



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by David E. Miller

SYNOPSIS AS INTRODUCED:

New Act

Creates the Opioid Antagonist Liability Act. Provides that a person, other than a licensed health care professional permitted by law to administer an opioid antagonist, may administer an opioid antagonist to another if (1) he or she, in good faith, believes the other person is experiencing a drug overdose, and (2) he or she acts with reasonable care in administering the drug to the other person. Provides that a person who administers an opioid antagonist to another person pursuant to the Act shall not be subject to civil liability or criminal prosecution. Provides that a licensed health care professional who is permitted by law to prescribe, dispense, distribute, or administer an opioid antagonist, if acting with reasonable care, may prescribe, dispense, distribute, or administer an opioid antagonist without being subject to civil liability or criminal prosecution. Effective immediately.

LRB093 20984 RXD 46983 b

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Opioid Antagonist Liability Act.

6 Section 5. Authority to administer opioid antagonists;
7 release from liability.

8 (a) A person, other than a licensed health care
9 professional permitted by law to administer an opioid
10 antagonist, may administer an opioid antagonist to another
11 person if:

12 (1) he or she, in good faith, believes that the other
13 person is experiencing a drug overdose; and

14 (2) he or she acts with reasonable care in
15 administering the drug to the other person.

16 (b) A person who administers an opioid antagonist to
17 another person pursuant to subsection (a) of this Section shall
18 not be subject to civil liability or criminal prosecution as a
19 result of the administration of the drug.

20 Section 10. Health care professionals; release from
21 liability. A licensed health care professional who is
22 permitted by law to prescribe an opioid antagonist, if acting
23 with reasonable care, may prescribe, dispense, distribute, or
24 administer an opioid antagonist without being subject to civil
25 liability or criminal prosecution.

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.