SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 53

(SENATE AUTHORS: KORAN and Rosen)

DATE	D-PG	OFFICIAL STATUS
01/11/2021	82	Introduction and first reading Referred to Health and Human Services Finance and Policy
01/14/2021	103	Author added Rosen

A bill for an act

relating to health care; requiring prescribers of opioids to offer a prescription for naloxone hydrochloride under certain circumstances and provide education on overdose prevention and the use of naloxone hydrochloride; amending Minnesota Statutes 2020, section 152.11, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2020, section 152.11, is amended by adding a subdivision to read:

Subd. 5. **Naloxone hydrochloride prescription.** (a) Notwithstanding any other law to the contrary, a prescriber who is authorized to prescribe an opioid under section 152.12, subdivision 1, when prescribing an opioid, must offer to the patient a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression if one of the following conditions is met:

(1) the opioid prescription dosage is equal to or in excess of 50 morphine milligram equivalents (MME) per day;

(2) the opioid is prescribed concurrently with a prescription for benzodiazepine; or

(3) the patient presents with an increased risk of overdose, including a known history of overdose, a known history of substance use disorder, or is at risk of returning to a high dose of opioid medication to which the patient is no longer tolerant.

(b) If a patient receives a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression under paragraph (a), the prescriber must provide to the patient,

or to one or more persons designated by the patient, or the patient's parent or guardian if the patient is a minor, education that is consistent with the existing standard of care and with guidelines issued by the United States Food and Drug Administration and the Centers for Disease Control and Prevention on overdose prevention and the use of naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression.

(c) A prescriber who does not comply with the requirements of this section may be subject to administrative sanctions from the health-related licensing board that regulates the prescriber.

(d) This section does not create a private right of action against a prescriber and does not limit a prescriber's liability for the negligent failure to diagnose or treat a patient.

(e) This section does not apply to a patient receiving hospice or other end-of-life care.

EFFECTIVE DATE. This section is effective July 1, 2021.