

# Liability: Osteopathic Physician Prescribing or Dispensing Opiate Antagonist

## Utah Code Ann. 58-68-702

An osteopathic physician 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.

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### 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 a licensee under this chapter 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.