



Module 3: Maryland Opioid Overdose Law

Naloxone Standing Order

Good Samaritan Laws



Objectives

- Define the components of the Maryland naloxone standing order and how it applies to community practice
- Interpret the Good Samaritan Laws and describe how they provide overdose immunity in Maryland
- Explain how to find resources about the naloxone standing order and Good Samaritan Laws



Naloxone Standing Order



Evolution of Naloxone Standing Order in Maryland

2015

- Original naloxone standing order issued December 14th 2015
- Authorized pharmacists to dispense naloxone to individuals who trained with and received a certificate from the Maryland Overdose Response Program (ORP)

2017

- Heroin and Opioid Prevention Effort (HOPE) and Treatment Act of 2017 (Maryland Senate Bill 967) signed into law on May 25th 2017
- New naloxone standing order authorized on June 1st 2017
- **Pharmacists can dispense naloxone to anyone regardless of certification or training with the ORP**



Overview

- Authorizes any pharmacist who is licensed in Maryland to dispense:
 - **Two (2) doses of naloxone** and
 - **Supplies necessary for administration to any individual**
- Issued by **Howard Haft, MD (NPI 1639132152), Deputy Secretary of Public Health Services**

Overview

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Naloxone Formulations

Insurance Coverage

Dispensing Instructions



Overview

Updated June 1, 2017

Maryland Overdose Response Program Statewide Naloxone Standing Order



Background

Naloxone is a prescription medication indicated for the reversal of respiratory depression or unresponsiveness due to opioid overdose. Under Maryland law,¹ a physician employed by the Maryland Department of Health and Mental Hygiene (DHMH) may prescribe naloxone by issuing a standing order which authorizes dispensing to any individual who may be at risk of opioid overdose or in a position to assist someone experiencing an opioid overdose. A person-specific paper or electronic prescription is not required to dispense under this standing order, and an individual is not required to have previously received training or education on opioid overdose response to be dispensed naloxone. An individual prescribed and dispensed naloxone under this standing order may possess naloxone and the necessary supplies for its administration and administer it to anyone they believe may be experiencing an opioid overdose. More information about opioid overdose response, naloxone and guidance to pharmacists regarding this standing order is available from the Maryland Overdose Response Program and online at www.naloxonemd.org.

Statewide Standing Order

This standing order is issued by **Howard Haft, M.D. (NPI # 1639132152), Deputy Secretary for Public Health Services, DHMH**. The standing order authorizes any Maryland-licensed pharmacist to dispense naloxone to any individual in accordance with the conditions of this order, enumerated below.

Dispense **two (2) doses** of naloxone hydrochloride and necessary paraphernalia for administration. The specific naloxone formulation shall be selected from the list below in accordance with the individual's preference or training to administer a particular formulation.

1. For intranasal administration

- NARCAN® 4mg/0.1mL nasal spray. Include face shield for rescue breathing if available.
Directions for use: Administer a single spray of NARCAN® in one nostril. Repeat after 3 minutes if no or minimal response.
Or
- 2mg/2mL single-dose Luer-Jet prefilled syringe. Include one luer-lock mucosal atomization device (MAD 300) per dose dispensed. Include face shield for rescue breathing if available.
Directions for use: Spray 1 mL in each nostril. Repeat after 3 minutes if no or minimal response.

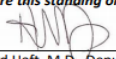
2. For intramuscular injection

- 0.4mg/mL in 1mL single dose vials. Include one 3cc, 23g, 1" syringe per dose dispensed. Include face shield for rescue breathing and alcohol swabs if available.
Directions for use: Inject 1 mL IM in shoulder or thigh. Repeat after 3 minutes if no or minimal response.

3. For intramuscular or subcutaneous injection

- EVZIO® 2mg/0.4mL auto-injector, #1 Two-pack
Directions for use: Follow audio instructions from device. Place on thigh and inject 0.4 mL. Repeat after 3 minutes if no or minimal response.

I declare this standing order as a statewide prescription for the dispensing of naloxone.


Howard Haft, M.D., Deputy Secretary for Public Health Services, DHMH

Effective Date: June 1, 2017

Expiration Date: June 1, 2019

¹ Health-General Article, Title 13, Subtitle 31, Code of Maryland.

Faxed to pharmacies with
Maryland State Controlled
Dangerous Substance
registration on 6/1/2017

How to find a copy of the naloxone standing order?

- Request additional faxed copy by emailing dhmh.naloxone@maryland.gov
- Obtain electronic copy on at <https://bha.health.maryland.gov/NALOXONE/Pages/Statewide-Standing-Order.aspx>



Scenario 1

While on a visit to Raven's Pharmacy, the staff pharmacist tells you she has not dispensed naloxone, because she does not know how to obtain a copy of the standing order. How would you educate the pharmacist to retrieve a copy?

