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HOUSE BILL 813

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Patsy G. Trujillo

AN ACT

RELATING TO DRUGS; AUTHORIZING AND RELEASING FROM LIABILITY PERSONS WHO ADMINISTER OPIOID ANTAGONISTS; RELEASING FROM LIABILITY LICENSED HEALTH CARE PROFESSIONALS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. AUTHORITY TO ADMINISTER OPIOID ANTAGONISTS--
RELEASE FROM LIABILITY. --**

A. A person, other than a licensed health care professional permitted by law to administer an opioid antagonist, may administer an opioid antagonist to another person if:

(1) he, in good faith, believes the other person is experiencing a drug overdose; and

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

B. A person who administers an opioid antagonist to another person pursuant to Subsection A of this section shall not be subject to civil liability or criminal prosecution as a result of the administration of the drug.

Section 2. HEALTH CARE PROFESSIONALS-- RELEASE FROM LIABILITY.--A licensed health care professional who is permitted by law to prescribe 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.

Section 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.