

# C.11

Legislative Draft Language-  
Nalaxone Kits

Sponsor:

Contact:

## An Act to Reduce Opioid Overdose Deaths

LR #:

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA § 2383-D is enacted to read:

### § 2383-D. Limited immunity for naloxone.

1. The administering, dispensing, prescribing, purchasing, acquisition, or possession of naloxone shall not constitute unprofessional conduct or a violation of any civil or criminal statute, by any practitioner or person, if the unprofessional conduct or violation results from a good faith effort to assist:

- A. a person experiencing, or likely to experience, an opiate-related overdose; or
- B. a family member, friend, or other person in a position to assist a person experiencing, or likely to experience, an opiate-related overdose

2. A person, who in good faith, seeks medical assistance for someone experiencing a drug-related overdose shall not be charged or prosecuted for possession of a controlled substance pursuant to the provisions of Title 17-A, Section 1107-A if the evidence for the charge of possession of a controlled substance was gained as a result of the seeking of medical assistance.

3. A person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance pursuant to the provisions of Title 17-A, Section 1107-A if the evidence for the charge of possession of a controlled substance was gained as a result of the seeking of medical assistance.

### SUMMARY

Naloxone is a prescription medication that is non-controlled and has no abuse potential. It is an antidote for opioid-induced respiratory depression caused by opioid overdose. This bill amends Maine's statute regarding food and drugs to provide limited immunity for practitioners or persons who administer, dispense, prescribe, purchase, acquire, possess or use naloxone. It also prohibits the charging or prosecution of a person for possession of a controlled substance if the evidence for the charge of possession of a controlled substance was gained as a result of the seeking of medical assistance.