

# SENATE BILL 394

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CF HB 408

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By: **The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Corderman, Eckardt, Edwards, Elfreth, Hershey, Hester, Hough, Jennings, Ready, Salling, Simonaire, ~~and West~~ West, Klausmeier, and Benson**

Introduced and read first time: January 24, 2022

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 4, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Statewide Targeted Overdose Prevention (STOP) Act of 2022**

3 FOR the purpose of authorizing certain emergency medical services providers to ~~dispense~~  
4 ~~offer naloxone~~ opioid overdose reversal drugs approved by the federal Food and Drug  
5 Administration to individuals who received treatment for a nonfatal drug overdose  
6 or were evaluated by a crisis evaluation team; requiring certain community services  
7 programs, certain private and public entities, and hospitals to have a protocol to  
8 ~~dispense offer naloxone~~ opioid overdose reversal drugs approved by the federal Food  
9 and Drug Administration to certain individuals under certain circumstances;  
10 altering the Overdose Response Program administered by the Maryland Department  
11 of Health to include the provision of all opioid overdose reversal drugs approved by  
12 the federal Food and Drug Administration; requiring the Maryland Department of  
13 Health to purchase and provide naloxone ~~opioid overdose reversal drugs approved~~  
14 ~~by the federal Food and Drug Administration~~ to certain providers, subject to a  
15 certain limitation; authorizing certain entities to provide naloxone ~~opioid overdose~~  
16 ~~reversal drugs approved by the federal Food and Drug Administration only under~~  
17 ~~certain circumstances; prohibiting a cause of action from arising against businesses~~  
18 ~~and business owners related to the provision of naloxone~~ opioid overdose reversal  
19 drugs approved by the federal Food and Drug Administration to employees and  
20 patrons of the business; and generally relating to the ~~dispensing offering of naloxone~~  
21 opioid overdose reversal drugs approved by the federal Food and Drug  
22 Administration.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,  
 2 Article – Education  
 3 Section 13–516(f)  
 4 Annotated Code of Maryland  
 5 (2018 Replacement Volume and 2021 Supplement)

6 BY adding to  
 7 Article – Health – General  
 8 Section 8–408 ~~and 13–3103(d)~~  
 9 Annotated Code of Maryland  
 10 (2019 Replacement Volume and 2021 Supplement)

11 ~~BY repealing and reenacting, without amendments,  
 12 Article – Health – General  
 13 Section 13–3101(a) and (e)  
 14 Annotated Code of Maryland  
 15 (2019 Replacement Volume and 2021 Supplement)~~

16 BY repealing and reenacting, with amendments,  
 17 Article – Health – General  
 18 Section ~~13–3104, 13–3108, 13–3108~~ 13–3101 through 13–3109 and 19–310.3  
 19 Annotated Code of Maryland  
 20 (2019 Replacement Volume and 2021 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
 22 That the Laws of Maryland read as follows:

### 23 Article – Education

24 13–516.

25 (f) (1) Subject to the rules, regulations, protocols, orders, and standards of the  
 26 EMS Board and subject to medical direction, while providing emergency medical services:

27 (i) A cardiac rescue technician, an emergency medical technician, or  
 28 a paramedic may:

29 1. Perform specified medical procedures as authorized by the  
 30 EMS Board;

31 2. Administer specified medications or intravenous  
 32 solutions; [and]

33 3. ~~DISPENSE OFFER NALOXONE~~ DISPENSE OFFER NALOXONE AN OPIOID OVERDOSE  
 34 REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION

1 TO AN INDIVIDUAL WHO RECEIVED TREATMENT FOR A NONFATAL DRUG OVERDOSE  
 2 OR WAS EVALUATED BY A CRISIS EVALUATION TEAM; AND

3 [3.] 4. Provide emergency medical transport;

4 (ii) An emergency medical dispatcher may:

5 1. Perform medical interrogation in order to determine the  
 6 type and level of response required at the scene of a medical emergency; and

7 2. Provide prearrival instructions including instructions in  
 8 cardiopulmonary resuscitation; and

9 (iii) An emergency medical responder:

10 1. May perform specified medical procedures as defined by  
 11 the EMS Board; and

12 2. May not be the primary emergency medical services  
 13 provider during emergency medical transport.

14 (2) Participation in emergency medical dispatch programs by jurisdictions  
 15 is totally voluntary.

16 **Article – Health – General**

17 **8-408.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
 19 INDICATED.

