



House of Representatives

General Assembly

File No. 444

February Session, 2014

Substitute House Bill No. 5487

House of Representatives, April 8, 2014

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT PROVIDING IMMUNITY TO A PERSON WHO ADMINISTERS AN OPIOID ANTAGONIST TO ANOTHER PERSON EXPERIENCING AN OPIOID-RELATED DRUG OVERDOSE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-714a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2014*):

3 (a) For purposes of this section, "opioid antagonist" means naloxone
4 hydrochloride or any other similarly acting and equally safe drug
5 approved by the federal Food and Drug Administration for the
6 treatment of drug overdose.

7 (b) A licensed health care professional who is permitted by law to
8 prescribe an opioid antagonist may, if acting with reasonable care,
9 prescribe, dispense or administer an opioid antagonist to treat or
10 prevent a drug overdose without being liable for damages in a civil
11 action or subject to criminal prosecution for prescribing, dispensing or
12 administering such opioid antagonist or for any subsequent use of

13 such opioid antagonist. [For purposes of this section, "opioid
14 antagonist" means naloxone hydrochloride or any other similarly
15 acting and equally safe drug approved by the federal Food and Drug
16 Administration for the treatment of drug overdose.]

17 (c) Any person, other than a licensed health care professional, who
18 in good faith believes that another person is experiencing an opioid-
19 related drug overdose may, if acting with reasonable care, administer
20 an opioid antagonist to such other person. A person administering an
21 opioid antagonist pursuant to this subsection shall not be liable for
22 damages in a civil action or subject to criminal prosecution with
23 respect to the administration of such opioid antagonist.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	17a-714a

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill provides civil and criminal immunity under specific conditions for a person that administers an opioid antagonist and does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5487*****AN ACT PROVIDING IMMUNITY TO A PERSON WHO ADMINISTERS AN OPIOID ANTAGONIST TO ANOTHER PERSON EXPERIENCING AN OPIOID-RELATED DRUG OVERDOSE.*****SUMMARY:**

This bill provides civil and criminal immunity for someone who (1) is not a licensed health care professional and (2) administers an opioid antagonist (such as Narcan) to someone the person believes in good faith is experiencing an opioid-related drug overdose. For the immunity to apply, the person must act with reasonable care.

Existing law allows licensed health care practitioners authorized to prescribe an opioid antagonist, if acting with reasonable care, to prescribe, dispense, or administer it to treat or prevent a drug overdose without being civilly or criminally liable for such action or for its subsequent use. Thus, these practitioners can prescribe opioid antagonists to people who are not their patients, such as family members, for them to assist a person experiencing a drug overdose.

Under existing law and the bill, an “opioid antagonist” is defined as naloxone hydrochloride (Narcan) or any other similarly acting and equally safe drug that the Food and Drug Administration has approved for treating a drug overdose.

EFFECTIVE DATE: October 1, 2014

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 35 Nay 0 (03/24/2014)