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**Naloxone Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Jen Plumb**  
House Sponsor: Matthew H. Gwynn

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**LONG TITLE**

**General Description:**

This bill extends protections for prescribing, dispensing, furnishing, and administering an expired opiate antagonist.

**Highlighted Provisions:**

This bill:

- ▶ for administering an opiate antagonist:
  - extends immunity from liability for administering an opiate antagonist in good faith to include the administration of an expired opiate antagonist; and
  - clarifies that immunity includes immunity from a civil action and criminal prosecution;
- ▶ provides that a person licensed under Utah law to dispense an opiate antagonist may dispense an expired opiate antagonist;
- ▶ requires a health care provider who dispenses an opiate antagonist to an individual or overdose outreach provider to provide education on the safety, efficacy, and risks of administering an expired opiate antagonist;
- ▶ provides that it is not unlawful or unprofessional conduct for a person who is licensed to prescribe or dispense an opiate antagonist to prescribe or dispense an expired opiate antagonist;
- ▶ provides that an overdose outreach provider may furnish an expired opiate antagonist;
- ▶ makes technical and conforming changes; and
- ▶ defines terms.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **26B-4-509**, as renumbered and amended by Laws of Utah 2023, Chapter 307

32 **26B-4-510**, as renumbered and amended by Laws of Utah 2023, Chapter 307

33 **26B-4-511**, as renumbered and amended by Laws of Utah 2023, Chapter 307

34 **58-17b-507**, as last amended by Laws of Utah 2023, Chapter 328

35 **58-31b-703**, as last amended by Laws of Utah 2023, Chapter 329

36 **58-67-702**, as last amended by Laws of Utah 2023, Chapter 329

37 **58-68-702**, as last amended by Laws of Utah 2023, Chapter 329

38 **58-69-702**, as last amended by Laws of Utah 2023, Chapter 329

39 **58-70a-505**, as last amended by Laws of Utah 2023, Chapter 329

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41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **26B-4-509** is amended to read:

43 **26B-4-509 . Prescribing, dispensing, and administering an opiate antagonist --**

44 **Immunity from liability.**

45 (1) As used in this section, "expired opiate antagonist" means an opiate antagonist that is no  
 46 more than 24 months past the month and year of the opiate antagonist's expiration date.

47 ~~[(1)]~~ (2)(a)(i) For purposes of Subsection ~~[(1)(a)(ii)]~~ (2)(a)(ii), "a person other than a  
 48 health care facility or health care provider" includes the following, regardless of  
 49 whether the person has received funds from the department through the Opiate  
 50 Overdose Outreach Pilot Program created in Section 26B-4-512:

51 (A) a person described in Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F);

52 or

53 (B) an organization, defined by department rule made under Subsection  
 54 26B-4-512(7)(e), that is in a position to assist an individual who is at increased  
 55 risk of experiencing an opiate-related drug overdose event.

56 (ii) Except as provided in Subsection ~~[(1)(b)]~~ (2)(b), the following persons are ~~[not~~  
 57 ~~liable for any civil damages]~~ immune from a civil action or criminal prosecution  
 58 for acts or omissions made as a result of administering an opiate antagonist when  
 59 the person acts in good faith to administer the opiate antagonist, including an  
 60 expired opiate antagonist, to an individual whom the person believes to be  
 61 experiencing an opiate-related drug overdose event:

- 62 (A) an overdose outreach provider; or
- 63 (B) a person other than a health care facility or health care provider.
- 64 (b) A health care provider:
- 65 (i) is not immune from liability under Subsection [~~(1)(a)~~] (2)(a) when the health care
- 66 provider is acting within the scope of the health care provider's responsibilities or
- 67 duty of care; and
- 68 (ii) is immune from liability under Subsection [~~(1)(a)~~] (2)(a) if the health care
- 69 provider is under no legal duty to respond and otherwise complies with Subsection [
- 70 ~~(1)(a)~~] (2)(a).
- 71 [~~(2)~~] (3) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502, a health care
- 72 provider who is licensed to prescribe an opiate antagonist may prescribe, including by a
- 73 standing prescription drug order issued in accordance with Subsection 26B-4-510(2), or
- 74 dispense an opiate antagonist, including an expired opiate antagonist:
- 75 (a)(i) to an individual who is at increased risk of experiencing an opiate-related drug
- 76 overdose event;
- 77 (ii) for an individual described in Subsection [~~(2)(a)(i)~~] (3)(a)(i), to a family member,
- 78 friend, or other person, including a person described in Subsections
- 79 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to assist the
- 80 individual; or
- 81 (iii) to an overdose outreach provider for:
- 82 (A) furnishing the opiate antagonist to an individual described in Subsection [
- 83 ~~(2)(a)(i)~~] (3)(a)(i) or (ii), as provided in Section 26B-4-511; or
- 84 (B) administering to an individual experiencing an opiate-related drug overdose
- 85 event;
- 86 (b) without a prescriber-patient relationship; and
- 87 (c) without liability for any civil damages for acts or omissions made as a result of
- 88 prescribing or dispensing the opiate antagonist in good faith.
- 89 [~~(3)~~] (4) A health care provider who dispenses an opiate antagonist to an individual or an
- 90 overdose outreach provider under Subsection [~~(2)(a)~~] (3)(a) shall provide education to
- 91 the individual or overdose outreach provider that includes written instruction on how to:
- 92 (a) recognize an opiate-related drug overdose event; and
- 93 (b) respond appropriately to an opiate-related drug overdose event, including how to:
- 94 (i) administer an opiate antagonist; and
- 95 (ii) ensure that an individual to whom an opiate antagonist has been administered

96 receives, as soon as possible, additional medical care and a medical evaluation[-] ;  
 97 and

98 (c) the safety, efficacy, and risks of administering an expired opiate antagonist.

