

House Bill 966

By: Representatives Cooper of the 43rd, Oliver of the 82nd, Rutledge of the 109th, Watson of the 166th, Weldon of the 3rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated,
2 relating to pharmacies, so as to authorize licensed health practitioners to prescribe opioid
3 antagonists to certain individuals and entities pursuant to a protocol; to provide for legislative
4 findings; to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating
5 to emergency medical services, so as to provide for grants to ensure availability of opioid
6 antagonists; to authorize emergency medical services personnel to administer parenteral
7 injections of opioid antagonists; to provide for related matters; to provide an effective date;
8 to provide for applicability; to repeal conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 WHEREAS, Naloxone is an opioid antagonist developed to counter the effects of opiate
12 overdose, specifically the life-threatening depression of the central nervous and respiratory
13 systems; and

14 WHEREAS, Naloxone is clinically administered via intramuscular, intravenous, or
15 subcutaneous injection; and

16 WHEREAS, Naloxone is administered outside of a clinical setting or facility intranasally via
17 nasal atomizer; and

18 WHEREAS, the American Medical Association supported the lay administration of this
19 life-saving drug in 2012; and

20 WHEREAS, similar Naloxone access laws have reversed more than 10,000 opioid overdoses
21 by lay people in other states; and

22 WHEREAS, the American Medical Association acknowledged that "fatalities caused by
23 opioid overdose can devastate families and communities, and we must do more to prevent
24 these unnecessary deaths"; and

25 WHEREAS, the National Institutes of Health found that Naloxone "lacks any psychoactive
26 or addictive qualities ... without any potential for abuse...[and] medical side-effects or other
27 problematic unintended consequences associated with Naloxone have not been reported"; and

28 WHEREAS, any administration of Naloxone to an individual experiencing an opioid
29 overdose must be followed by professional medical attention and treatment.

30 SECTION 2.

31 Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to
32 pharmacies, is amended by adding a new Code section to read as follows:

33 "26-4-116.2.

34 (a) As used in this Code section, the term:

35 (1) 'Harm reduction organization' means an organization which provides direct assistance
36 and services, such as syringe exchanges, counseling, homeless services, advocacy, drug
37 treatment, and screening, to individuals at risk of experiencing an opioid related
38 overdose.

39 (2) 'Opioid antagonist' means any drug that binds to opioid receptors and blocks or
40 inhibits the effects of opioids acting on those receptors and that is approved by the federal
41 Food and Drug Administration for the treatment of an opioid related overdose.

42 (3) 'Opioid related overdose' means an acute condition, including, but not limited to,
43 extreme physical illness, decreased level of consciousness, respiratory depression, coma,
44 mania, or death, resulting from the consumption or use of an opioid or another substance
45 with which an opioid was combined or that a layperson would reasonably believe to be
46 resulting from the consumption or use of an opioid or another substance with which an
47 opioid was combined for which medical assistance is required.

48 (4) 'Practitioner' means a physician licensed to practice medicine in this state.

49 (b) A practitioner acting in good faith and in compliance with the standard of care
50 applicable to that practitioner may directly or by standing order prescribe an opioid
51 antagonist to a person at risk of experiencing an opioid related overdose or to a pain
52 management clinic licensed pursuant to Article 10 of Chapter 34 of Title 43, harm
53 reduction organization, family member, friend, or other person in a position to assist such
54 person at risk of experiencing an opioid related overdose.

55 (c) A pharmacist acting in good faith and in compliance with the standard of care
 56 applicable to pharmacists may dispense opioid antagonists pursuant to a prescription issued
 57 in accordance with subsection (b) of this Code section.

58 (d) A person acting in good faith and with reasonable care to another person whom he or
 59 she believes to be experiencing an opioid related overdose may administer an opioid
 60 antagonist that was prescribed pursuant to subsection (b) of this Code section.

61 (e) The following individuals are immune from any civil or criminal liability or
 62 professional licensing sanctions for the following actions authorized by this Code section:

63 (1) Any practitioner who prescribes an opioid antagonist pursuant to subsection (b) of
 64 this Code section;

65 (2) Any practitioner or pharmacist acting in good faith and in compliance with the
 66 standard of care applicable to that practitioner or pharmacist who dispenses an opioid
 67 antagonist pursuant to a prescription issued in accordance with subsection (b) of this
 68 Code section; and

69 (3) Any person other than a practitioner who administers an opioid antagonist pursuant
 70 to subsection (d) of this Code section."

