

AN ACT

ENTITLED, An Act to permit the prescription and possession of an opioid antagonist in certain instances.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That the code be amended by adding a NEW SECTION to read:

A person who is a family member, friend, or other close third party to a person at risk for an opioid-related drug overdose may be prescribed, possess, distribute, or administer an opioid antagonist that is prescribed, dispensed, or distributed by a licensed health care professional directly or by standing order pursuant to this Act.

Section 2. That the code be amended by adding a NEW SECTION to read:

A licensed health care professional may, directly or by standing order, prescribe an opioid antagonist to a person at risk of experiencing an opioid-related overdose, or prescribe to a family member, friend, or other close third party person the health care practitioner reasonably believes to be in a position to assist a person at risk of experiencing an opioid-related overdose.

Section 3. That the code be amended by adding a NEW SECTION to read:

A health care professional who is authorized to prescribe or dispense an opioid antagonist is not subject to any disciplinary action or civil or criminal liability for the prescribing or dispensing of an opioid antagonist to a person whom the health care professional reasonably believes may be in a position to assist or administer the opioid antagonist to a person at risk for an opioid-related drug overdose.

Section 4. That the code be amended by adding a NEW SECTION to read:

For the purpose of this Act, any prescription issued pursuant to this Act is deemed to be issued for a legitimate medical purpose in the usual course of professional practice.

Section 5. That the code be amended by adding a NEW SECTION to read:

The provisions of this Act do not establish a duty or standard of care with respect to the decision of whether to prescribe, dispense, or administer an opioid antagonist.

An Act to permit the prescription and possession of an opioid antagonist in certain instances.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1079

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1079

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State