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HOUSE BILL 370

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Sarah Maestas Barnes and Rebecca Dow

AN ACT

RELATING TO HEALTH; ENACTING NEW SECTIONS OF THE NMSA 1978 TO REQUIRE THAT CERTAIN PERSONS PROVIDE OPIOID OVERDOSE EDUCATION AND NALOXONE TO PREVENT OPIOID OVERDOSE DEATHS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] OPIOID TREATMENT CENTER--OPIOID OVERDOSE EDUCATION--NALOXONE.--

A. An opioid treatment center agency operating a federally certified program to dispense methadone or other narcotic replacement as part of a detoxification treatment or maintenance treatment shall provide each patient it treats with:

(1) opioid overdose education that:

(a) conforms to department of health or federal substance abuse and mental health services

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1 administration guidelines for opioid overdose education;

2 (b) explains the causes of an opioid
3 overdose;

4 (c) instructs when and how to
5 administer: 1) mouth-to-mouth resuscitation; and 2) an opioid
6 antagonist; and

7 (d) explains how to contact appropriate
8 emergency medical services;

9 (2) two doses of naloxone in either a generic
10 form or in a form approved by the federal food and drug
11 administration; and

12 (3) a prescription for naloxone.

13 B. As used in this section, "naloxone" means
14 naloxone hydrochloride, which is an opioid antagonist for the
15 treatment of opioid overdose.

16 SECTION 2. A new section of Chapter 29 NMSA 1978 is
17 enacted to read:

18 "[NEW MATERIAL] LAW ENFORCEMENT OFFICERS--NALOXONE RESCUE
19 KIT.--

20 A. Each local and state law enforcement officer
21 shall carry a naloxone rescue kit with the officer at all times
22 the officer is on duty.

23 B. As used in this section:

24 (1) "naloxone" means naloxone hydrochloride,
25 which is an opioid antagonist for the treatment of opioid

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1 overdose; and

2 (2) "naloxone rescue kit" means a kit
3 containing:

4 (a) two doses of naloxone in either a
5 generic form or in a form approved by the federal food and drug
6 administration; and

7 (b) overdose education materials that
8 conform to department of health or federal substance abuse and
9 mental health services administration guidelines for opioid
10 overdose education that explain the signs and causes of an
11 opioid overdose and instruct when and how to administer: 1)
12 mouth-to-mouth resuscitation; and 2) an opioid antagonist."

13 SECTION 3. A new section of the Chapter 33 NMSA 1978 is
14 enacted to read:

15 "[NEW MATERIAL] DISCHARGE--SUBSTANCE USE DISORDER--OPIOID
16 OVERDOSE EDUCATION--NALOXONE.--

17 A. Upon discharge of an inmate who has been
18 diagnosed with a substance use disorder, regardless of whether
19 that inmate has received treatment for that disorder, from a
20 corrections facility, the corrections department shall:

21 (1) ensure that the inmate is provided with
22 opioid overdose education that:

23 (a) conforms to department of health or
24 federal substance abuse and mental health services
25 administration guidelines for opioid overdose education;

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1 (b) explains the causes of an opioid
2 overdose;

3 (c) instructs when and how to
4 administer: 1) mouth-to-mouth resuscitation; and 2) an opioid
5 antagonist; and

6 (d) explains how to contact appropriate
7 emergency medical services; and

8 (2) provides the inmate, as the inmate leaves
9 the correctional facility, with:

10 (a) two doses of naloxone in either a
11 generic form or in a form approved by the federal food and drug
12 administration; and

13 (b) a prescription for naloxone.

14 B. As used in this section:

15 (1) "corrections facility" means a prison or
16 other detention facility, whether operated by a government or
17 private contractor, that is used for confinement of adult or
18 juvenile persons who are charged with or convicted of a
19 violation of a law or an ordinance; and

20 (2) "naloxone" means naloxone hydrochloride,
21 which is an opioid antagonist for the treatment of an opioid
22 overdose."