HOUSE BILL 924

J1, D3

8lr3321 CF 8lr3590

By: **Delegates Folden, Atterbeary, Bromwell, Krimm, and Wilson** Introduced and read first time: February 5, 2018 Assigned to: Health and Government Operations

A BILL ENTITLED

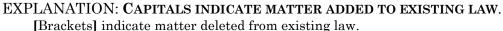
1 AN ACT concerning

2 Emergency Medical Care – Administration of Opioid Antidotes – Immunity

- FOR the purpose of applying certain immunity from civil liability for certain acts or omissions to certain persons who administer to individuals who appear to be experiencing an opioid overdose a certain dose or certain doses of a certain opioid antidote; and generally relating to emergency medical care and immunity from civil liability.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Courts and Judicial Proceedings
- 10 Section 5–603
- 11 Annotated Code of Maryland

(1)

- 12 (2013 Replacement Volume and 2017 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 14 That the Laws of Maryland read as follows:
- 15 Article Courts and Judicial Proceedings
- 16 5-603.
- 17 (a) A person described in subsection (b) of this section is not civilly liable for any 18 act or omission in giving any assistance or medical care, if:
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- The act or omission is not one of gross negligence;
- 20 (2) The assistance or medical care is provided without fee or other 21 compensation; and
- 22
- (3) The assistance or medical care is provided:





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1	(i) At the scene of an emergency;
2	(ii) In transit to a medical facility; or
$\frac{3}{4}$	(iii) Through communications with personnel providing emergency assistance.
5	(b) Subsection (a) of this section applies to the following:
6	(1) An individual who is licensed by this State to provide medical care;
7 8 9 10	(2) A member of any State, county, municipal, or volunteer fire department, ambulance and rescue squad, or law enforcement agency, the National Ski Patrol System, or a corporate fire department responding to a call outside of its corporate premises, if the member:
$\frac{11}{12}$	(i) Has completed an American Red Cross course in advanced first aid and has a current card showing that status;
$\frac{13}{14}$	(ii) Has completed an equivalent of an American Red Cross course in advanced first aid, as determined by the Secretary of Health;
$\begin{array}{c} 15\\ 16\end{array}$	(iii) Is certified or licensed by this State as an emergency medical services provider; or
$\begin{array}{c} 17\\18\end{array}$	(iv) Is administering medications or treatment approved for use in response to an apparent drug overdose and the member is:
19 20 21 22	1. Licensed or certified as an emergency medical services provider by the State Emergency Medical Services Board and authorized to administer the medications and treatment under protocols established by the State Emergency Medical Services Board;
$\frac{23}{24}$	2. Certified to administer the medications and treatment under protocols established by the Secretary of Health; or
$\begin{array}{c} 25\\ 26 \end{array}$	3. Certified to administer the medications and treatment under protocols established by the Maryland State Police Medical Director;
$\begin{array}{c} 27\\ 28 \end{array}$	(3) A volunteer fire department or ambulance and rescue squad whose members have immunity; and
$\begin{array}{c} 29\\ 30 \end{array}$	(4) A corporation when its fire department personnel are immune under item (2) of this subsection.
$\frac{31}{32}$	(c) An individual who is not covered otherwise by this section is not civilly liable for any act or omission in providing assistance or medical aid to a victim at the scene of an

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1 emergency, if: The assistance or aid is provided in a reasonably prudent manner; (1)3 The assistance or aid is provided without fee or other compensation; (2)4 and $\mathbf{5}$ The individual relinquishes care of the victim when someone who is (3)6 licensed or certified by this State to provide medical care or services becomes available to 7 take responsibility. 8 **(**D**)** SUBSECTION (A) OF THIS SECTION SHALL APPLY TO A PERSON DESCRIBED UNDER SUBSECTION (B)(2)(IV) OF THIS SECTION WHO ADMINISTERS TO 9 AN INDIVIDUAL WHO APPEARS TO BE EXPERIENCING AN OPIOID OVERDOSE: 10 11 A SINGLE DOSE OF ANY OPIOID ANTIDOTE, REGARDLESS OF (1) 12DOSAGE AMOUNT OR METHOD OF ADMINISTRATION, THAT HAS BEEN APPROVED BY 13THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR USE IN THE 14TREATMENT OF OPIOID OVERDOSES; AND

15(2) ADDITIONAL DOSES OF THE OPIOID ANTIDOTE, REGARDLESS OF 16 THE DOSAGE AMOUNT OR METHOD OF ADMINISTRATION, AS MAY BE NECESSARY TO 17**REVIVE THE INDIVIDUAL.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 18 19 October 1, 2018.

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