71 **SECTION 3.**

72 Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency
 73 medical services, is amended by adding a new Code section to read as follows:

74 "31-11-13.

75 (a) In order to encourage and ensure the provision of opioid antagonists as defined in Code
 76 Section 26-4-116.2 by emergency services personnel, the department may award grants,
 77 subject to appropriations from the General Assembly, to licensed ambulance services, first
 78 responders, pain management clinics, and harm reduction organizations in order to
 79 maintain an adequate supply and availability of such opioid antagonists in the event of an
 80 opioid related overdose as defined in Code Section 26-4-116.2.

81 (b) A licensed ambulance service, first responder, pain management clinic, or harm
 82 reduction organization may apply to the department for a grant, in a manner and on a form
 83 required by the department, and provide such information as the department deems
 84 necessary to determine if such ambulance service, first responder, pain management clinic,
 85 or harm reduction organization is eligible to receive a grant.

86 (c) The department may provide grants to as many licensed ambulance services, first
 87 responders, pain management clinics, and harm reduction organizations as it deems
 88 appropriate, subject to appropriations, taking into consideration adequate geographic
 89 diversity with respect to locations.

90 (d) For purposes of this Code section, the term 'harm reduction organization' means an
 91 organization which provides direct assistance and services, such as syringe exchanges,
 92 counseling, homeless services, advocacy, drug treatment, and screening, to individuals at
 93 risk of experiencing an opioid related overdose."

94 **SECTION 4.**

95 Said chapter is further amended in Code Section 31-11-53, relating to services which may
 96 be rendered by certified emergency medical technicians and trainees, by revising subsection
 97 (a) as follows:

98 "(a) Upon certification by the department, emergency medical technicians may do any of
 99 the following:

100 (1) Render first-aid and resuscitation services as taught in the United States Department
 101 of Transportation basic training courses for emergency medical technicians or an
 102 equivalent course approved by the department; and

103 (2) Upon the order of a duly licensed physician, administer approved intravenous
 104 solutions and opioid antagonists administered intranasally or through other means."

105 **SECTION 5.**

106 Said chapter is further amended in Code Section 31-11-54, relating to services which may
 107 be rendered by paramedics and paramedic trainees, by revising subsection (a) as follows:

108 "(a) Upon certification by the department, paramedics may perform any service that a
 109 cardiac technician is permitted to perform. In addition, upon the order of a duly licensed
 110 physician and subject to the conditions set forth in paragraph (2) of subsection (a) of Code
 111 Section 31-11-55, paramedics may perform any other procedures which they have been
 112 both trained and certified to perform, including, but not limited to:

113 (1) Administration of parenteral injections of diuretics, anticonvulsants, hypertonic
 114 glucose, antihistamines, bronchodilators, emetics, narcotic antagonists, and others, and
 115 administration of opioid antagonists intranasally or through other means;

116 (2) Cardioversion; and

117 (3) Gastric suction by incubation."

118 **SECTION 6.**

119 Said chapter is further amended in Code Section 31-11-55, relating to services which may
 120 be rendered by certified cardiac technicians and trainees, by revising subsection (a) as
 121 follows:

122 "(a) Upon certification by the department, cardiac technicians may do any of the following:

123 (1) Render first-aid and resuscitation services;

- 124 (2) Upon the order of a duly licensed physician and as recommended by the Georgia
125 Emergency Health Medical Services Advisory Council and approved by the department:
126 (A) Perform cardiopulmonary resuscitation and defibrillation in a pulseless,
127 nonbreathing patient;
128 (B) Administer approved intravenous solutions;
129 (C) Administer parenteral injections of antiarrhythmic agents, vagolytic agents,
130 chronotropic agents, alkalizing agents, analgesic agents, and vasopressor agents or
131 administer opioid antagonists intranasally or through other means; and
132 (D) Perform pulmonary ventilation by esophageal airway and endotracheal incubation."

133 **SECTION 7.**

134 This Act shall become effective on July 1, 2014, and shall apply to all acts committed on or
135 after such date.

136 **SECTION 8.**

137 All laws and parts of laws in conflict with this Act are repealed.