

AN ACT

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

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

Section 1. Any first responder trained in compliance with section 4 of this Act and acting under a standing order issued by a physician licensed pursuant to chapter 36-4 may possess and administer opioid antagonists to a person exhibiting symptoms of an opiate overdose.

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

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

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

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

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

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

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

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I certify that the attached Act originated in the

SENATE as Bill No. 14

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 14
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