

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

400W0283

SENATE BILL NO. 14

Introduced by: The Committee on Judiciary at the request of the Office of the Attorney General

1 FOR AN ACT ENTITLED, An Act to provide for the possession and administration of opioid
2 antagonists by first responders for the treatment of drug overdoses.

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

4 Section 1. Any first responder trained in compliance with section 2 of this Act and acting
5 under a standing order issued by a physician may possess and administer opioid antagonists to
6 a person exhibiting symptoms of an opiate overdose.

7 Section 2. For the purposes of this Act, the term, opioid antagonist, means naloxone
8 hydrochloride or any other similarly acting and equally safe drug approved by the federal Food
9 and Drug Administration for the treatment of drug overdose.

10 Section 3. For the purposes of this Act, the term, first responder, includes:

- 11 (1) A law enforcement officer as defined by subdivision 22-1-1(22);
12 (2) A driver and attendant responding to an emergency call as part of an ambulance
13 service licensed pursuant to chapter 34-11; and
14 (3) A firefighter.

15 Section 4. Each first responder authorized to administer an opioid antagonist shall be trained



1 in the symptoms of an opiate overdose; the protocols and procedures for administration of an
2 opioid antagonist; the symptoms of adverse responses to an opioid antagonist, and protocols and
3 procedures to stabilize the patient if an adverse response occurs; and the procedures for storage,
4 transport, and security of the opioid antagonist. The training shall comply with the criteria
5 established pursuant to section 5 of this Act, and may be provided by the employer of first
6 responders at the employer's discretion.

7 Section 5. The Board of Medical and Osteopathic Examiners shall promulgate rules,
8 pursuant to chapter 1-26, establishing:

- 9 (1) The criteria for training a first responder to comply with the provisions of section 4
10 of this Act; and
- 11 (2) The requirements for a physician's issuance of a standing order to a first responder
12 authorizing a prescription for the first responder's possession of an opioid antagonist
13 and the protocols and procedures to be followed in administering an opioid
14 antagonist.

15 Section 6. A physician who issues a standing order under the rules established pursuant to
16 section 5 of this Act, a first responder acting under a standing order who administers an opioid
17 antagonist in good faith compliance with the protocols for administering an opioid antagonist,
18 and the first responder's employer, are not civilly liable for injuries, and may not be held to pay
19 damages to any person, or the person's parents, siblings, children, estate, heirs, or devisees, for
20 injuries or death associated with the administration of an opioid antagonist.