

Legislative Analysis



STANDING ORDER FOR OPIOID ANTAGONIST

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<http://www.house.mi.gov/hfa>

House Bill 5326 as introduced
Sponsor: Rep. Anthony G. Forlini
Committee: Health Policy
Complete to 4-18-16

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5326 would amend the Public Health Code to allow the state's chief medical executive to issue a standing order that does not identify a particular patient for the purpose of allowing a pharmacist to dispense an opioid antagonist, and also to allow a pharmacist to act upon that order and dispense an opioid antagonist to be used to treat a person for a drug overdose.

Chief medical executive: Section 2202 of the Code provides that if the director of the Department of Health and Human Services appointed by the governor is not a physician, the director must appoint a physician to serve as chief medical executive, and be responsible to the director for the medical content of policy and programs. (Sec. 2202 actually refers to the director of the Department of Public Health, but that department is now part of the new DHHS.)

Opioid antagonist: Section 1106 of the Code defines this as naloxone hydrochloride or any other similarly acting and equally safe drug approved by the federal food and drug administration for the treatment of drug overdose.

In addition to typical prescriptions, ordered for a specific patient, this bill would expand the definition to include a standing order by the state's chief medical executive for the purpose of a pharmacist dispensing an opioid antagonist to an individual suffering from a drug overdose.

The chief medical executive who issues the standing order and the pharmacist who dispenses the opioid antagonist will not be liable in a civil action for a properly stored and dispensed opioid antagonist that was the proximate cause of injury or death to an individual due to the administration of or failure to administer the opioid antagonist. Finally, the bill requires the Department of Health and Human Services to promulgate rules to implement this section.

MCL 333.7422, 333.17708, 333.17757 and proposed 333.17744e

FISCAL IMPACT:

House Bill 5326 would not have a significant fiscal impact on the state or local units of government.

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