

ALASKA STATE LEGISLATURE

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SENATOR JOHNNY ELLIS

Senate Bill 23 - Sectional Analysis

Section 1. Amends AS 09.65 by adding a new section (09.65.340) to give immunity for prescribing, providing, or administering an opioid overdose drug

Subsection (a) exempts a person from civil liability if providing or prescribing an opioid overdose drug if the prescriber or provider is a health care provider or an employee of an opioid overdose program and the person has been educated and trained in the proper emergency use and administration of the opioid overdose drug

Subsection (b) except as provided in (c) exempts a person who administers an opioid overdose drug to another person who the person reasonably believes is experiencing an opioid overdose emergency if the person

1. Was prescribed or provided the drug by a health care provider or opioid overdose program and
2. Received education and training in the proper emergency use and administration

Subsection (c) does not preclude liability for civil damages that are a result of gross negligence or reckless or intentional misconduct

Subsection (d) defines

1. "health care provider" as a licensed physician, advanced nurse practitioner, physician assistant, village health aide³, or pharmacist operating within the scope of the health care provider's authority;
2. "opioid" includes the opium and opiate substances and opium and opiate derivatives listed in AS 11.71.140
3. "opioid overdose drug" means a drug that reverses in whole or part the pharmacological effects of an opioid overdose
4. "opioid overdose program" means a program operated provides opioid overdose drugs to persons at risk of experiencing an opioid overdose or to a family member, friend, or other person in a position to assist a person at risk of experiencing an overdose.

Section 2.

Subsection (a) authorizes a health care provider to prescribe an opioid overdose drug directly or by standing order to a person at risk of experiencing an opioid overdose or to a family member, friend, caregiver, or other person in a position to administer an opioid overdose drug to a person at risk of experiencing an opioid overdose.

Subsection (b) an employee or volunteer of an opioid overdose program can understanding order or protocol under (a) of this section may receive, possess, and provide opioid overdose drugs to a person at risk of experiencing an opioid overdose or to a family member, friend, caregiver, or other person in a position to administer an opioid overdose drug

Subsection (c) Definitions (see Section 1; Subsection d above)