99 Section 2. Section **26B-4-510** is amended to read:

100 **26B-4-510 . Standing prescription drug orders for an opiate antagonist.**

101 (1) As used in this section, "expired opiate antagonist" means an opiate antagonist that is no  
 102 more than 24 months past the month and year of the opiate antagonist's expiration date.

103 (2) Notwithstanding Title 58, Chapter 17b, Pharmacy Practice Act, a person licensed under  
 104 Title 58, Chapter 17b, Pharmacy Practice Act, to dispense an opiate antagonist may  
 105 dispense the opiate antagonist, including an expired opiate antagonist:

106 (a) pursuant to a standing prescription drug order made in accordance with Subsection [  
 107 ~~(2)~~] (3); and

108 (b) without any other prescription drug order from a person licensed to prescribe an  
 109 opiate antagonist.

110 [~~(2)~~] (3) A physician who is licensed to prescribe an opiate antagonist, including a physician  
 111 acting in the physician's capacity as an employee of the department, or a medical  
 112 director of a local health department, as defined in Section [~~26B-4-512~~] 26A-1-102, may  
 113 issue a standing prescription drug order authorizing the dispensing of the opiate  
 114 antagonist under Subsection [~~(1)~~] (2) in accordance with a protocol that:

115 (a) limits dispensing of the opiate antagonist to:

116 (i) an individual who is at increased risk of experiencing an opiate-related drug  
 117 overdose event;

118 (ii) a family member of, friend of, or other person, including a person described in  
 119 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to  
 120 assist an individual who is at increased risk of experiencing an opiate-related drug  
 121 overdose event; or

122 (iii) an overdose outreach provider for:

123 (A) furnishing to an individual who is at increased risk of experiencing an  
 124 opiate-related drug overdose event, or to a family member of, friend of, or  
 125 other individual who is in a position to assist an individual who is at increased  
 126 risk of experiencing an opiate-related drug overdose event, as provided in  
 127 Section 26B-4-511; or

128 (B) administering to an individual experiencing an opiate-related drug overdose  
 129 event;

- 130 (b) requires the physician to specify the persons, by professional license number,  
 131 authorized to dispense the opiate antagonist;
- 132 (c) requires the physician to review at least annually the dispensing practices of those  
 133 authorized by the physician to dispense the opiate antagonist;
- 134 (d) requires those authorized by the physician to dispense the opiate antagonist to make  
 135 and retain a record of each person to whom the opiate antagonist is dispensed, which  
 136 shall include:
- 137 (i) the name of the person;
- 138 (ii) the drug dispensed; and
- 139 (iii) other relevant information; and
- 140 (e) is approved by the Division of Professional Licensing within the Department of  
 141 Commerce by administrative rule made in accordance with Title 63G, Chapter 3,  
 142 Utah Administrative Rulemaking Act.

143 Section 3. Section **26B-4-511** is amended to read:

144 **26B-4-511 . Overdose outreach providers.**

- 145 (1) As used in this section, "expired opiate antagonist" means an opiate antagonist that is no  
 146 more than 24 months past the month and year of the opiate antagonist's expiration date.
- 147 (2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502:
- 148 ~~(1)~~ (a) an overdose outreach provider may:
- 149 ~~(a)~~ (i) obtain an opiate antagonist dispensed on prescription by:
- 150 ~~(i)~~ (A) a health care provider, in accordance with Subsections 26B-4-509(2) and  
 151 (3); or
- 152 ~~(ii)~~ (B) a pharmacist or pharmacy intern, as otherwise authorized by Title 58,  
 153 Chapter 17b, Pharmacy Practice Act;
- 154 ~~(b)~~ (ii) store the opiate antagonist; and
- 155 ~~(c)~~ (iii) furnish the opiate antagonist, including an expired opiate antagonist:
- 156 ~~(i)~~ (A)~~(A)~~ (I) to an individual who is at increased risk of experiencing an  
 157 opiate-related drug overdose event; or
- 158 ~~(B)~~ (II) to a family member, friend, overdose outreach provider, or other  
 159 individual who is in a position to assist an individual who is at increased  
 160 risk of experiencing an opiate-related drug overdose event; and
- 161 ~~(ii)~~ (B) without liability for any civil damages for acts or omissions made as a  
 162 result of furnishing the opiate antagonist in good faith; and
- 163 ~~(2)~~ (b) when furnishing an opiate antagonist under this Subsection ~~(1)~~ (2), an overdose

