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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO HEALTH AND SAFETY - NALOXONE PUBLIC ACCESS PROGRAM

Introduced By: Representatives Caldwell, Mattiello, Casey, Craven, and Marszalkowski

Date Introduced: February 27, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 6.6

4 NALOXONE PUBLIC ACCESS PROGRAM

5 **23-6.6-1. Naloxone public access requirements.**

6 (a) As used in this chapter, "public place" means an enclosed area capable of holding one
7 hundred (100) people or more and to which the public is invited or in which the public is
8 permitted, including, but not limited to: banks; bars; educational facilities; health care facilities;
9 laundromats; public transportation facilities; reception areas; restaurants; retail food production
10 and marketing establishments; retail service establishments; retail stores; shopping malls; sports
11 arenas; government offices; theaters; and waiting rooms. A private residence is not a "public
12 place" unless it is used as a child care, adult day care, or health care facility.

13 (b) Any person who owns or operates a public place as defined in subsection (a) of this
14 section shall provide and maintain:

15 (1) On-site, functional naloxone boxes containing a supply of naloxone in quantities and
16 types, deemed by the director of health, to be adequate to ensure ready and appropriate access for
17 use during emergencies; and

18 (2) At least one person who is properly trained in the operation and use of naloxone.
19 Training required by this chapter may be conducted by qualified personnel, including, but not

1 limited to, municipal fire and police department employees.

2 **23-6.6-2. Good Samaritan protections.**

3 (a) An authorized entity that possesses and makes available naloxone or naloxone boxes
4 and its employees, agents, and other trained individuals; a person who uses naloxone made
5 available pursuant to this chapter; an authorized health care provider who prescribes naloxone to
6 an authorized entity; and an individual or entity that conducts the training described in this
7 chapter, shall not be liable for any civil damages that result from the administration or self-
8 administration of naloxone; the failure to administer naloxone, or any other act or omission taken
9 pursuant to this chapter; provided, however, this immunity does not apply to acts or omissions
10 constituting gross negligence or willful or wanton conduct. The administration of naloxone in
11 accordance with this chapter is not the practice of medicine. This section does not eliminate,
12 limit, or reduce any other immunity or defense that may be available under state law. An entity
13 located in this state shall not be liable for any injuries or related damages that result from the
14 provision or administration of naloxone by its employees or agents outside of this state if the
15 entity or its employee or agent:

16 (1) Would not have been liable for such injuries or related damages had the provision or
17 administration occurred within this state; or

18 (2) Are not liable for such injuries or related damages under the law of the state in which
19 such provision or administration occurred.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - NALOXONE PUBLIC ACCESS PROGRAM

1 This act would require public places to have naloxone boxes containing naloxone on the
2 premises for access and use during emergencies by trained employees or the general public and
3 afford "Good Samaritan" protections to those individuals.

4 This act would take effect upon passage.

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