- A. Tell the pharmacist to write out a prescription for naloxone on a telephone pad
- B. Tell the pharmacist to email dhmh.naloxone@maryland.gov to request a faxed copy of the standing order
- C. Tell the pharmacist to call the health department and ask for a copy to be mailed to their pharmacy
- D. Tell the pharmacist to go on the Maryland Department of Health website and print off a copy to use



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Applicability

Pharmacist/Pharmacist Applicability

- Applies to “brick and mortar” and closed door mail order pharmacies
- Pharmacists in mail order pharmacies must follow laws in home state

Patient Applicability

- Naloxone can be dispensed to any individual who is 18 and older
- Patients not required to have prior training or education about how to respond to opioid overdose

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Naloxone Formulations

Intranasal (IN)



Narcan® 4 mg/0.1 mL nasal spray (#1, 2-pack of intranasal devices)

Supplies

- **Optional:** Face shield for rescue breathing



2 mg/2 mL single dose Luer-Jet prefilled syringe (#2 syringes)

- **Required:** #2 luer-lock mucosal atomization device (MAD 300) (1 MAD/dose of naloxone)
- **Optional:** Face shield for rescue breathing

Intramuscular (IM)



Naloxone 0.4 mg/ 1 mL single dose vials (#2 syringes)

- **Required:** #2 3cc, 23G, 1" syringe (1 syringe/dose of naloxone)
- **Optional:** Face shield and alcohol swabs

Intramuscular (IM) or subcutaneous (SC)



Evzio® 2 mg/0.4 mL auto-injector, (#1, 2-pack of auto-injectors)



Maryland Medicaid Coverage

Naloxone Formulations

- Only naloxone products on Medicaid Preferred Drug List can be reimbursed under standing order
- Covers Narcan® nasal spray, pre-filled syringe, and single-dose vials through Pharmacy Program with \$1 copay
 - If patient doesn't have \$1, the copay is waived
- Evzio is no longer on the Maryland Medicaid Formulary

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Maryland Medicaid Coverage

Mucosal Atomizer Devices (MAD)

- Covered through Durable Medical Equipment/Disposable Medical Supplies (DME/DMS) Program
- Pharmacy providers must be enrolled as DME/DMS provider to be reimbursed for the atomizer
- To enroll as DME/DMS provider, pharmacies can apply online or call Provider Enrollment Unit at 410-767-5340

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Maryland Medicaid Coverage

Billing for MAD

- Bill through the point-of-sale system with appropriate National Drug Code and procedure code A4210
- Billing resources
 - <https://bha.health.maryland.gov/NALOXONE/Documents/Statewide%20Naloxone%20Standing%20Order%20Pharmacy%20Guidance%205.31.17.pdf>

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Commercial Insurance

- Coverage varies based on the form of insurance
- Contact insurance carrier directly for more information

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Scenario 2

A young woman would like to fill naloxone for her mom, who is on high dose of Percocet for chronic pain management. She states her mom is uninsured and is concerned about the price of naloxone. How would you handle this situation?

- A. Give the woman the cash price for each of the formulations and let her choose which one she would like to fill
- B. Tell the woman that she cannot fill naloxone for another person
- C. Ask the woman if she has insurance and bill the naloxone through her own
- D. Explain that you cannot fill naloxone without insurance



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Dispensing Instructions

- Get faxed/electronic copy of standing order
- Keep copy of standing order in accessible location
- Select naloxone formulation to dispense
- Dispense naloxone and bill insurance
- Provide individual with additional educational materials