20 (2) “COMMUNITY SERVICES PROGRAM” INCLUDES:

21 ~~(I) A HOMELESS SERVICES PROGRAM;~~

22 ~~(II) AN INTENSIVE OUTPATIENT PROGRAM;~~

23 ~~(III) AN OPIOID TREATMENT PROGRAM; AND~~

24 ~~(IV) A REENTRY PROGRAM.~~

25 (3) “HOMELESS SERVICES PROGRAM” MEANS A PROGRAM OPERATED  
 26 BY THE DEPARTMENT OF ~~HUMAN SERVICES~~ HOUSING AND COMMUNITY  
 27 DEVELOPMENT THROUGH A LOCAL ADMINISTERING AGENCY OR SERVICE  
 28 PROVIDER FOR THE PURPOSE OF PROVIDING SHELTER, FOOD, AND SERVICES TO  
 29 HOMELESS FAMILY UNITS IN THE STATE ~~IN ACCORDANCE WITH COMAR 7.01.19.01.~~

1 (4) "INTENSIVE OUTPATIENT PROGRAM" MEANS A TREATMENT  
2 PROGRAM THAT ADDRESSES SUBSTANCE USE DISORDERS OR OTHER DISORDERS  
3 THAT DO NOT REQUIRE DETOXIFICATION OR INPATIENT SUPERVISION AND ARE  
4 DESIGNATED BY THE AMERICAN SOCIETY OF ADDICTION MEDICINE AS A LEVEL 2.1  
5 SETTING.

6 (5) "OPIOID TREATMENT PROGRAM" MEANS A PROGRAM APPROVED  
7 BY THE DEPARTMENT TO PROVIDE OPIOID MAINTENANCE THERAPY UNDER  
8 ~~COMAR 10.47.02.11~~ REGULATIONS ADOPTED BY THE DEPARTMENT.

9 ~~(6) "REENTRY PROGRAM" MEANS A PROGRAM ESTABLISHED BY A  
10 GOVERNMENT AGENCY OR COMMUNITY BASED ORGANIZATION SERVING  
11 PREVIOUSLY INCARCERATED INDIVIDUALS RETURNING TO THEIR COMMUNITIES.~~

12 (B) ON OR BEFORE JUNE 30, 2024, A COMMUNITY SERVICES PROGRAM  
13 THAT PROVIDES SERVICES TO INDIVIDUALS WHO HAVE A SUBSTANCE USE DISORDER  
14 OR AN OPIOID USE DISORDER OR ARE AT RISK OF EXPERIENCING A DRUG OVERDOSE  
15 SHALL HAVE A PROTOCOL TO ~~DISPENSE OR MAKE AVAILABLE~~ OFFER NALOXONE  
16 OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG  
17 ADMINISTRATION, FREE OF CHARGE, TO THOSE INDIVIDUALS WHO HAVE AN OPIOID  
18 USE DISORDER OR ARE AT RISK OF EXPERIENCING A DRUG OVERDOSE WHEN THE  
19 INDIVIDUAL RECEIVES SERVICES FROM THE COMMUNITY SERVICES PROGRAM.

20 (C) ON OR BEFORE JUNE 30, 2023, EACH OPIOID TREATMENT PROGRAM  
21 AND EACH INTENSIVE OUTPATIENT TREATMENT PROGRAM SHALL HAVE A  
22 PROTOCOL TO OFFER ~~NALOXONE~~ AN OPIOID OVERDOSE REVERSAL DRUG APPROVED  
23 BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, FREE OF CHARGE, WHEN AN  
24 INDIVIDUAL RECEIVES SERVICES FROM THE OPIOID TREATMENT PROGRAM OR  
25 INTENSIVE OUTPATIENT TREATMENT PROGRAM.

26 (D) ON OR BEFORE JUNE 30, 2024:

27 (1) STATE AND LOCAL CORRECTIONAL FACILITIES SHALL HAVE A  
28 PROTOCOL TO OFFER ~~NALOXONE~~ AN OPIOID OVERDOSE REVERSAL DRUG APPROVED  
29 BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, FREE OF CHARGE, TO  
30 SENTENCED INDIVIDUALS WHO HAVE AN OPIOID USE DISORDER OR WHO ARE AT  
31 RISK OF EXPERIENCING A DRUG OVERDOSE BEFORE THE INDIVIDUAL'S RELEASE;  
32 AND

33 (2) THE DIVISION OF PAROLE AND PROBATION SHALL HAVE A  
34 PROTOCOL TO OFFER ~~NALOXONE~~ AN OPIOID OVERDOSE REVERSAL DRUG APPROVED  
35 BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, FREE OF CHARGE, TO

1 INDIVIDUALS UNDER SUPERVISION WHO HAVE AN OPIOID USE DISORDER OR ARE AT  
2 RISK OF EXPERIENCING A DRUG OVERDOSE.

3 (E) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THIS  
4 SECTION.

