

HOUSE BILL 2158

By Whitson

AN ACT to amend Tennessee Code Annotated, Title 53; Title 63, Chapter 1, Part 1 and Title 63, Chapter 10, relative to opioid antagonists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-1-152(a)(2), is amended by deleting the language "naloxone hydrochloride" and substituting "naloxone hydrochloride or other medication".

SECTION 2. Tennessee Code Annotated, Section 63-1-152(b), is amended by deleting the language "prescribe an opioid antagonist to the following persons" and substituting "prescribe an opioid antagonist, and authorize other individuals and organizations to provide an opioid antagonist, to the following persons".

SECTION 3. Tennessee Code Annotated, Section 63-1-152(c), is amended by deleting the subsection and substituting:

(c) Notwithstanding another law or rule, a person or organization authorized by a healthcare practitioner pursuant to subsection (b) may receive and store an opioid antagonist and provide the opioid antagonist to a person listed in subsection (b).

SECTION 4. Tennessee Code Annotated, Section 63-1-152(d), is amended by deleting the language "who receives an opioid antagonist that was prescribed pursuant to subsection (b)".

SECTION 5. Tennessee Code Annotated, Section 63-1-152(e), is amended by deleting the subsection and substituting:

(e) An individual who receives an opioid antagonist shall receive basic instruction and information on how to administer the opioid antagonist. This instruction

may be in the form of written materials, verbal instruction, or the online overdose prevention education program offered by the department of health.

SECTION 6. Tennessee Code Annotated, Section 63-1-152(g), is amended by deleting the subsection and substituting:

(g) The following individuals are immune from civil liability in the absence of gross negligence or willful misconduct for actions authorized by this section:

(1) A licensed healthcare practitioner who prescribes or dispenses an opioid antagonist pursuant to subsection (b);

(2) A person or organization that provides an opioid antagonist, including an expired opioid antagonist, pursuant to subsection (c); and

(3) A person who administers an opioid antagonist, including an expired opioid antagonist, pursuant to subsection (d);

SECTION 7. Tennessee Code Annotated, Section 63-1-152(h), is amended by deleting the subsection and substituting:

(h) A licensed healthcare practitioner acting in good faith and with reasonable care, who prescribes, dispenses, authorizes, or administers an opioid antagonist as permitted by this section is immune from disciplinary or adverse administrative actions under this title for acts and omissions during the prescription, dispensation, authorization, or administration of an opioid antagonist.

SECTION 8. Tennessee Code Annotated, Section 63-1-152(i), is amended by designating the existing language as subdivision (1) and adding the following as subdivision (2):

(2) Notwithstanding another law or rule, a first responder acting under a standing order may receive and store an opioid antagonist and may provide an opioid antagonist to a person listed under subsection (b).

SECTION 9. This act takes effect upon becoming a law, the public welfare requiring it.