

HOUSE BILL 856

J1, J2

7lr3415
CF SB 693

By: **Delegates Folden, Afzali, Beitzel, Bromwell, Buckel, Krebs, Mautz, Rose, Shoemaker, Vogt, and C. Wilson**

Introduced and read first time: February 3, 2017

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Co-Prescribing Naloxone Saves Lives Act of 2017**

3 FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish
4 certain guidelines for the co-prescribing of opioid overdose reversal drugs that are
5 applicable to all licensed health care providers in the State who are authorized to
6 prescribe monitored prescription drugs; requiring the guidelines to address the
7 co-prescribing of opioid overdose reversal drugs for certain patients; requiring the
8 Secretary to establish the guidelines on or before a certain date; defining certain
9 terms; and generally relating to the co-prescribing of opioid overdose reversal drugs.

10 BY adding to

11 Article – Health – General

12 Section 13–3401 and 13–3402 to be under the new subtitle “Subtitle 34.

13 Co-Prescribing of Opioid Overdose Reversal Drugs”

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2016 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Health – General**

19 **SUBTITLE 34. CO-PRESCRIBING OF OPIOID OVERDOSE REVERSAL DRUGS.**

20 **13–3401.**

21 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B) “CO-PRESCRIBING” MEANS, WITH RESPECT TO AN OPIOID OVERDOSE REVERSAL DRUG, THE PRACTICE OF PRESCRIBING THE DRUG IN CONJUNCTION WITH:

(1) AN OPIOID PRESCRIPTION FOR A PATIENT AT AN ELEVATED RISK OF OVERDOSE; OR

(2) AN OPIOID AGONIST APPROVED UNDER § 505 OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT FOR THE TREATMENT OF AN OPIOID USE DISORDER.

(C) “OPIOID OVERDOSE REVERSAL DRUG” MEANS A DRUG, INCLUDING NALOXONE, OR A COMBINATION DRUG DEVICE THAT IS:

(1) APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE EMERGENCY TREATMENT OF A KNOWN OR SUSPECTED OPIOID OVERDOSE; AND

(2) ADMINISTERED IN A MANNER THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.

(D) “PATIENT AT AN ELEVATED RISK OF OVERDOSE” MEANS A PATIENT WHO:

(1) IS IDENTIFIED AS AT RISK OF AN OPIOID OVERDOSE UNDER CRITERIA PROVIDED IN THE OPIOID OVERDOSE TOOLKIT PUBLISHED BY THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICE ADMINISTRATION;

(2) HAS A KNOWN HISTORY OF INTRAVENOUS DRUG USE OR MISUSE OF PRESCRIPTION OPIOIDS;

(3) RECEIVES HIGH-DOSE OPIOIDS OR RECEIVES OPIOIDS CHRONICALLY;

(4) HAS BEEN HOSPITALIZED FOR AN OPIOID OVERDOSE;

(5) USES OPIOIDS WITH ANTIDEPRESSANTS, BENZODIAZEPINES, ALCOHOL, OR OTHER DRUGS;

(6) USES OPIOIDS AND HAS A HISTORY OF MAJOR ORGAN DYSFUNCTION, INCLUDING RENAL, HEPATIC, CARDIAC, OR PULMONARY DYSFUNCTION;

(7) USES OPIOIDS AND HAS A HISTORY OF MENTAL ILLNESS; OR

(8) IS RECEIVING TREATMENT FOR A SUBSTANCE USE DISORDER.

13-3402.

(A) THE SECRETARY SHALL ESTABLISH GUIDELINES FOR THE CO-PRESCRIBING OF OPIOID OVERDOSE REVERSAL DRUGS THAT ARE APPLICABLE TO ALL LICENSED HEALTH CARE PROVIDERS IN THE STATE WHO ARE AUTHORIZED BY LAW TO PRESCRIBE A MONITORED PRESCRIPTION DRUG, AS DEFINED IN § 21-2A-01 OF THIS ARTICLE.

(B) THE GUIDELINES ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION SHALL ADDRESS THE CO-PRESCRIBING OF OPIOID OVERDOSE REVERSAL DRUGS FOR PATIENTS WHO ARE:

(1) AT AN ELEVATED RISK OF OVERDOSE; AND

(2) (I) RECEIVING OPIOID THERAPY FOR CHRONIC PAIN;

(II) RECEIVING A PRESCRIPTION FOR BENZODIAZEPINES; OR

(III) BEING TREATED FOR OPIOID USE DISORDERS.

SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health and Mental Hygiene shall establish the guidelines required under § 13-3402(a) of the Health – General Article, as enacted by Section 1 of this Act, on or before December 1, 2017.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017.