5 13-3101.

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

7 (b) “Pharmacist” has the meaning stated in § 12-101 of the Health Occupations  
8 Article.

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

12 (d) “Program” means the Overdose Response Program.

13 (e) “Standing order” means a written instruction for the prescribing and  
14 dispensing of [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE  
15 FEDERAL FOOD AND DRUG ADMINISTRATION in accordance with § 13-3106 of this  
16 subtitle.

17 13-3102.

18 The Overdose Response Program is a program administered by the Department for  
19 the purpose of providing a means of authorizing certain individuals to administer  
20 [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL  
21 FOOD AND DRUG ADMINISTRATION to an individual experiencing, or believed to be  
22 experiencing, opioid overdose to help prevent a fatality when medical services are not  
23 immediately available.

24 13-3103.

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

27 (b) The Department may:

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

29 (2) Authorize private or public entities to conduct education and training  
30 on opioid overdose recognition and response that include:

1 (i) Education on recognizing the signs and symptoms of an opioid  
 2 overdose;

3 (ii) Training on responding to an opioid overdose, including the  
 4 administration of [naloxone] OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE  
 5 FEDERAL FOOD AND DRUG ADMINISTRATION; and

6 (iii) Access to [naloxone] OPIOID OVERDOSE REVERSAL DRUGS  
 7 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION and the necessary  
 8 supplies for the administration of the [naloxone] OPIOID OVERDOSE REVERSAL DRUGS;

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

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

12 (c) An individual is not required to obtain training and education on opioid  
 13 overdose recognition and response from a private or public entity under subsection (b) of  
 14 this section in order for a pharmacist to dispense [naloxone] AN OPIOID OVERDOSE  
 15 REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION  
 16 to the individual.

17 (D) (1) SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, THE  
 18 DEPARTMENT SHALL PURCHASE AND PROVIDE ~~NALOXONE~~ OPIOID OVERDOSE  
 19 REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION,  
 20 AT NO COST, TO THE PROVIDERS WHO ARE REQUIRED TO OFFER ~~NALOXONE~~ OPIOID  
 21 OVERDOSE REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG  
 22 ADMINISTRATION UNDER § 8-408 OR § 19-310.3 OF THIS ARTICLE.

23 (2) AN ENTITY REQUIRED TO OFFER ~~NALOXONE~~ AN OPIOID  
 24 OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND DRUG  
 25 ADMINISTRATION UNDER § 8-408 OR § 19-310.3 OF THIS ARTICLE MAY PROVIDE  
 26 THE ~~NALOXONE~~ AN OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL  
 27 FOOD AND DRUG ADMINISTRATION ONLY IF THE ~~NALOXONE~~ OPIOID OVERDOSE  
 28 REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION  
 29 IS PROVIDED BY THE DEPARTMENT.

30 13-3104.

31 An authorized private or public entity shall enter into a written agreement with a  
 32 licensed health care provider with prescribing authority to establish protocols for the  
 33 prescribing and dispensing of [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG  
 34 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION to any individual in  
 35 accordance with this subtitle.

1 13-3105.

2 (a) An individual may receive from any licensed health care provider with  
3 prescribing authority a prescription for [naloxone] AN OPIOID OVERDOSE REVERSAL  
4 DRUG APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION and the  
5 necessary supplies for the administration of [naloxone] THE OPIOID OVERDOSE  
6 REVERSAL DRUG.

7 (b) An individual for whom [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG  
8 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION is prescribed and  
9 dispensed in accordance with this subtitle may:

10 (1) Possess THE prescribed [naloxone] OPIOID OVERDOSE REVERSAL  
11 DRUG and the necessary supplies for the administration of [naloxone] THE OPIOID  
12 OVERDOSE REVERSAL DRUG; and

13 (2) In an emergency situation when medical services are not immediately  
14 available, administer [naloxone] THE OPIOID OVERDOSE REVERSAL DRUG to an  
15 individual experiencing or believed by the individual to be experiencing an opioid overdose.

16 13-3106.

