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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. OPIOID TREATMENT CENTER--OPIOID OVERDOSE EDUCATION--NALOXONE.--

A. As agency funding and agency supplies of naloxone permit, 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 administration guidelines for opioid overdose education;

(b) explains the causes of an opioid overdose;

(c) instructs when and how to administer in accordance with medical best practices: 1) life-saving rescue techniques; and 2) an opioid antagonist; and

(d) explains how to contact appropriate

1 emergency medical services;

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

5 (3) a prescription for naloxone.

6 B. As used in this section, "naloxone" means  
7 naloxone hydrochloride, which is an opioid antagonist for the  
8 treatment of opioid overdose.

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

11 "LAW ENFORCEMENT OFFICERS--NALOXONE RESCUE KIT.--

12 A. As agency funding and agency supplies of  
13 naloxone rescue kits permit, each local and state law  
14 enforcement agency shall provide naloxone rescue kits to its  
15 law enforcement officers and require that officers carry the  
16 naloxone rescue kits in accordance with agency procedures so  
17 as to optimize the officers' capacity to timely assist in the  
18 prevention of opioid overdoses.

19 B. Nothing in this section shall be construed to  
20 impose civil or criminal liability on a local or state law  
21 enforcement agency or law enforcement officer when ordinary  
22 care is used in the administration or provision of naloxone  
23 in cases where an individual appears to be experiencing an  
24 opioid overdose.

25 C. As used in this section:

1 (1) "naloxone" means naloxone hydrochloride,  
2 which is an opioid antagonist for the treatment of opioid  
3 overdose; and

4 (2) "naloxone rescue kit" means a kit  
5 containing:

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

9 (b) overdose education materials that  
10 conform to department of health or federal substance abuse  
11 and mental health services administration guidelines for  
12 opioid overdose education that explain the signs and causes  
13 of an opioid overdose and instruct when and how to administer  
14 in accordance with medical best practices: 1) life-saving  
15 rescue techniques; and 2) an opioid antagonist."

16 SECTION 3. A new section of Chapter 33 NMSA 1978 is  
17 enacted to read:

18 "DISCHARGE--OPIOID USE DISORDER--OPIOID OVERDOSE  
19 EDUCATION--NALOXONE.--

20 A. As corrections department funding and  
21 department supplies of naloxone permit, upon discharge of an  
22 inmate who has been diagnosed with an opioid use disorder  
23 from a corrections facility, regardless of whether that  
24 inmate has received treatment for that disorder, the  
25 corrections department shall:

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

3 (a) conforms to department of health or  
4 federal substance abuse and mental health services  
5 administration guidelines for opioid overdose education;

6 (b) explains the causes of an opioid  
7 overdose;

8 (c) instructs when and how to  
9 administer in accordance with medical best practices: 1)  
10 life-saving rescue techniques; and 2) an opioid antagonist;  
11 and

12 (d) explains how to contact appropriate  
13 emergency medical services; and

14 (2) provide the inmate, as the inmate leaves  
15 the correctional facility, with:

16 (a) two doses of naloxone in either a  
17 generic form or in a form approved by the federal food and  
18 drug administration; and

19 (b) a prescription for naloxone.

20 B. As used in this section:

21 (1) "corrections facility" means a prison or  
22 other detention facility, whether operated by a government or  
23 private contractor, that is used for confinement of adult or  
24 juvenile persons who are charged with or convicted of a  
25 violation of a law or an ordinance; and

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