

# SENATE BILL 793

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SB 408/24 – FIN

5lr3219  
CF HB 572

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By: **Senator Mautz**

Introduced and read first time: January 28, 2025

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Opioid Overdose Reversal Drugs**

3 FOR the purpose of requiring a licensed health care provider, when issuing a standing order  
4 for an opioid overdose reversal drug, to allow an individual to choose any formulation  
5 of any opioid overdose reversal drug approved by the federal Food and Drug  
6 Administration; prohibiting certain private and public entities that prescribe and  
7 dispense opioid overdose reversal drugs from being required to keep in stock or  
8 dispense all opioid overdose reversal drugs approved by the federal Food and Drug  
9 Administration; and generally relating to opioid overdose reversal drugs.

10 BY repealing and reenacting, without amendments,  
11 Article – Health – General  
12 Section 13–3101(a), (c), and (e) and 13–3104  
13 Annotated Code of Maryland  
14 (2023 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Health – General  
17 Section 13–3106  
18 Annotated Code of Maryland  
19 (2023 Replacement Volume and 2024 Supplement)

20 BY adding to  
21 Article – Health – General  
22 Section 13–3110  
23 Annotated Code of Maryland  
24 (2023 Replacement Volume and 2024 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Health – General**

2 13–3101.

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

4 (c) “Private or public entity” means a health care provider, local health  
5 department, community–based organization, substance abuse treatment organization, or  
6 other person that addresses medical or social issues related to drug addiction.7 (e) “Standing order” means a written instruction for the prescribing and  
8 dispensing of an opioid overdose reversal drug approved by the federal Food and Drug  
9 Administration in accordance with § 13–3106 of this subtitle.

10 13–3104.

11 An authorized private or public entity shall enter into a written agreement with a  
12 licensed health care provider with prescribing authority to establish protocols for the  
13 prescribing and dispensing of an opioid overdose reversal drug approved by the federal Food  
14 and Drug Administration to any individual in accordance with this subtitle.

15 13–3106.

16 (a) A licensed health care provider with prescribing authority may prescribe and  
17 dispense an opioid overdose reversal drug approved by the federal Food and Drug  
18 Administration to an individual who:19 (1) Is believed by the licensed health care provider to be at risk of  
20 experiencing an opioid overdose; or21 (2) Is in a position to assist an individual at risk of experiencing an opioid  
22 overdose.23 (b) (1) A licensed health care provider with prescribing authority may  
24 prescribe and dispense opioid overdose reversal drugs approved by the federal Food and  
25 Drug Administration by issuing a standing order if the licensed health care provider:

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

27 (ii) Has a written agreement with an authorized private or public  
28 entity under § 13–3104 of this subtitle.29 **(2) WHEN ISSUING A STANDING ORDER FOR AN OPIOID OVERDOSE**  
30 **REVERSAL DRUG UNDER PARAGRAPH (1) OF THIS SUBSECTION, A LICENSED HEALTH**  
31 **CARE PROVIDER SHALL ALLOW THE INDIVIDUAL TO CHOOSE ANY FORMULATION OF**  
32 **ANY OPIOID OVERDOSE REVERSAL DRUG APPROVED BY THE FEDERAL FOOD AND**  
33 **DRUG ADMINISTRATION.**

1            ~~[(2)]~~ (3)        A licensed health care provider with prescribing authority who  
2 issues a standing order under paragraph (1) of this subsection may delegate the dispensing  
3 of opioid overdose reversal drugs approved by the federal Food and Drug Administration to  
4 an employee or a volunteer of an authorized private or public entity in accordance with a  
5 written agreement under § 13–3104 of this subtitle.

6            ~~[(3)]~~ (4)        Any licensed health care provider who has dispensing authority  
7 also may dispense an opioid overdose reversal drug approved by the federal Food and Drug  
8 Administration to any individual in accordance with a standing order issued by a licensed  
9 health care provider with prescribing authority in accordance with this subsection.

10           (c)        A pharmacist may dispense opioid overdose reversal drugs approved by the  
11 federal Food and Drug Administration in accordance with a therapy management contract  
12 under Title 12, Subtitle 6A of the Health Occupations Article.

13        **13–3110.**

14            **AN AUTHORIZED PRIVATE OR PUBLIC ENTITY THAT PRESCRIBES AND**  
15 **DISPENSES OPIOID OVERDOSE REVERSAL DRUGS MAY NOT BE REQUIRED TO KEEP**  
16 **IN STOCK OR DISPENSE ALL OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE**  
17 **FEDERAL FOOD AND DRUG ADMINISTRATION.**

18            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2025.