

Maryland Statutes

Article – Health – General §§13-3101-09

(S.B. 610, 2013, as codified)

§13-3101.

(a) In this subtitle the following words have the meanings indicated.

(b) “Certificate” means a certificate issued by a private or public entity to administer naloxone.

(c) “Private or public entity” means a health care provider, local health department, community-based organization, substance abuse treatment organization, or other person that addresses medical or social issues related to drug addiction.

(d) “Program” means an Overdose Response Program.

§13-3102.

An Overdose Response Program is a program overseen by the Department for the purpose of providing a means of authorizing certain individuals to administer naloxone to an individual experiencing, or believed to be experiencing, opioid overdose to help prevent a fatality when medical services are not immediately available.

§13-3103.

(a) The Department shall adopt regulations necessary for the administration of the Program.

(b) The Department may:

(1) Collect fees necessary for the administration of the Program;

(2) Authorize private or public entities to issue and renew certificates to persons meeting the requirements of this subtitle;

(3) (i) Authorize private or public entities to conduct educational training programs described in § 13-3104 of this subtitle; and

(ii) Develop guidance regarding the content of educational training programs conducted by private or public entities; and

(4) Collect and report data on the operation and results of the programs.

§13-3104.

(a) To qualify for a certificate, an individual shall meet the requirements of this section.

(b) The applicant shall be at least 18 years old.

(c) The applicant shall have, or reasonably expect to have, as a result of the individual's occupation or volunteer, family, or social status, the ability to assist an individual who is experiencing an opioid overdose.

(d) (1) The applicant shall successfully complete an educational training program offered by a private or public entity authorized by the Department.

(2) An educational training program required under this subsection shall:

(i) Be conducted by:

1. A physician licensed to practice medicine under Title 14 of the Health Occupations Article;

2. A nurse practitioner licensed to practice registered nursing under Title 8 of the Health Occupations Article and certified as a nurse practitioner by the State Board of Nursing; or

3. An employee or a volunteer of a private or public entity that maintains a written agreement with a supervisory physician or nurse practitioner that includes:

A. Procedures for providing patient overdose information;

B. Information as to how the employee or volunteer providing the information will be trained; and

C. Standards for documenting the provision of patient overdose information to patients; and

(ii) Include training in:

1. The recognition of the symptoms of opioid overdose;

2. The proper administration of naloxone;

3. The importance of contacting emergency medical services;

4. The care of an individual after the administration of naloxone;

and

5. Any other topics required by the Department.

§13-3105.

An applicant for a certificate shall submit an application to a private or public entity authorized by the Department on the form that the Department requires.

§13-3106.

(a) A private or public entity authorized by the Department shall issue a certificate to any applicant who meets the requirements of this subtitle.

(b) Each certificate shall include:

(1) A statement that the holder is authorized to administer naloxone in accordance with this subtitle;

- (2) The full name of the certificate holder; and
- (3) A serial number.

(c) A replacement certificate may be issued to replace a lost, destroyed, or mutilated certificate.

(d) (1) The certificate shall be valid for 2 years and may be renewed.

(2) In order to renew a certificate, the certificate holder shall:

(i) Successfully complete a refresher training program conducted by an authorized private or public entity; or

(ii) Demonstrate proficiency to the private or public entity issuing certificates under this subtitle.

§13-3107.

An individual who is certified may:

(1) On presentment of a certificate, receive from any physician licensed to practice medicine in the State, or any nurse practitioner licensed to practice nursing in the State, a prescription for naloxone and the necessary supplies for the administration of naloxone;

(2) Possess prescribed naloxone and the necessary supplies for the administration of naloxone; and

(3) In an emergency situation when medical services are not immediately available, administer naloxone to an individual experiencing or believed by the certificate holder to be experiencing an opioid overdose.

§13-3108.

A physician or nurse practitioner may prescribe and dispense naloxone to a certificate holder.

§13-3109.

(a) A certificate holder who, in accordance with this subtitle, is administering naloxone to an individual experiencing or believed by the certificate holder to be experiencing an opioid overdose may not be considered to be practicing medicine for the purposes of Title 14 of the Health Occupations Article.

(b) A physician who prescribes or dispenses naloxone to a certificate holder in a manner consistent with the protocol established by the authorized private or public entity may not be subject to any disciplinary action under Title 14 of the Health Occupations Article solely for the act of prescribing or dispensing naloxone to the certificate holder.