

IC 16-42-27

Chapter 27. Drugs: Overdose Intervention Drugs

IC 16-42-27-1

"Prescriber"

Sec. 1. As used in this chapter, "prescriber" means any of the following:

- (1) A physician licensed under IC 25-22.5.
- (2) A physician assistant licensed under IC 25-27.5 and granted the authority to prescribe by the physician assistant's supervisory physician and in accordance with IC 25-27.5-5-4.
- (3) An advanced practice nurse licensed and granted the authority to prescribe drugs under IC 25-23.

As added by P.L.32-2015, SEC.7.

IC 16-42-27-2

Prescribing or dispensing of overdose intervention drug without examination; requirements; administration of drug; exemption from practicing medicine; entities acting under standing order; requirement

Sec. 2. (a) A prescriber may, directly or by standing order, prescribe or dispense an overdose intervention drug without examining the individual to whom it may be administered if all of the following conditions are met:

- (1) The overdose intervention drug is dispensed or prescribed to:
 - (A) a person at risk of experiencing an opioid-related overdose; or
 - (B) a family member, a friend, or any other individual or entity in a position to assist an individual who, there is reason to believe, is at risk of experiencing an opioid-related overdose.
- (2) The prescriber instructs the individual receiving the overdose intervention drug or prescription to summon emergency services either immediately before or immediately after administering the overdose intervention drug to an individual experiencing an opioid-related overdose.
- (3) The prescriber provides education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.
- (4) The prescriber provides drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(b) A prescriber may provide a prescription of an overdose intervention drug to an individual as a part of the individual's addiction treatment plan.

(c) An individual described in subsection (a)(1) may administer an overdose intervention drug to an individual who is suffering from an overdose.

(d) An individual described in subsection (a)(1) may not be considered to be practicing medicine without a license in violation of IC 25-22.5-8-2, if the individual, acting in good faith, does the following:

- (1) Obtains the overdose intervention drug from a prescriber.
- (2) Administers the overdose intervention drug to an individual who is experiencing an apparent opioid-related overdose.
- (3) Attempts to summon emergency services either immediately before or immediately after administering the overdose intervention drug.

(e) An entity acting under a standing order issued by a prescriber must do the following:

- (1) Annually register with either the:
 - (A) state department; or
 - (B) local health department in the county where services will be provided by the entity;in a manner prescribed by the state department.
- (2) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.
- (3) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

As added by P.L.32-2015, SEC.7.

IC 16-42-27-3

Immunity of provider, pharmacist, individual, entity

Sec. 3. (a) Except for an act of gross negligence or willful misconduct, a prescriber who dispenses or prescribes an overdose intervention drug in compliance with this chapter is immune from civil liability arising from those actions.

(b) Except for an act of gross negligence or willful misconduct, a pharmacist who dispenses an overdose intervention drug in compliance with this chapter is immune from civil liability arising from those actions.

(c) Except for an act of gross negligence or willful misconduct, an individual or entity described in section 2(a)(1) of this chapter is immune from civil liability for the following actions:

- (1) Obtaining an overdose intervention drug under this chapter.
- (2) Administering an overdose intervention drug in good faith.
- (3) Acting under a standing order under this chapter.

As added by P.L.32-2015, SEC.7.