

# Overdose Response Program Expansion with SB0516

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## *Information for ORP Authorized Entities*

*Department of Health and Mental Hygiene  
Behavioral Health Administration*

Effective **October 1, 2015**, a new law will modify the current Overdose Response Program (ORP). SB516, 2014<sup>1</sup> expands who can provide trainings, establishes prescribing and dispensing of naloxone through a standing order, and expands protections for individuals who prescribe, dispense, and administer naloxone. As an authorized ORP, this law may affect you in several ways.

### ❖ **EXPANDS WHO CAN CONDUCT ORP TRAININGS**

The new law expands the type of healthcare providers that can conduct or supervise ORP trainings to include advanced practice nurses (APN) and pharmacists. APNs include nurse practitioners, nurse anesthetists, nurse midwives, nurse psychotherapists, and clinical nurse specialists who are licensed by the Maryland Board of Nursing.

### ❖ **ESTABLISHES STANDING ORDERS**

SB516 authorizes physicians and APNs with prescribing authority to issue a standing order for the prescribing and dispensing of naloxone to ORP certificate holders. Under a standing order, naloxone can be dispensed to any certificate holder without the need for the physician or APN who prescribes the medication to be physically present. Only physicians and APNs with prescribing authority who 1) are employed by DHMH or a local health department, OR 2) supervise or conduct ORP trainings may issue these standing orders.

The law will allow employees or volunteers an authorized ORP who conduct trainings to dispense naloxone under the standing order. These employees or volunteers do not need to be licensed healthcare practitioners. Registered nurses that are employed by local health departments may also dispense under standing orders, but must first complete a DHMH-approved training as part of the Nurse Dispensing Program.<sup>2</sup>

Finally, healthcare providers with dispensing authority, such as a pharmacist, may dispense naloxone to certificate holders under a physician's standing order. This will allow authorized ORPs and LHDs more flexibility to work with pharmacies to supply, and resupply, certificate holders.

BHA will issue further guidance on the content of a standing order and policies for implementation under ORP.

### ❖ **EXPANDS PROTECTIONS**

The new law strengthens legal protections for prescribers, dispensers, and bystanders who administer naloxone. Civil immunity protections will be explicitly established for individuals who administer naloxone to someone they believe is experiencing an opioid overdose.

Immunity from disciplinary action solely for prescribing and dispensing naloxone is extended to APNs as well as physicians. Also, physicians, APNs and pharmacists making a good faith effort to prescribe or dispense naloxone as authorized under the law will be protected from lawsuits being initiated against them.

Finally, people that dispense naloxone under the ORP will be exempt from laws requiring them to maintain a permit that allows for the dispensing of prescription drugs.

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<sup>1</sup> <http://mgaleg.maryland.gov/2015RS/bills/sb/sb0516E.pdf>

<sup>2</sup> DHMH will issue further guidance on the requirements of the Nurse Dispensing Program related to ORP.