

36-2266. Prescribing and dispensing; immunity; definition

A. A physician who is licensed pursuant to title 32, chapter 13 or 17, a nurse practitioner licensed pursuant to title 32, chapter 15 and authorized by law to prescribe drugs or any other health professional who has prescribing authority and who is acting within the health professional's scope of practice may prescribe or dispense, directly or by a standing order, naloxone hydrochloride or any other opioid antagonist that is approved by the United States food and drug administration for use according to the protocol specified by the physician, nurse practitioner or other health professional to a person who is at risk of experiencing an opioid-related overdose, to a family member of that person, to a community organization that provides services to persons who are at risk of an opioid-related overdose or to any other person who is in a position to assist a person who is at risk of experiencing an opioid-related overdose.

B. A physician, nurse practitioner or other health professional who prescribes or dispenses naloxone hydrochloride or any other opioid antagonist pursuant to subsection A of this section shall instruct the individual to whom the opioid antagonist is dispensed to summon emergency services as soon as practicable, either before or after administering the opioid antagonist.

C. Except in cases of gross negligence, wilful misconduct or intentional wrongdoing, a physician, nurse practitioner or other health professional who in good faith prescribes or dispenses an opioid antagonist pursuant to subsection A of this section is immune from professional liability and criminal prosecution for any decision made, act or omission or injury that results from that act if the physician, nurse practitioner or other health professional acts with reasonable care and in good faith.

D. For the purposes of this section, "person" includes an employee of a school district or charter school who is acting in the person's official capacity.