



PA 19-169—HB 7190

Judiciary Committee

AN ACT EXTENDING GOOD SAMARITAN PROTECTIONS FOR PERSONS OR ENTITIES THAT INCLUDE AN OPIOID ANTAGONIST WITHIN A CABINET CONTAINING AN AUTOMATIC EXTERNAL DEFIBRILLATOR

SUMMARY: Under certain conditions, this act grants civil immunity to individuals or entities that provide or maintain an automatic external defibrillator (AED) in a cabinet that also contains an opioid antagonist (e.g., Narcan) used to reverse drug overdoses. Under the act, these individuals are not liable for ordinary negligence for their acts or omissions in making the opioid antagonist available. The immunity does not apply to gross, willful, or wanton negligence.

Existing law provides civil and criminal immunity related to administering opioid antagonists, including allowing people who are not health professionals to administer them (see BACKGROUND). It also provides civil immunity, under certain conditions, to (1) people or entities who provide or maintain an AED or (2) anyone who operates an AED not in the course of his or her employment (CGS § 52-557b).

EFFECTIVE DATE: October 1, 2019

BACKGROUND

Existing Immunity Related to Opioid Antagonists

Existing law provides civil and criminal immunity to people who are not health professionals and who, if acting with reasonable care, administer an opioid antagonist to a person they believe in good faith is experiencing an opioid-related overdose.

The law also provides civil and criminal immunity to:

1. licensed health care professionals who administer an opioid antagonist to treat an opioid-related overdose; and
2. licensed health care professionals who prescribe or dispense it to treat a drug overdose, if authorized by law to prescribe it (CGS § 17a-714a).

Related Act

PA 19-113 extends immunity from civil liability to physicians, dentists, and nurses who operate an AED for personal injury damages caused by the AED's malfunctioning, if the malfunctioning was not due to the provider's negligence.