

Major Policy Provisions in SB459

Senate Bill (SB) 459 was introduced by Governor Brian Sandoval and was signed in to law on May 5th, 2015. This bill enacts a number of provisions that work together to address the serious issue of prescription drug abuse in Nevada. These measures are modeled after national evidence based best practices.

Naloxone

SB 459 expands access to the opioid antagonist¹, Naloxone. This bill allows a provider to prescribe and/or dispense an opioid antagonist to a family member, friend, or someone in the position to help another person at risk of overdose. This bill allows law enforcement and EMS personnel to carry and administer Naloxone. This bill does *not require* that anyone prescribe, dispense, carry or administer Naloxone.

This bill contains permissive language, allowing a provider to prescribe or dispense the medication. The bill provides the same immunity to a person who declines to prescribe or dispense an opioid antagonist as a person that prescribes or dispenses Naloxone.

This bill allows pharmacist with standing orders issued by a health care professional to store and dispense Naloxone. The State Board of Pharmacy is responsible for developing standardized procedures and protocols for dispensing Naloxone. This includes client education regarding opioid overdoses, method for safe administration of Naloxone, potential side effects and adverse events connected with administering Naloxone and the importance of seeking emergency medical assistance for a person experiencing an opioid-related drug overdose even after administering an opioid antagonist.

¹ An opioid antagonist means any drug that binds to opioid receptors and blocks or dis-inhibits the effects of opioids acting on those receptors. This includes, without limitation, Naloxone hydrochloride.

Good Samaritan Immunity Law

SB 459 enacts the Good Samaritan Drug Overdose Act. Good Samaritan immunity applies to an individual who person who acting in good faith and with reasonable care, administers an opioid antagonist to someone experiencing an opioid-related drug overdose. Good Samaritan immunity is provided to individuals who seek medical help for others, themselves, or are the subject of the help request. Good Samaritan immunity allows them to evade prosecution for minor drug offenses; including immunity against arrest and prosecution for possessing controlled substances and drug paraphernalia; protection for underage persons in possession or under the influence of alcohol. The protections do not extend to more serious offenses such as drug trafficking or violent crime, including crimes against children and child endangerment.

Physician Continuing Education

This bill requires that prescribing physicians receive 1 continuing education credit in the misuse or abuse of prescription drugs. This training is tied to each licensure period and will be enforced by the prescribing physician licensing boards.

Mandated Utilization of the Prescription Drug Monitoring Program

SB459 requires a prescribing physician to obtain a patient utilization report from the Prescription Drug Monitoring Program before they initiate a prescription for a controlled schedule II, III and IV prescription drug. The bill requires the prescribing physician to check the system when the patient is new to the practitioner or if the prescription is part of a new course of treatment for the patient and is written for more than 7 days.

Prescribing physicians are allowed to have registered agents run the patient utilization report for them. This bill require the pharmacy board to adopt regulations to provide alternative methods of compliance for physicians in emergency rooms, including provisions that allow a hospital to designate members of hospital staff to act as delegates for the purpose of running the utilization report for the emergency room doctors.