17 (a) A licensed health care provider with prescribing authority may prescribe and  
18 dispense [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE  
19 FEDERAL FOOD AND DRUG ADMINISTRATION to an individual who:

20 (1) Is believed by the licensed health care provider to be at risk of  
21 experiencing an opioid overdose; or

22 (2) Is in a position to assist an individual at risk of experiencing an opioid  
23 overdose.

24 (b) (1) A licensed health care provider with prescribing authority may  
25 prescribe and dispense [naloxone] OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY  
26 THE FEDERAL FOOD AND DRUG ADMINISTRATION by issuing a standing order if the  
27 licensed health care provider:

28 (i) Is employed by the Department or a local health department; or

29 (ii) Has a written agreement with an authorized private or public  
30 entity under § 13-3104 of this subtitle.

31 (2) A licensed health care provider with prescribing authority who issues a  
32 standing order under paragraph (1) of this subsection may delegate the dispensing of  
33 [naloxone] OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD

1 AND DRUG ADMINISTRATION to an employee or a volunteer of an authorized private or  
2 public entity in accordance with a written agreement under § 13–3104 of this subtitle.

3 (3) Any licensed health care provider who has dispensing authority also  
4 may dispense [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE  
5 FEDERAL FOOD AND DRUG ADMINISTRATION to any individual in accordance with a  
6 standing order issued by a licensed health care provider with prescribing authority in  
7 accordance with this subsection.

8 (c) A pharmacist may dispense [naloxone] OPIOID OVERDOSE REVERSAL  
9 DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION in  
10 accordance with a therapy management contract under Title 12, Subtitle 6A of the Health  
11 Occupations Article.

12 13–3107.

13 (a) An individual who, in accordance with this subtitle, is administering  
14 [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL  
15 FOOD AND DRUG ADMINISTRATION to an individual experiencing or believed by the  
16 individual to be experiencing an opioid overdose may not be considered to be practicing:

17 (1) Medicine for the purposes of Title 14 of the Health Occupations Article;  
18 or

19 (2) Registered nursing for the purposes of Title 8 of the Health Occupations  
20 Article.

21 (b) An employee or volunteer of a private or public entity who, in accordance with  
22 this subtitle, provides [naloxone] AN OPIOID OVERDOSE REVERSAL DRUG APPROVED  
23 BY THE FEDERAL FOOD AND DRUG ADMINISTRATION to an individual who has received  
24 education and training in opioid overdose recognition and response in accordance with a  
25 standing order may not be considered to be practicing:

26 (1) Medicine for the purposes of Title 14 of the Health Occupations Article;

27 (2) Registered nursing for the purposes of Title 8 of the Health Occupations  
28 Article; or

29 (3) Pharmacy for the purposes of Title 12 of the Health Occupations Article.

30 (c) A licensed health care provider who prescribes or dispenses [naloxone]  
31 OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG  
32 ADMINISTRATION in accordance with this subtitle may not be subject to any disciplinary  
33 action by the appropriate licensing health occupations board under the Health Occupations  
34 Article solely for the act of prescribing or dispensing [naloxone] OPIOID OVERDOSE  
35 REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.



1 ~~13-3104.~~

2 ~~(A) An authorized private or public entity shall enter into a written agreement~~  
3 ~~with a licensed health care provider with prescribing authority to establish protocols for~~  
4 ~~the prescribing and dispensing of naloxone to any individual in accordance with this~~  
5 ~~subtitle.~~

6 ~~(B) ON OR BEFORE JUNE 30, 2024, THE PROTOCOLS ESTABLISHED UNDER~~  
7 ~~SUBSECTION (A) OF THIS SECTION SHALL INCLUDE A REQUIREMENT THAT THE~~  
8 ~~AUTHORIZED PRIVATE OR PUBLIC ENTITY MUST DISPENSE, FREE OF CHARGE,~~  
9 ~~NALOXONE TO AN INDIVIDUAL WHO HAS AN OPIOID USE DISORDER OR IS AT RISK OF~~  
10 ~~EXPERIENCING A DRUG OVERDOSE WHEN THE INDIVIDUAL:~~

11 ~~(1) IS ENROLLED IN A PROGRAM OFFERED BY THE PRIVATE OR~~  
12 ~~PUBLIC ENTITY; OR~~

13 ~~(2) RECEIVES TREATMENT OR SERVICES FROM THE PRIVATE OR~~  
14 ~~PUBLIC ENTITY.~~

15 13-3108.

