

The Opioid Overdose Reduction Act of 2014

Overdoses from opioids have increased dramatically in the United States. Deaths from drug overdoses have tripled among men and increased fivefold among women between 1999 and 2010.ⁱ Approximately 38,000 people die each year from drug overdose, or more than 100 per day.ⁱⁱ Nationwide, drug overdoses now claim more lives than motor vehicle accidents.ⁱⁱⁱ

For every unintentional death from opioid pain medicines, nine persons are admitted for substance abuse treatment, 35 visit emergency departments, 161 report drug abuse or dependence, and 461 report misuse of opioid analgesics.^{iv} The absolute scale of this is dramatic: roughly 475,000 emergency room visits each year for misuse and abuse of opioid pain medicines.^v

Death from heroin and other opioid overdoses may be prevented if the victim is administered an opioid overdose drug, such as naloxone, in a timely manner. Several states, including Massachusetts, have established programs allowing for the administration of opioid overdose drugs by non-medical personnel, including first responders, family members, and friends. These programs have saved thousands of lives.

However, the willingness of medical and non-medical personnel to provide and administer opioid overdose drugs may be deterred by potential civil liability. And the willingness of physicians to prescribe opioid overdose drugs to persons other than a patient may also be deterred by potential civil liability.

The Opioid Overdose Reduction Act of 2014:

- **Exempts from civil liability individuals who provide or administer an opioid overdose drug under certain circumstances:**
 - **Exempts health care professionals from civil liability from any harm caused by the emergency administration of an opioid overdose drug that they prescribe or provide to any person provided that person receives education in the proper administration of the opioid overdose drug**
 - **Exempts individuals who work or volunteer at an opioid overdose program from civil liability from any harm caused by the emergency administration of an opioid overdose drug that they provide as a part of an opioid overdose program**
 - **Exempts individuals who administer an opioid overdose drug to a person who is or reasonably appears to have suffered an overdose from civil liability provided they obtained the overdose drug from an overdose program or a health care professional and received education in the proper administration of the overdose drug**
- **Preempts state law, but states can override the Opioid Overdose Reduction Act if they enact specific legislation pursuant to the Act.**

ⁱ CDC Morbidity and Mortality Weekly Report July 5, 2013 Vital Signs: Overdoses of Prescription Opioid Pain Relievers and Other Drugs Among Women — United States, 1999–2010 See: <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6226a3.htm>

ⁱⁱ CDC Press Release: Opioids drive continued increase in drug overdose deaths. February 20, 2013. Total drug overdose numbers: 38,329 in 2010; 60% of these related to prescription drugs including opioid pain medications. http://www.cdc.gov/media/releases/2013/p0220_drug_overdose_deaths.html

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- ⁱⁱⁱ CDC: Drug Overdose in the United States: Fact Sheet. See: <http://www.cdc.gov/homeandrecreationalafety/overdose/facts.html> or Centers for Disease Control and Prevention. Wide-ranging OnLine Data for Epidemiologic Research (WONDER) [online]. (2012) Available from URL: <http://wonder.cdc.gov/mortsql.html>.
- ^{iv} Morbidity and Mortality Weekly Report January 13, 2012. CDC Grand Rounds: Prescription Drug Overdoses. See: <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6101a3.htm>
- ^v CDC Policy Impact: Prescription Painkiller Overdoses. See: <http://www.cdc.gov/homeandrecreationalafety/rxbrief/> Original data found: Substance Abuse and Mental Health Services Administration. Drug Abuse Warning Network: selected tables of national estimates of drug-related emergency department visits. Rockville, MD: Center for Behavioral Health Statistics and Quality, SAMHSA; 2010