
OLR Bill Analysis

HB 7190

AN ACT EXTENDING GOOD SAMARITAN PROTECTIONS FOR PERSONS OR ENTITIES THAT INCLUDE AN OPIOID ANTAGONIST WITHIN A CABINET CONTAINING AN AUTOMATIC EXTERNAL DEFIBRILLATOR.

SUMMARY

Under certain conditions, this bill grants civil immunity to individuals or entities that provide or maintain an automatic external defibrillator (AED) in a cabinet which also contains an opioid antagonist (e.g., Narcan) used for drug overdoses. Under the bill, they are not liable for ordinary negligence for their acts or omissions in making the opioid antagonist available. The immunity does not apply to gross, willful, or wanton negligence.

Existing law provides civil and criminal immunity related to administering opioid antagonists, including allowing people who are not health professionals to administer them (see BACKGROUND). It also provides civil immunity, under certain conditions, to (1) people or entities who provide or maintain an AED or (2) anyone who operates an AED not in the course of their employment (CGS § 52-557b).

EFFECTIVE DATE: October 1, 2019

BACKGROUND

Existing Immunity Related to Opioid Antagonists

Existing law provides civil and criminal immunity to people who are not health professionals who, if acting with reasonable care, administer an opioid antagonist to a person they believe in good faith is experiencing an opioid-related overdose.

The law also provides civil and criminal immunity to:

1. licensed health care professionals who administer an opioid

antagonist to treat an opioid-related overdose; and

2. licensed health care professionals who prescribe or dispense it to treat a drug overdose, if authorized by law to prescribe it (CGS § 17a-714a).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 35 Nay 0 (04/12/2019)