, or use of a controlled substance or drug paraphernalia. Requires that the evidence be obtained as a result of the person's seeking medical assistance for another and the person, among other things, be the first person to seek medical assistance for someone experiencing a drug overdose. States that good faith does not include seeking medical assistance during, among other things, the execution of an arrest or search warrant.

Subd. 2. Person experiencing an overdose; immunity from prosecution. Exempts a person experiencing a drug overdose and in need of medical attention from charging and prosecution for the possession of a controlled substance or drug paraphernalia. Requires the evidence for the charge or prosecution to be obtained as a result of the overdose and need for medical assistance in order to qualify for the immunity.

Subd. 3. Persons on probation or release. Prohibits revocation of a person's release, including, but not limited to, probation, based on an incident for which the person would be immune under subdivision 1 or 2.

Subd. 4. Effect on other criminal prosecutions. (a) States that medical assistance to someone experiencing an overdose to be used as a mitigating factor in a criminal prosecution for which immunity is not provided.

Section

(b) States that nothing in this section shall, among other things, bar the admissibility of evidence obtained in connection with the investigation and prosecution of crimes committed by a person who otherwise qualifies for limited immunity under this section.

Subd. 5. Drug-related overdose defined. Defines drug-related overdose for purposes of this section.

Effective date. States this section is effective July 1, 2014, and applies to actions arising from incidents occurring on or after that date.

5 Citation. States sections 3 and 4 may be known and cited as “Steve’s Law.”