

SENATE FILE NO. SF0101

Epinephrine and naloxone administration authority.

Sponsored by: Senator(s) Rothfuss and Representative(s)
LeBeau

A BILL

for

1 AN ACT relating to public health and safety; amending and
2 renaming the Emergency Administration of Opiate Antagonist
3 Act; clarifying that the Act applies to the University of
4 Wyoming and Wyoming community colleges; providing for
5 prescription and administration of epinephrine through the
6 use of epinephrine auto-injectors as specified; granting
7 immunity from criminal or civil liability for specified
8 conduct; making a technical correction; providing
9 rulemaking authority; and providing for an effective date.

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11 *Be It Enacted by the Legislature of the State of Wyoming:*

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13 **Section 1.** W.S. 35-4-901, 35-4-902(a)(vi), (vii) and
14 by creating a new paragraph (viii), 35-4-903 through
15 35-4-905 and 35-4-906(a) through (e) are amended to read:

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ARTICLE 9

3

EMERGENCY ADMINISTRATION OF MEDICAL TREATMENT ACT

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35-4-901. Short title.

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This article may be cited as the "Emergency Administration

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of ~~Opiate Antagonist~~ Medical Treatment Act."

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35-4-902. Definitions.

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(a) As used in this article:

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(vi) "Entity" means any person as defined in W.S. 8-1-102(a)(vi), and includes the University of Wyoming and Wyoming community colleges, who employs persons who, in the course of their official duties or business, may encounter a person experiencing anaphylaxis or an opioid related drug overdose;

(vii) "Opioid" or "opiate" means an opiumlike compound that binds to one (1) or more of the major opioid receptors in the body.

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(viii) "Epinephrine auto-injector" means an automatic injectable device that administers the drug epinephrine to a person experiencing anaphylaxis and includes epipens or any other device under a different brand name used for emergency epinephrine delivery for the treatment of anaphylaxis and which device is approved by the United States food and drug administration.

35-4-903. Prescription of epinephrine auto-injector or opiate antagonist.

(a) A practitioner or a pharmacist acting in good faith and exercising reasonable care may, without a prescriber-patient relationship, prescribe an epinephrine auto-injector or an opiate antagonist to:

(i) A person at risk of experiencing anaphylaxis or an opiate related drug overdose;

(ii) A person in a position to assist a person at risk of experiencing anaphylaxis or an opiate related drug overdose;

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2 (iii) A person who, in the course of the
3 person's official duties or business, may encounter a
4 person experiencing anaphylaxis or an opiate related drug
5 overdose.

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7 (b) A practitioner or pharmacist who prescribes an
8 epinephrine auto-injector or an opiate antagonist under
9 this article shall provide education to the person to whom
10 the epinephrine auto-injector or opiate antagonist is
11 prescribed, which shall include written instruction on how
12 to:

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14 (i) Recognize anaphylaxis or an opiate related
15 drug overdose;

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17 (ii) Respond appropriately to an anaphylaxis or
18 opiate related drug overdose event, including how to
19 administer epinephrine through use of an epinephrine
20 auto-injector or administer an opiate antagonist;

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22 (iii) Ensure that a person to whom epinephrine
23 or an opiate antagonist has been administered receives, as

1 soon as possible, additional medical care and a medical
2 evaluation.

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4 **35-4-904. Standing order for epinephrine**
5 **auto-injector or opiate antagonist; anaphylaxis and drug**
6 **overdose treatment policy; rules.**

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8 (a) A practitioner acting in good faith and
9 exercising reasonable care may prescribe by a standing
10 order an epinephrine auto-injector or an opiate antagonist
11 to an entity that, in the course of the entity's official
12 duties or business, may be in a position to assist a person
13 experiencing anaphylaxis or an opiate related drug
14 overdose.

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16 (b) An entity prescribed an epinephrine auto-injector
17 or an opiate antagonist by standing order shall establish
18 an anaphylaxis or a drug overdose treatment policy in
19 accordance with rules adopted by the department of health.
20 The anaphylaxis or drug overdose treatment policy shall:

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22 (i) Provide for the designation of individuals
23 to receive training and instructional materials on how to

1 recognize and respond to anaphylaxis or an opiate related
2 drug overdose and ensure that a person to whom epinephrine
3 or an opiate antagonist has been administered receives
4 additional medical care and a medical evaluation;

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6 (ii) Provide for reporting to the department of
7 health, in the manner and form prescribed by the
8 department, all anaphylaxis events or opiate related drug
9 overdoses for which epinephrine or an opiate antagonist is
10 administered under this article.

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12 (c) The Wyoming state board of medicine and the
13 Wyoming state board of nursing may adopt rules as necessary
14 to implement and administer prescription of an epinephrine
15 auto-injector or an opiate antagonist by a standing order.

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17 **35-4-905. Voluntary participation.**

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19 This article does not establish a duty or standard of care
20 for a person to prescribe or administer epinephrine,
21 through use of an epinephrine auto-injector, or an opiate
22 antagonist.

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1 35-4-906. Administration of an epinephrine auto-
2 injector or opiate antagonist; immunity from liability;
3 exemption from unprofessional conduct; relation to other
4 law.

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6 (a) A person acting in good faith may administer
7 epinephrine through use of an epinephrine auto-injector or
8 an opiate antagonist to another person who appears to be
9 experiencing anaphylaxis or an opiate related drug
10 overdose.

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12 (b) A person who administers epinephrine through use
13 of an epinephrine auto-injector or an opiate antagonist
14 pursuant to this article is personally immune from civil or
15 criminal liability for any act or omission resulting in
16 damage or injury.

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18 (c) A practitioner or pharmacist who prescribes an
19 epinephrine auto-injector or opiate antagonist pursuant to
20 this article is personally immune from civil or criminal
21 liability for any act or omission resulting in damage or
22 injury.

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1 (d) An entity that establishes a ~~an anaphylaxis or~~
2 drug overdose treatment policy pursuant to this article is
3 immune from civil or criminal liability for any act or
4 omission related to the administration of epinephrine
5 through use of an epinephrine auto-injector or an opiate
6 antagonist resulting in damage or injury.

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8 (e) Prescribing an epinephrine auto-injector or
9 opiate antagonist by a practitioner or pharmacist pursuant
10 to this article shall not constitute unprofessional
11 conduct.

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13 **Section 2.** This act is effective July 1, 2022.

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(END)