

HOUSE BILL 1285

J1, F5

6lr2664

By: **Delegate Guzzone**

Introduced and read first time: February 12, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Opioid Overdose Reversal Drugs – Possession, Storage, and**
3 **Administration Past Expiration Date**

4 FOR the purpose of altering certain provisions of law relating to the possession, storage,
5 and administration of an opioid overdose reversal drug to allow for the possession,
6 storage, or administration of an expired opioid overdose reversal drug within a
7 certain amount of time after the expiration date; and generally relating to opioid
8 overdose reversal drugs.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 7–426.5(a)
12 Annotated Code of Maryland
13 (2025 Replacement Volume and 2025 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 7–426.5(b)
17 Annotated Code of Maryland
18 (2025 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Education
21 Section 11–1202 and 13–518(a)
22 Annotated Code of Maryland
23 (2022 Replacement Volume and 2025 Supplement)

24 BY repealing and reenacting, without amendments,
25 Article – Education
26 Section 13–518(b) and (c)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2022 Replacement Volume and 2025 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – Health – General
4 Section 8–408, 13–3101, 13–3501, and 21–2A–01(g)
5 Annotated Code of Maryland
6 (2023 Replacement Volume and 2025 Supplement)

7 BY repealing and reenacting, without amendments,
8 Article – Health – General
9 Section 13–3102, 13–3502, and 21–2A–01(a), (h), and (q)
10 Annotated Code of Maryland
11 (2023 Replacement Volume and 2025 Supplement)

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

14 **Article – Education**

15 7–426.5.

16 (a) Each county board shall establish a policy in accordance with school health
17 guidelines and State laws and regulations for public schools within its jurisdiction to
18 authorize the school nurse, school health services personnel, and other school personnel to
19 administer naloxone or other overdose–reversing medication to a student or other person
20 located on school property who is reasonably believed to be experiencing an opioid overdose.

21 (b) The policy established under subsection (a) of this section shall include:

22 (1) A provision requiring all public schools to obtain and store at the public
23 school naloxone or other overdose–reversing medication to be used in an emergency
24 situation; [and]

25 **(2) A PROVISION ALLOWING THE POSSESSION, STORAGE, AND**
26 **ADMINISTRATION OF EXPIRED NALOXONE FOR 1 YEAR AFTER THE EXPIRATION**
27 **DATE; AND**

28 **[(2)] (3)** A requirement that each public school develop and implement a
29 method for notifying the parents or guardians of students of the school’s policy under this
30 section at the beginning of each school year.

31 11–1202.

32 (a) Each institution of higher education shall establish a policy that addresses
33 heroin and opioid addiction and prevention.

1 (b) The policy established under this subtitle shall [require]:

2 (1) **REQUIRE** each institution to:

3 [(1)] (I) Require incoming full-time students to participate in an
4 in-person heroin and opioid addiction and prevention awareness training, unless in-person
5 training is impracticable, then to participate in an electronic heroin and opioid addiction
6 and prevention awareness training;

7 [(2)] (II) Provide incoming part-time students with resources that alert
8 and educate the students regarding heroin and opioid addiction and prevention; and

9 [(3)] (III) Obtain and store at the institution naloxone or other
10 overdose-reversing medication to be used in an emergency situation; **AND**

11 (2) **ALLOW EACH INSTITUTION TO POSSESS, STORE, AND ADMINISTER**
12 **EXPIRED NALOXONE FOR 1 YEAR AFTER THE EXPIRATION DATE.**

13 13-518.

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) “Automated external defibrillator (AED)” has the meaning stated in §
16 13-517 of this subtitle.

17 (3) (I) “Naloxone” means the medication approved by the federal Food
18 and Drug Administration for community use for the reversal of a known or suspected opioid
19 overdose.

20 (II) **“NALOXONE” INCLUDES MEDICATION DESCRIBED UNDER**
21 **SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT HAS BEEN EXPIRED FOR LESS THAN**
22 **1 YEAR.**

23 (4) “Public building” means:

24 (i) A public mass transportation accommodation, such as a terminal
25 or station, that is supported by public funds;

26 (ii) An improvement of a public area used for gathering or
27 amusement, including a public park or recreation center; or

28 (iii) A facility that is supported by public funds and primarily used to
29 provide secondary or higher education.

30 (b) (1) The EMS Board, in collaboration with the Maryland Department of
31 Health, shall develop and implement an initiative under the Public Access Automated

1 External Defibrillator Program to require that naloxone be co-located with each automated
2 external defibrillator placed in a public building.

3 (2) The initiative developed under paragraph (1) of this subsection shall
4 ensure that up to two doses of naloxone are maintained in a location that:

5 (i) Is visible and in close physical proximity to the automated
6 external defibrillator; and

7 (ii) Has a label that clearly indicates to the public the availability of
8 naloxone.

9 (3) The initiative developed under paragraph (1) of this subsection shall be
10 funded using funds from the Opioid Restitution Fund appropriated through the State
11 budget.

12 (c) (1) The owner or operator of a public building is not civilly liable for any
13 act or omission in the provision and maintenance of naloxone under the initiative developed
14 under subsection (b)(1) of this section if the owner or operator has satisfied any
15 requirements established for providing and maintaining naloxone under the initiative.

16 (2) An individual who administers naloxone made available under the
17 initiative developed under paragraph (1) of this subsection in response to a known or
18 suspected drug overdose shall have immunity from civil liability as provided in § 5-603 of
19 the Courts Article.

20 Article – Health – General

21 8-408.

