

Liability: Pharmacist Dispensing Opioid Antagonist

Utah Code Ann. 58-17b-507

A pharmacist who dispenses an opiate antagonist to an individual with a valid prescription will not be held legally responsible for the subsequent administration of the opiate antagonist during a suspected overdose.

Opiate antagonist ? Immunity from liability ? Exclusion from unlawful or unprofessional conduct

(1) As used in this section:

(a) ?Opiate antagonist? means the same as that term is defined in Section 26-55-102.

(b) ?Opiate-related drug overdose event? means the same as that term is defined in Section 26-55-102.

(2) A person licensed under this chapter that dispenses an opiate antagonist to an individual with a prescription for an opiate antagonist, to an overdose outreach provider with a prescription for an opiate antagonist, or pursuant to a standing prescription drug order issued in accordance with Subsection 26-55-105(2) is not liable for any civil damages resulting from the outcomes of the eventual administration of the opiate antagonist to an individual who another individual believes is experiencing an opiate-related drug overdose event.

(3) The provisions of this section and Title 26, Chapter 55, Opiate Overdose Response Act, do not establish a duty or standard of care in the prescribing, dispensing, or administration of an opiate antagonist.

(4) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to dispense an opiate antagonist to a person, including a person described in Subsections 26-55-107(1)(a)(i)(A) through (1)(a)(i)(F), on behalf of an individual if the person obtaining the opiate antagonist has a prescription for the opiate antagonist from a

licensed prescriber or the opiate antagonist is dispensed pursuant to a standing prescription drug order issued in accordance with Subsection 26-55-105(2).

(5) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to dispense an opiate antagonist to an overdose outreach provider if the overdose outreach provider has a prescription for the opiate antagonist from a licensed prescriber issued pursuant to Subsection 26-55-104(2)(a)(iii).