

**217.186 Provider prescribing or dispensing naloxone -- Administration by third party -- Use of naloxone by person or agency authorized to administer medication -- Immunity from liability -- Administrative regulations -- Use of naloxone by schools -- Use of naloxone by pharmacist.**

- (1) A licensed health-care provider who, acting in good faith, directly or by standing order, prescribes or dispenses the drug naloxone to a person or agency who, in the judgment of the health-care provider, is capable of administering the drug for an emergency opioid overdose, shall not, as a result of his or her acts or omissions, be subject to disciplinary or other adverse action under KRS Chapter 311, 311A, 314, or 315 or any other professional licensing statute. As used in this subsection, "licensed health-care provider" includes a pharmacist as defined in KRS 315.010 who holds a separate certification issued by the Kentucky Board of Pharmacy authorizing the initiation of the dispensing of naloxone under subsection (5) of this section.
- (2) A prescription for naloxone may include authorization for administration of the drug to the person for whom it is prescribed by a third party if the prescribing instructions indicate the need for the third party upon administering the drug to immediately notify a local public safety answering point of the situation necessitating the administration.
- (3) A person or agency, including a peace officer, jailer, firefighter, paramedic, or emergency medical technician or a school employee authorized to administer medication under KRS 156.502, may:
  - (a) Receive a prescription for the drug naloxone;
  - (b) Possess naloxone pursuant to this subsection and any equipment needed for its administration; and
  - (c) Administer naloxone to an individual suffering from an apparent opiate-related overdose.
- (4) A person acting in good faith who administers naloxone received under this section shall be immune from criminal and civil liability for the administration, unless personal injury results from the gross negligence or willful or wanton misconduct of the person administering the drug.
- (5)
  - (a) The Board of Pharmacy, in consultation with the Kentucky Board of Medical Licensure, shall promulgate administrative regulations to establish certification, educational, operational, and protocol requirements to implement this section.
  - (b) Administrative regulations promulgated under this subsection shall:
    1. Require that any dispensing under this section be done only in accordance with a physician-approved protocol and specify the minimum required components of any such protocol;
    2. Include a required mandatory education requirement as to the mechanism and circumstances for the administration of naloxone for the person to whom the naloxone is dispensed; and
    3. Require that a record of the dispensing be made available to a physician

signing a protocol under this subsection, if desired by the physician.

- (c) Administrative regulations promulgated under this subsection may include:
  - 1. A supplemental educational or training component for a pharmacist seeking certification under this subsection; and
  - 2. A limitation on the forms of naloxone and means of its administration that may be dispensed pursuant to this subsection.
- (6) (a) The board of each local public school district and the governing body of each private and parochial school or school district may permit a school to keep naloxone on the premises and regulate the administration of naloxone to any individual suffering from an apparent opiate-related overdose.
- (b) In collaboration with local health departments, local health providers, and local schools and school districts, the Kentucky Department for Public Health shall develop clinical protocols to address supplies of naloxone kept by schools under this section and to advise on the clinical administration of naloxone.
- (7) Notwithstanding any provision of law to the contrary, a pharmacist may utilize the protocol established by this section to dispense naloxone to any person or agency who provides training on the mechanism and circumstances for the administration of naloxone to the public as part of a harm reduction program, regardless of whom the ultimate user of the naloxone may be. The documentation of the dispensing of naloxone to any person or agency operating a harm reduction program shall satisfy any general documentation or recording requirements found in administrative regulations regarding legend drugs promulgated pursuant to this chapter.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 130, sec. 1, effective June 27, 2019. -- Amended 2015 Ky. Acts ch. 66, sec. 8, effective March 25, 2015. -- Created 2013 Ky. Acts ch. 118, sec. 10, effective June 25, 2013.