SPONSOR: Rep. Barbieri & Sen. Peterson & Sen. Hall-Long
Reps. Dukes, Heffernan, J. Johnson, Q. Johnson, Keeley, Kowalko, Mulrooney, Osienski, Paradee, B. Short, D.E. Williams

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE BILL NO. 388

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF DRUG OVERDOSE.

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

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

CHAPTER 30D. NALOXONE

§3001D. Administration of naloxone by peace officers.

(a) A peace officer is authorized to receive, carry, and administer the drug naloxone if the peace officer has completed a Department approved training course.

(b) A peace officer who, acting in good faith and after completing a Department approved training course, administers the drug naloxone to an individual whom the officer reasonably believes to be undergoing an opioid-related drug overdose shall not be subject to any criminal or civil liability in connection with administering the drug.

(c) Nothing in this chapter mandates that any law enforcement agency require its peace officers to carry or administer naloxone.

(d) Notwithstanding any other provision of law, the purchase, acquisition, possession or use of naloxone pursuant to this section shall not constitute the unlawful practice of a profession or violation of the Uniform Controlled Substances Act.

SYNOPSIS

This bill would allow peace officers who have completed a DHSS approved training course to receive, carry, and administer the drug naloxone. Naloxone is a prescription drug which, when administered to a person undergoing an opioid related overdose, can have the effect of counteracting the effects of the overdose. Immunity is provided to officers who administer naloxone in good faith.

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