

STANDING ORDER FOR OPIOID ANTAGONIST

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House Bill 5166 as introduced
Sponsor: Rep. Mary Whiteford
Committee: Health Policy
Complete to 9-29-21

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

SUMMARY:

House Bill 5166 would amend Part 177 (Pharmacy Practice and Drug Control) of the Public Health Code to expand the allowable situations in which the state's chief medical executive could issue a standing order for opioid antagonists. In those cases, those allowed under the order could dispense an opioid antagonist to an individual suffering from a drug overdose.

2016 PA 383¹ allowed the 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*.

The bill would also allow the chief medical executive to issue such a standing order for the purpose of allowing a *community-based organization* or a staff member of a community-based organization to distribute opioid antagonists.

Community-based organization would mean a public or private organization that provides health or human services to meet the needs of a community, such as a nonprofit organization, a social service provider, or an organization providing substance use disorder prevention, treatment, recovery, or harm reduction services. A community-based organization would not include an agency as that term is defined in section 101 of the Administration of Opioid Antagonists Act. [That act defines "agency" as a governmental agency.]

Opioid antagonist means 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.

The existing provisions for pharmacists also would be extended to community-based organizations and their staff, so that they could then distribute opioid antagonists under a standing order and would not be liable in a civil action for damages resulting from dispensing, administering, or failing to administer an opioid antagonist.

MCL 333.17744e

¹ House Fiscal Agency analysis of 2016 PA 383 (HB 5326): <http://www.legislature.mi.gov/documents/2015-2016/billanalysis/House/pdf/2015-HLA-5326-78ADF7CC.pdf>

FISCAL IMPACT:

House Bill 5166 allows, but does not require, the chief medical executive to issue a standing order for dispensing opioid antagonists. Given this, the bill would have an indeterminate but likely negligible fiscal impact on the state and local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.