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Good Samaritan Law



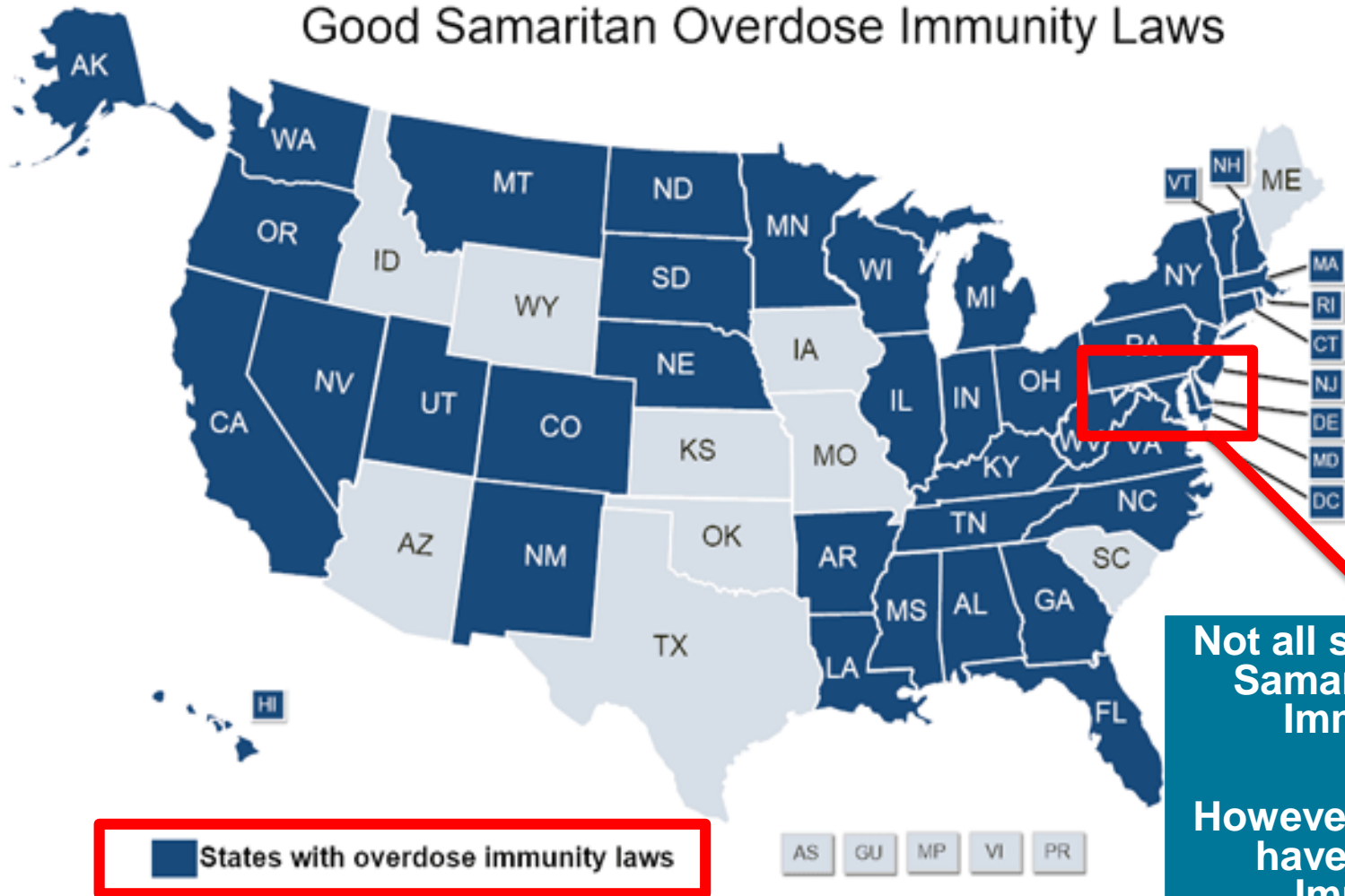
Overview

- The Good Samaritan Laws provide basic legal protection for someone who responds to another person who is believed to be injured or in danger
- The purpose of the law is to encourage more people to respond without worry or fear of charge, arrests, or prosecution
- All 50 states in The United States and D.C. have some version of Good Samaritan Laws in place
- The immunity the laws provide varies by state



Overdose Immunity Laws

Good Samaritan Overdose Immunity Laws



Not all states have Good Samaritan Overdose Immunity Laws

However, Maryland does have an Overdose Immunity Law



Good Samaritan Law in Maryland

- Maryland law provides legal immunity to a person seeking medical attention if they are experiencing or observing another person having a drug-related medical emergency (alcohol poisoning/overdose)
- Maryland protects Good Samaritans who administer naloxone when responding to an overdose in good faith
- Click the link for additional information on The Good Samaritan Law: https://bha.health.maryland.gov/OVERDOSE_PREVENTION/Pages/Good-Samaritan-Law.aspx



What immunity is provided in Maryland?

Maryland law protects the Good Samaritan from criminal charge, arrest, or prosecution for the following six misdemeanors:

- § 5-601: Possessing or administering controlled dangerous substances (CDS)
- § 5-619: Drug paraphernalia
- § 5-620: Controlled paraphernalia
- § 10-114: Underage possession of alcohol
- § 10-116: Obtaining alcohol for underage consumption
- § 10-117: Furnishing for or allowing underage consumption of alcohol

Parole or probation status is not effected by calling 911 under the Good Samaritan Law

*Felonies and crimes not listed above are not protected by the Good Samaritan Law



Scenario 3

A middle-aged man and IV-drug user, Abe, wants to purchase needles at the pharmacy. The pharmacist suggests he fills naloxone, and Abe agrees. The pharmacist reviews how to respond to an overdose and mentions Abe that he will need to call 911 when responding to an overdose. Now, Abe is hesitant to take the naloxone because he worries, he will be arrested if he is found with heroin on him. What should the pharmacist tell Abe?

- A. To stop using heroin or surrounding himself with people who use because he will face legal trouble if he has heroin on him and needs emergency medical attention
- B. Under the Good Samaritan Law he has immunity from charge, arrest, or prosecution if he calls about someone else overdosing but is not protected if he calls for himself
- C. He may face legal trouble for calling 911 if he has heroin on him and needs emergency medical attention but that you can provide a list of pro bono lawyers in the area who specialize in overdose-related cases
- D. Under the Good Samaritan Law he will have immunity from charge, arrest, or prosecution if he calls 911 for himself or someone else in an overdose situation and is actively assisting with the overdose.



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Congratulations you have completed Module 3: Law

Naloxone Standing Order

Good Samaritan Laws



Key Points

- Anyone over the age of 18 can fill naloxone at the pharmacy without a prescription through the standing order signed by Dr. Haft
- The standing order identifies four approved formulations of naloxone that can be filled without a prescription
- Naloxone can be billed through someone's personal insurance even if the medication is intended for someone else
- The Good Samaritan Law in Maryland provides overdose immunity to anyone assisting in the overdose as well as the person experiencing an overdose

