

CHAPTER 83
FORMERLY
SENATE BILL NO. 48
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NALOXONE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 3001G, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3001G. Administration of naloxone by peace officers and the Community-Based Naloxone Access Program.

(e) DHSS shall create written and uniform treatment and care plans for emergency and critical patients statewide that constitute the standing orders for the administration of naloxone by peace officers and participants in the Community-Based Naloxone Access Program. The treatment protocol for naloxone administration under this chapter must be approved and signed by the State EMS Medical Director, or the Medical Director or the Director of the Division of Public Health, Department of Health and Social Services. Doctors prescribing naloxone who, acting in good faith, directly or by standing order, prescribe or dispense the drug naloxone to a person who completes an approved-training program who, in the judgment of the health-care provider, is capable of administering the drug for an emergency opioid overdose, shall not be subject to disciplinary or other adverse action under any professional licensing statute, criminal liability, or liable for damages for injuries or death sustained to the individual in connection with administering the drug, unless it is established that such injuries or death were caused wilfully, wantonly, or by gross negligence on the part of the doctors who signed the standing order and protocol.

(g) Pharmacists who dispense naloxone under this section must do so in good faith and with reasonable care. Unless it is established that the pharmacist caused injuries or death as a result of unreasonable care, wilfully, wantonly, or by gross negligence, a pharmacist is not subject to any of the following as a result of dispensing naloxone:

- (1) Disciplinary or other adverse action under the professional licensing laws of this State.
- (2) Criminal liability.
- (3) Liability for damages for injuries or death.

Approved July 20, 2017