

Scope of Practice and Liability: Health Care Provider Opioid Antagonist Prescribing

Utah Code Ann. 26-55-104(2)

A health care provider who is licensed to prescribe an opiate antagonist can prescribe or dispense an opiate antagonist, without a prescriber-patient relationship, to an individual at increased risk of experiencing an opiate-related overdose, to a family member of an individual at increased risk, or to another provider who is in a position to providing the opiate antagonist to an individual or an individual's family members. A health care provider who, in good faith, prescribes or dispenses an opiate antagonist in the above manner will not be held legally responsible.

Prescribing, dispensing, and administering an opiate antagonist ? Immunity from liability

(2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502, a health care provider who is licensed to prescribe an opiate antagonist may prescribe, including by a standing prescription drug order issued in accordance with Subsection 26-55-105(2), or dispense an opiate antagonist:

- (a)
 - (i) to an individual who is at increased risk of experiencing an opiate-related drug overdose event;
 - (ii) to a family member of, friend of, or other person, including a person described in Subsections 26-55-107(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event; or
 - (iii) to an overdose outreach provider for:
 - (A) furnishing to an individual who is at increased risk of experiencing an opiate-related drug overdose event,

or to a family member of, friend of, or other individual who is in a position to assist an individual who is at increased risk of experiencing an opiate-related drug overdose event, as provided in Section 26-55-106; or

(B) administering to an individual experiencing an opiate-related drug overdose event;

(b) without a prescriber-patient relationship; and

(c) without liability for any civil damages for acts or omissions made as a result of prescribing or dispensing the opiate antagonist in good faith.