

House Bill 966 (COMMITTEE SUBSTITUTE)

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 authorize emergency medical services personnel to
6 administer opioid antagonists; to provide for related matters; to provide for an effective date;
7 to provide for applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

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

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

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

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

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

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

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

SECTION 2.

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

"26-4-116.2.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3.

Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, is amended in Code Section 31-11-53, relating to services which may be rendered by certified emergency medical technicians and trainees, by revising subsection (a) as follows:

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

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

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

SECTION 4.

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

"(a) Upon certification by the department, paramedics may perform any service that a cardiac technician is permitted to perform. In addition, upon the order of a duly licensed physician and subject to the conditions set forth in paragraph (2) of subsection (a) of Code

88 Section 31-11-55, paramedics may perform any other procedures which they have been
89 both trained and certified to perform, including, but not limited to:
90 (1) Administration of parenteral injections of diuretics, anticonvulsants, hypertonic
91 glucose, antihistamines, bronchodilators, emetics, narcotic antagonists, and others, and
92 administration of opioid antagonists intranasally or through other means;
93 (2) Cardioversion; and
94 (3) Gastric suction by incubation."

95 **SECTION 5.**

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

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

- 100 (1) Render first-aid and resuscitation services;
101 (2) Upon the order of a duly licensed physician and as recommended by the Georgia
102 Emergency Health Medical Services Advisory Council and approved by the department:
103 (A) Perform cardiopulmonary resuscitation and defibrillation in a pulseless,
104 nonbreathing patient;
105 (B) Administer approved intravenous solutions;
106 (C) Administer parenteral injections of antiarrhythmic agents, vagolytic agents,
107 chronotropic agents, alkalizing agents, analgesic agents, and vasopressor agents or
108 administer opioid antagonists intranasally or through other means; and
109 (D) Perform pulmonary ventilation by esophageal airway and endotracheal incubation."

110 **SECTION 6.**

111 This Act shall become effective upon its approval by the Governor or upon its becoming law
112 without such approval.

113 **SECTION 7.**

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