

- SUBJECT:** Creating guidelines for prescribing opioid antagonists
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 8 ayes — Price, Arévalo, Burkett, Coleman, Guerra, Klick, Oliverson, Zedler
- 0 nays
- 3 absent — Sheffield, Collier, Cortez
- SENATE VOTE:** On final passage, April 19 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** For — Mark Kinzly, Texas Overdose Naloxone Initiative; (*Registered, but did not testify*: Eric Woome, Federation of Texas Psychiatry; Amber Hausenfluck, Kaleo Inc.; Gyl Switzer, Mental Health America of Texas; Sebastien Laroche, Methodist Healthcare Ministries of South Texas, Inc.; Greg Hansch, National Alliance on Mental Illness (NAMI) Texas; Eric Kunish, National Alliance on Mental Illness Austin Affiliate Advocacy Chair; Jennifer Banda, Texas Hospital Association)
- Against — None
- On — Allison Benz, Texas State Board of Pharmacy; (*Registered, but did not testify*: Kerstin Arnold, Texas State Board of Pharmacy)
- BACKGROUND:** Health and Safety Code, sec. 483.101 defines an "opioid antagonist" as any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors. "Opioid-related drug overdose" means a condition, evidenced by symptoms such as extreme physical illness, decreased level of consciousness, constriction of the pupils, respiratory depression, or coma, that a layperson would reasonably believe to be the result of the consumption or use of an opioid. Opioid antagonists, such as naloxone, are used to rapidly reverse opioid overdose.
- Occupations Code, sec. 483.102 allows an opioid antagonist to be

prescribed and dispensed to a person at risk of experiencing an opioid-related drug overdose, or a family member, friend, or other person who could assist the person at risk of overdose.

Interested observers suggest that creating Texas Medical Board guidelines for the appropriate prescription of an opioid antagonist could reduce deaths related to opioid-related overdoses.

DIGEST: SB 584 would direct the Texas Medical Board (TMB) to adopt guidelines for prescription of opioid antagonists. The guidelines would address:

- prescribing an opioid antagonist to a patient to whom an opioid medication was also prescribed; and
- identifying patients at risk of an opioid-related drug overdose and prescribing an opioid antagonist to that patient or to a person in a position to administer the antagonist to the patient.

In adopting the guidelines, TMB would be required to consult with the Texas State Board of Pharmacy and to consult materials published by the Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services. TMB also could consult other appropriate materials, including peer reviewed medical journals and medical professional association publications.

The bill would provide certain protections for prescribing physicians. It would specify that a physician who acted in good faith and with reasonable care, regardless of whether the physician followed the board's guidelines, would not be subject to criminal or civil liability or any other professional disciplinary action for:

- prescribing or failing to prescribe an opioid antagonist; or
- any outcome resulting from the eventual administration of the prescribed opioid antagonist.

The bill would take effect September 1, 2017. The bill's provisions related to disciplinary sanctions, civil liability, or a criminal offense would apply

to conduct occurring on or after that date.