

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2307  
**Version:** Third engrossment

**DATE:** March 20, 2014

**Authors:** Schoen and others

**Subject:** Drug and Alcohol Overdose Prevention

**Analyst:** Jamie Olson (651-296-5043)

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd/](http://www.house.mn/hrd/).

### Overview

This bill 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 bill 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 that seeking assistance for another may be considered a mitigating factor if prosecuted.

#### 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.
- 3 Good Samaritan overdose prevention.** Adds § 604A.04.

**Subd. 1. Definitions; opiate antagonist.** Defines opiate antagonist as naloxone hydrochloride or other drug approved by the FDA for the treatment of drug overdose.

## **Section**

**Subd. 2. Authority to possess and administer opiate antagonists; release from liability.** Releases non-health care providers from civil and criminal liability for either possessing opiate antagonists or administering the drug in good faith.

**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 this subdivision does not apply if the licensed health care professional is acting during the course of regular employment and receiving compensation or expecting to receive compensation for those actions.

**Effective date.** All sections are effective August 1, 2014, and apply to actions arising from incidents occurring on or after that date.

### **4 Good Samaritan overdose medical assistance.** Adds § 604A305.

**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, among other things, arrest and prosecution, for the possession, sharing, or use of a controlled substance or drug paraphernalia or violations of conditional releases from the court, including, but not limited to, probation. Requires that the penalty was a result of the person's seeking medical assistance for another person and the person, among other things, was the first to seek that medical attention in order to qualify for the immunity.

**Subd. 2. Person experiencing an overdose; immunity from prosecution.** Exempts a person experiencing a drug overdose and in need of medical attention from, among other things, arrest and prosecution, for the possession of a controlled substance or drug paraphernalia or violations of conditional releases from court, including, but not limited to, probation. Requires the evidence of the penalty to be obtained as a result of the overdose and need for medical assistance in order to qualify for the immunity.

**Subd. Effect on other criminal prosecutions.** States prosecution based on evidence obtained from an independent source is not precluded by the immunity provisions and allows providing first aid or other medical assistance to someone experiencing an overdose to be used as a mitigating factor in a criminal prosecution for which immunity is not provided.

### **5 Citation.** States sections 2 and 3 may be known and cited as "Steve's Law."