16 (a) An individual who administers ~~naloxone~~ AN OPIOID OVERDOSE REVERSAL  
17 DRUG APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION to an  
18 individual who is or in good faith is believed to be experiencing an opioid overdose shall  
19 have immunity from liability under §§ 5-603 and 5-629 of the Courts Article.

20 (b) A cause of action may not arise against any licensed health care provider with  
21 prescribing authority or pharmacist for any act or omission when the health care provider  
22 with prescribing authority or pharmacist in good faith prescribes or dispenses ~~naloxone~~ AN  
23 OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND DRUG  
24 ADMINISTRATION and the necessary paraphernalia for the administration of ~~naloxone~~  
25 THE OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND  
26 DRUG ADMINISTRATION to an individual under § 13-3106 of this subtitle.

27 (c) A CAUSE OF ACTION MAY NOT ARISE AGAINST ANY BUSINESS OR  
28 BUSINESS OWNER FOR ANY ACT OR OMISSION WHEN THE BUSINESS OR BUSINESS  
29 OWNER IN GOOD FAITH MAKES ~~NALOXONE~~ OPIOID OVERDOSE REVERSAL DRUGS  
30 APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION AVAILABLE TO THE  
31 EMPLOYEES OR PATRONS OF THE BUSINESS ALONG WITH THE NECESSARY  
32 PARAPHERNALIA FOR ADMINISTRATION OF ~~NALOXONE~~ THE OPIOID OVERDOSE  
33 REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION  
34 TO AN INDIVIDUAL UNDER § 13-3104 OR § 13-3106 OF THIS SUBTITLE.

1            **[(c)] (D)**        This subtitle may not be construed to create a duty on any individual  
2 to:

3            (1)        Obtain education and training from an authorized private or public  
4 entity under this subtitle, and an individual may not be held civilly liable for failing to  
5 obtain education and training from an authorized private or public entity under this  
6 subtitle; or

7            (2)        Administer ~~naloxone~~ **OPIOID OVERDOSE REVERSAL DRUGS**  
8 **APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION** to an individual who  
9 is experiencing or believed by the individual to be experiencing an opioid overdose.

10 13-3109.

11            A person who dispenses [~~naloxone~~] **AN OPIOID OVERDOSE REVERSAL DRUG**  
12 **APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION** in accordance with  
13 **this subtitle is exempt from any laws that require a person to maintain a permit to dispense**  
14 **prescription drugs.**

15 19-310.3.

16            (a)        On or before January 1, 2018, each hospital shall have a protocol for  
17 discharging a patient who was treated by the hospital for a drug overdose or was identified  
18 as having a substance use disorder.

19            (b)        The protocol [may include]:

20            (1)        **MAY INCLUDE:**

21            (I)        Coordination with peer recovery counselors who can conduct a  
22 screening, a brief intervention, and referral to treatment and connection of the patient with  
23 community services; and

24            [(2)] (II)        Prescribing ~~naloxone~~ **OPIOID OVERDOSE REVERSAL DRUGS**  
25 **APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION** for the patient; AND

26            (2)        **ON OR BEFORE JUNE 30, ~~2024~~ 2023, SHALL REQUIRE ~~DISPENSING~~**  
27 **OFFERING ~~NALOXONE~~ OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE**  
28 **FEDERAL FOOD AND DRUG ADMINISTRATION, FREE OF CHARGE, TO A PATIENT WHO**  
29 **RECEIVED TREATMENT FOR A SUBSTANCE USE DISORDER, OPIOID USE DISORDER,**  
30 **OR NONFATAL DRUG OVERDOSE EVENT.**

31            ~~(e) (1) Beginning in 2018, a hospital shall submit to the Maryland Hospital~~  
32 ~~Association the hospital's protocol for discharging a patient who was treated by the hospital~~  
33 ~~for a drug overdose or was identified as having a substance use disorder.~~

1           ~~(2) On or before December 1, 2018, the Maryland Hospital Association~~  
2 ~~shall submit a report to the Department and, in accordance with § 2-1257 of the State~~  
3 ~~Government Article, to the Senate Finance Committee, the House Health and Government~~  
4 ~~Operations Committee, and the Joint Committee on Behavioral Health and Substance Use~~  
5 ~~Disorders on each hospital's discharge protocol as submitted to the Maryland Hospital~~  
6 ~~Association under paragraph (1) of this subsection.~~

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2022.

Approved:

\_\_\_\_\_  
Governor.

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President of the Senate.

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Speaker of the House of Delegates.