

FIRST REGULAR SESSION

HOUSE BILL NO. 1091

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHIELDS.

2361H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 195.206, RSMo, and to enact in lieu thereof one new section relating to opioid antagonists.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 195.206, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.206, to read as follows:

195.206. 1. As used in this section, the following terms shall mean:

(1) "Addiction mitigation medication", naltrexone hydrochloride that is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(2) "Opioid antagonist", naloxone hydrochloride, **or any other drug or device**, that blocks the effects of an opioid overdose ~~[that]~~ **and** is administered in a manner approved by the United States Food and Drug Administration or any accepted medical practice method of administering;

(3) "Opioid-related drug overdose", a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid or other substance with which an opioid was combined or a condition that a layperson would reasonably believe to be an opioid-related drug overdose that requires medical assistance.

2. Notwithstanding any other law or regulation to the contrary:

(1) The director of the department of health and senior services, if a licensed physician, may issue a statewide standing order for an opioid antagonist or an addiction mitigation medication;

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (2) In the alternative, the department may employ or contract with a licensed
19 physician who may issue a statewide standing order for an opioid antagonist or an addiction
20 mitigation medication with the express written consent of the department director.

21 3. Notwithstanding any other law or regulation to the contrary, any licensed
22 pharmacist in Missouri may sell and dispense an opioid antagonist or an addiction mitigation
23 medication under physician protocol or under a statewide standing order issued under
24 subsection 2 of this section.

25 4. A licensed pharmacist who, acting in good faith and with reasonable care, sells or
26 dispenses an opioid antagonist or an addiction mitigation medication and an appropriate
27 device to administer the drug, and the protocol physician, shall not be subject to any criminal
28 or civil liability or any professional disciplinary action for prescribing or dispensing the
29 opioid antagonist or an addiction mitigation medication or any outcome resulting from the
30 administration of the opioid antagonist or an addiction mitigation medication. A physician
31 issuing a statewide standing order under subsection 2 of this section shall not be subject to
32 any criminal or civil liability or any professional disciplinary action for issuing the standing
33 order or for any outcome related to the order or the administration of the opioid antagonist or
34 an addiction mitigation medication.

35 5. Notwithstanding any other law or regulation to the contrary, it shall be permissible
36 for any person to possess an opioid antagonist or an addiction mitigation medication.

37 6. Any person who administers an opioid antagonist to another person shall,
38 immediately after administering the drug, contact emergency personnel. Any person who,
39 acting in good faith and with reasonable care, administers an opioid antagonist to another
40 person whom the person believes to be suffering an opioid-related **drug** overdose shall be
41 immune from criminal prosecution, disciplinary actions from his or her professional licensing
42 board, and civil liability due to the administration of the opioid antagonist.

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