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) “Community services program” includes a homeless services program.

24 (3) “Homeless services program” means a program operated by the
25 Department of Housing and Community Development through a local administering
26 agency or service provider for the purpose of providing shelter, food, and services to
27 homeless family units in the State.

28 (4) “Intensive outpatient program” means a treatment program that
29 addresses substance use disorders or other disorders that do not require detoxification or
30 inpatient supervision and are designated by the American Society of Addiction Medicine as
31 a level 2.1 setting.

32 (5) “Opioid treatment program” means a program approved by the
33 Department to provide opioid maintenance therapy under regulations adopted by the
34 Department.

1 (b) On or before June 30, 2024, a community services program that provides
2 services to individuals who have a substance use disorder or an opioid use disorder or are
3 at risk of experiencing a drug overdose shall have a protocol to offer opioid overdose reversal
4 drugs approved by the federal Food and Drug Administration, **INCLUDING AN OPIOID**
5 **REVERSAL DRUG THAT HAS BEEN EXPIRED FOR LESS THAN 1 YEAR**, free of charge, to
6 those individuals who have an opioid use disorder or are at risk of experiencing a drug
7 overdose when the individual receives services from the community services program.

8 (c) On or before June 30, 2023, each opioid treatment program and each intensive
9 outpatient treatment program shall have a protocol to offer an opioid overdose reversal
10 drug approved by the federal Food and Drug Administration, free of charge, when an
11 individual receives services from the opioid treatment program or intensive outpatient
12 treatment program.

13 (d) On or before June 30, 2024:

14 (1) State and local correctional facilities shall have a protocol to offer an
15 opioid overdose reversal drug approved by the federal Food and Drug Administration,
16 **INCLUDING NALOXONE THAT HAS BEEN EXPIRED FOR LESS THAN 1 YEAR**, free of
17 charge, to sentenced individuals who have an opioid use disorder or who are at risk of
18 experiencing a drug overdose before the individual's release; and

19 (2) The Division of Parole and Probation shall have a protocol to offer an
20 opioid overdose reversal drug approved by the federal Food and Drug Administration,
21 **INCLUDING NALOXONE THAT HAS BEEN EXPIRED FOR LESS THAN 1 YEAR**, free of
22 charge, to individuals under supervision who have an opioid use disorder or are at risk of
23 experiencing a drug overdose.

24 (e) The Secretary may adopt regulations to carry out this section.

25 13–3101.

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

27 **(B) “OPIOID OVERDOSE REVERSAL DRUG” INCLUDES AN OPIOID OVERDOSE**
28 **REVERSAL DRUG THAT HAS BEEN EXPIRED FOR LESS THAN 1 YEAR.**

29 **[(b)] (C)** “Pharmacist” has the meaning stated in § 12–101 of the Health
30 Occupations Article.

31 **[(c)] (D)** “Private or public entity” means a health care provider, local health
32 department, community–based organization, substance abuse treatment organization, or
33 other person that addresses medical or social issues related to drug addiction.

34 **[(d)] (E)** “Program” means the Overdose Response Program.

1 ~~[(e)]~~ **(F)** “Standing order” means a written instruction for the prescribing and
2 dispensing of an opioid overdose reversal drug approved by the federal Food and Drug
3 Administration in accordance with § 13–3106 of this subtitle.

4 13–3102.

5 The Overdose Response Program is a program administered by the Department for
6 the purpose of providing a means of authorizing certain individuals to administer an opioid
7 overdose reversal drug approved by the federal Food and Drug Administration to an
8 individual experiencing, or believed to be experiencing, opioid overdose to help prevent a
9 fatality when medical services are not immediately available.

10 13–3501.

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

12 (b) “Co-prescribing” means, with respect to an opioid overdose reversal drug, the
13 practice of prescribing the drug in conjunction with an opioid prescription for a patient at
14 an elevated risk of overdose.

15 (c) **(1)** “Opioid overdose reversal drug” means naloxone or a similarly acting
16 and equally safe drug that is approved by the federal Food and Drug Administration for
17 the treatment of a known or suspected opioid overdose.

18 **(2) “OPIOID OVERDOSE REVERSAL DRUG” INCLUDES A DRUG**
19 **DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION THAT HAS BEEN EXPIRED FOR**
20 **LESS THAN 1 YEAR.**

21 13–3502.

22 (a) The Secretary shall establish guidelines for the co-prescribing of opioid
23 overdose reversal drugs that are applicable to all licensed health care providers in the State
24 who are authorized by law to prescribe a monitored prescription drug, as defined in §
25 21–2A–01 of this article.

26 (b) The guidelines established under subsection (a) of this section shall address
27 the co-prescribing of opioid overdose reversal drugs for patients who are:

28 (1) At an elevated risk of overdose; and

29 (2) (i) Receiving opioid therapy for chronic pain;

30 (ii) Receiving a prescription for benzodiazepines; or

31 (iii) Being treated for opioid use disorders.

1 21-2A-01.

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

3 (g) **(1)** “Naloxone medication” means an opioid antagonist approved by the
4 federal Food and Drug Administration for the reversal of an opioid overdose.

5 **(2) “NALOXONE MEDICATION” INCLUDES AN OPIOID ANTAGONIST**
6 **DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION THAT HAS BEEN EXPIRED FOR**
7 **LESS THAN 1 YEAR.**

8 (h) “Naloxone medication data” means the information submitted to the Program
9 for naloxone medication.

10 (q) “Program” means the Prescription Drug Monitoring Program established
11 under this subtitle.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2026.