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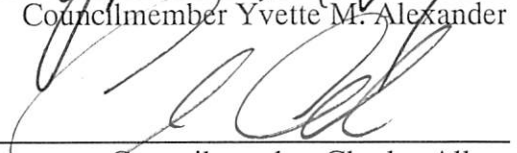
2 Councilmember David Grosso



Councilmember Yvette M. Alexander

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6 Councilmember Mary M. Cheh



Councilmember Charles Allen

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10 Councilmember Elissa Silverman

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12 A BILL

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17 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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22 To amend an Act To relieve physicians of liability for negligent medical treatment at the scene of
23 an accident in the District of Columbia; to allow physicians licensed to practice medicine
24 and pharmacists to prescribe an opioid antagonist, such as Naloxone, to a person at risk
25 of experiencing an opioid related overdose or a family member, friend, or other person in
26 a position to assist a person who is likely to experience an opioid related overdose; and to
27 provide limited liability to physicians and pharmacists prescribing an opioid antagonist.

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29 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
30 act may be cited as the “Substance Abuse and Opioid Overdose Prevention Amendment Act of
31 2016”.

32 Sec. 2. An Act To relieve physicians of liability for negligent medical treatment at the
33 scene of an accident in the District of Columbia, approved November 8, 1965 (79 Stat. 1302;
34 D.C. Official Code § 7-401 *et seq.*), is amended by adding a new section 4 to read as follows:

35 “Sec. 4. Prescribing authority of opioid-antagonist for overdose victim and 3rd parties.

36 “(a) A health care professional acting in good faith may directly or by standing order
37 prescribe, dispense, and distribute an opioid antagonist to the following persons:

38 “(1) A person at risk of experiencing an opioid-related overdose; or

39 “(2) A family member, friend, or other person in a position to assist a person at risk of
40 experiencing an opioid related overdose.

41 “(b) At the time of prescribing, dispensing, distributing, or delivering the opioid
42 antagonist, the health care professional shall inform the recipient that as soon as possible after
43 administration of the opioid antagonist, the person at risk of experiencing an opioid-related
44 overdose should be transported to a hospital or a first responder should be summoned.

45 “(c) Any health care professional who delivers the opioid antagonist and has knowledge
46 that the person at risk of experiencing an opioid-related overdose has been administered an
47 opioid antagonist within the preceding 30 days shall refer the person at risk to professional
48 substance abuse treatment services.

49 “(d) A health care professional who prescribes, dispenses, or distributes an opioid
50 antagonist in accordance with subsection (a) of this section shall be immune from civil or
51 criminal liability with regard to the subsequent use of the opioid antagonist, unless the health
52 professional’s actions with regard to prescribing, dispensing, or distributing the opioid antagonist
53 constituted recklessness, gross negligence, or intentional misconduct.

54 “(e) The immunity granted pursuant to subsection (d) this section shall apply to a health
55 care professional whether or not the opioid antagonist is administered by or to a person other
56 than the person for whom it was prescribed.

57 “(f) For the purposes of this section, the term:

58 “(1) “Health care professional” means a physician or pharmacist licensed under the
59 District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986
60 (D.C. Law 6-99; D.C. Code § 3-1201.1 *et seq.*).

61 “(2) “Opioid antagonist” shall have the same meaning as provided in section 3(i)(2)
62 of the Good Samaritan Overdose Protection Amendment Act of 2012, effective March 19, 2013
63 (D.C. Law 19-243; D.C. Official Code § 7-403).

64 “(3) “Overdose” shall have the same meaning as provided in section 3(i)(3) of
65 the Good Samaritan Overdose Protection Amendment Act of 2012, effective March 19, 2013
66 (D.C. Law 19-243; D.C. Official Code § 7-403).”.

67 Sec. 3. Fiscal impact statement.

68 The Council adopts the fiscal impact statement in the committee report as the fiscal
69 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
70 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

71 Sec. 4. Effective date.

72 This act shall take effect following approval by the Mayor (or in the event of veto by the
73 Mayor, action by the Council to override the veto), a 30-day period of congressional
74 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
75 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
76 District of Columbia Register.

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