

FILE NUMBER: H.F. 2307
Version: As introduced

DATE: February 26, 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/.

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 2 and 3, which creates immunity for certain civil and criminal penalties for persons seeking medical assistance for a drug or alcohol overdose or for persons seeking medical assistance for another person believed to be experiencing an alcohol or drug overdose.

Section

1 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.

2 Good Samaritan overdose prevention. Adds section § 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.

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.

Section

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.

3 Good Samaritan overdose medical assistance. Adds section § 604A.05.

Subd. 1. Person seeking medical assistance; immunity from prosecution. Releases persons acting in good faith in seeking medical attention for another person experiencing an alcohol or drug overdose from civil forfeiture and criminal liability for listed offenses. Qualification for the immunity is limited to penalties as a result of evidence obtained only as a result of the person seeking medical assistance for another person.

Subd. 2. Person experiencing an overdose; immunity from prosecution. Releases persons in need of medical assistance for an alcohol or drug overdose from civil forfeiture and criminal liability for listed offenses. Qualification for the immunity is limited to penalties as a result of evidence obtained only as a result of the person seeking medical assistance for an alcohol or drug overdose.

Subd. 3. Effect on other criminal prosecutions. Clarifies that immunity does not extend to prosecution based on evidence from an independent source. Also lists providing first aid or other medical assistance to a person experience an alcohol or drug overdose as a mitigating factor in criminal prosecution if immunity does not apply.

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

4 Citation. States sections 2 and 3 may be known and cited as “Steve’s Law.”