



1 with which an opioid was combined, or that a layperson would  
2 reasonably believe to be an opioid-related drug overdose that  
3 requires medical assistance.

4 (b) Notwithstanding any other law or regulation, a health  
5 care professional otherwise authorized to prescribe an opioid  
6 antagonist may, directly or by standing order, prescribe,  
7 dispense, and distribute an opioid antagonist to an individual  
8 at risk of experiencing an opioid-related overdose or to another  
9 person in a position to assist an individual at risk of  
10 experiencing an opioid-related overdose. Any such prescription  
11 shall be regarded as being issued for a legitimate medical  
12 purpose in the usual course of professional practice.

13 (c) A health care professional who, acting in good faith  
14 and with reasonable care, prescribes, dispenses, or distributes  
15 an opioid antagonist shall not be subject to any criminal or  
16 civil liability or any professional disciplinary action for:

- 17 (1) Prescribing, dispensing, or distributing the opioid  
18 antagonist; and
- 19 (2) Any outcomes resulting from the eventual  
20 administration of the opioid antagonist.



1 (d) Notwithstanding any other law or regulation, any  
2 person may lawfully possess an opioid antagonist.

3 (e) A person who, acting in good faith and with reasonable  
4 care, administers an opioid antagonist to another person whom  
5 the person believes to be suffering an opioid-related drug  
6 overdose shall be immune from criminal prosecution, sanction  
7 under any professional licensing statute, and civil liability,  
8 for acts or omissions resulting from the act.

9 § -2 Opioid antagonist administration; emergency  
10 personnel. By January 1, 2017, every emergency medical  
11 technician licensed and registered in Hawaii shall be authorized  
12 to administer an opioid antagonist as clinically indicated.

13 § -3 Medicaid coverage. The department of human  
14 services shall ensure that naloxone hydrochloride for outpatient  
15 use is covered by the medicaid prescription drug program on the  
16 same basis as other covered drugs.

17 § -4 Naloxone hydrochloride; pharmacy exemption. (a)  
18 Prescription orders for naloxone hydrochloride are exempt from  
19 the pharmacy license requirements and pharmacy permit  
20 requirements of chapter 461.



1           (b) Notwithstanding any other law or regulation, a person  
2 or organization acting under a standing order issued by a health  
3 care professional licensed under chapter 453 who is otherwise  
4 authorized to prescribe an opioid antagonist may store an opioid  
5 antagonist without being subject to chapter 328 except part VII  
6 and may dispense an opioid antagonist without charge or  
7 compensation.

8           § -5 **Unintentional drug overdose; reporting.** The  
9 department of health shall ascertain, document, and publish an  
10 annual report on the number of, trends in, patterns in, and risk  
11 factors related to unintentional drug overdose fatalities  
12 occurring each year within the State. The report shall provide  
13 information on interventions that would be effective in reducing  
14 the rate of fatal or nonfatal drug overdose.

15           § -6 **Drug overdose recognition, prevention, and**  
16 **response.** The department of health shall provide or establish  
17 the following:

18           (1) Education on drug overdose prevention, recognition,  
19 and response, including naloxone hydrochloride  
20 administration;



- 1           (2) Training on drug overdose prevention, recognition, and  
2           response, including naloxone hydrochloride  
3           administration, for patients receiving opioids and  
4           their families and caregivers;
- 5           (3) Naloxone hydrochloride prescription and distribution  
6           projects; and
- 7           (4) Education and training projects on drug overdose  
8           response and treatment, including naloxone  
9           hydrochloride administration, for emergency services  
10          and law enforcement personnel, including volunteer  
11          fire and emergency services personnel."

12           SECTION 2. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$           or so  
14 much thereof as may be necessary for fiscal year 2016-2017 for  
15 drug overdose recognition, prevention, and response, including  
16 the distribution and administration of naloxone hydrochloride,  
17 as described in section   -6, Hawaii Revised Statutes, pursuant  
18 to section 1 of this Act.

19           The sum appropriated shall be expended by the department of  
20 health for the purposes of this Act.





# S.B. NO. 2046

**Report Title:**

Opioid Antagonist; Naloxone Hydrochloride; Drug Overdose; Prevention; Emergency Response; Medical Immunity; Appropriation

**Description:**

Creates immunity for individuals who prescribe, possess, or administer an opioid antagonist such as naloxone hydrochloride during an opioid-related drug overdose. Authorizes emergency personnel to administer naloxone hydrochloride. Requires medicaid coverage for naloxone hydrochloride. Exempts pharmacists and pharmacies from licensure and permitting requirements, except for drug storage requirements, for storing and distributing opioid antagonists. Makes an appropriation for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride.

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