

Liability: Dentist Prescribing or Dispensing Opiate Antagonist

Utah Code Ann. 58-69-702

A dentist or dental hygienist who, in good faith, prescribes or dispenses an opiate antagonist to an individual at risk of experiencing an opiate related overdose, to a family member of an at-risk individual, or to another provider in contact with at-risk individuals will not be held legally responsible or professionally disciplined.

Opiate antagonist ? Exclusion from unlawful or unprofessional conduct

(1) As used in this section:

- (a) ?Dispense? means the same as that term is defined in Section 58-17b-102.
- (b) ?Increased risk? means the same as that term is defined in Section 26-55-102.
- (c) ?Opiate antagonist? means the same as that term is defined in Section 26-55-102.
- (d) ?Opiate-related drug overdose event? means the same as that term is defined in Section 26-55-102.
- (e) ?Prescribe? means the same as that term is defined in Section 58-17b-102.

(2) The prescribing or dispensing of an opiate antagonist by an individual licensed under this chapter to engage in the practice of dentistry is not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate antagonist:

- (a) in a good faith effort to assist:
 - (i) an individual who is at increased risk of experiencing an opiate-related drug overdose event; or
 - (ii) 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
- (b) to an overdose outreach provider pursuant to Subsection 26-55-104(2)(a)(iii).

(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.