164 outreach provider:

165 ~~[(a)]~~ (i) shall also furnish to the recipient of the opiate antagonist:

166 ~~[(i)]~~ (A) the written instruction under Subsection ~~[26B-4-504(3)]~~ 26B-4-509(3)

167 received by the overdose outreach provider from the health care provider at the

168 time the opiate antagonist was dispensed to the overdose outreach provider; or

169 ~~[(ii)]~~ (B) if the opiate antagonist was dispensed to the overdose outreach provider

170 by a pharmacist or pharmacy intern, any written patient counseling under

171 Section 58-17b-613 received by the overdose outreach provider at the time of

172 dispensing; and

173 ~~[(b)]~~ (ii) may provide additional instruction on how to recognize and respond

174 appropriately to an opiate-related drug overdose event.

175 Section 4. Section **58-17b-507** is amended to read:

176 **58-17b-507 . Opiate antagonist -- Immunity from liability -- Exclusion from**  
 177 **unlawful or unprofessional conduct.**

178 (1) As used in this section:

179 (a) "Expired opiate antagonist" means an opiate antagonist that is no more than 24  
 180 months past the month and year of the opiate antagonist's expiration date.

181 ~~[(a)]~~ (b)(i) "Opiate antagonist" means the same as that term is defined in Section  
 182 26B-4-501.

183 (ii) "Opiate antagonist" includes an expired opiate antagonist.

184 ~~[(b)]~~ (c) "Opiate-related drug overdose event" means the same as that term is defined in  
 185 Section 26B-4-501.

186 (2) A person licensed under this chapter that dispenses an opiate antagonist to an individual  
 187 with a prescription for an opiate antagonist, to an overdose outreach provider with a  
 188 prescription for an opiate antagonist, or pursuant to a standing prescription drug order  
 189 issued in accordance with Subsection 26B-4-510(2) is not liable for any civil damages  
 190 resulting from the outcomes of the eventual administration of the opiate antagonist to an  
 191 individual who another individual believes is experiencing an opiate-related drug  
 192 overdose event.

193 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do  
 194 not establish a duty or standard of care in the prescribing, dispensing, or administration  
 195 of an opiate antagonist.

196 (4) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to  
 197 dispense an opiate antagonist to a person, including a person described in Subsections

198 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), on behalf of an individual if the person  
199 obtaining the opiate antagonist has a prescription for the opiate antagonist from a  
200 licensed prescriber or the opiate antagonist is dispensed pursuant to a standing  
201 prescription drug order issued in accordance with Subsection 26B-4-510(2).

202 (5) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to  
203 dispense an opiate antagonist to an overdose outreach provider if the overdose outreach  
204 provider has a prescription for the opiate antagonist from a licensed prescriber issued  
205 pursuant to Subsection 26B-4-509(2)(a)(iii).

206 Section 5. Section **58-31b-703** is amended to read:

207 **58-31b-703 . Opiate antagonist -- Exclusion from unprofessional or unlawful**  
208 **conduct.**

209 (1) As used in this section:

210 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

211 (b) "Expired opiate antagonist" means an opiate antagonist that is no more than 24  
212 months past the month and year of the opiate antagonist's expiration date.

213 [~~(b)~~] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.

214 [~~(c)~~] (d)(i) "Opiate antagonist" means the same as that term is defined in Section  
215 26B-4-501.

216 (ii) "Opiate antagonist" includes an expired opiate antagonist.

217 [~~(d)~~] (e) "Opiate-related drug overdose event" means the same as that term is defined in  
218 Section 26B-4-501.

219 [~~(e)~~] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

220 (2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is  
221 not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate  
222 antagonist:

223 (a) in a good faith effort to assist:

224 (i) an individual who is at increased risk of experiencing an opiate-related drug  
225 overdose event; or

226 (ii) a family member of, friend of, or other person, including a person described in  
227 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to  
228 assist an individual who is at increased risk of experiencing an opiate-related drug  
229 overdose event; or

230 (b) to an overdose outreach provider pursuant to Section 26B-4-509.

231 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do

232 not establish a duty or standard of care in the prescribing, dispensing, or administration  
 233 of an opiate antagonist.

234 Section 6. Section **58-67-702** is amended to read:

235 **58-67-702 . Opiate antagonist -- Exclusion from unlawful or unprofessional**  
 236 **conduct.**

237 (1) As used in this section:

238 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

239 (b) "Expired opiate antagonist" means an opiate antagonist that is no more than 24  
 240 months past the month and year of the opiate antagonist's expiration date.

241 [~~(b)~~] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.

242 [~~(e)~~] (d)(i) "Opiate antagonist" means the same as that term is defined in Section  
 243 26B-4-501.

244 (ii) "Opiate antagonist" includes an expired opiate antagonist.

245 [~~(d)~~] (e) "Opiate-related drug overdose event" means the same as that term is defined in  
 246 Section 26B-4-501.

247 [~~(e)~~] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

248 (2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is  
 249 not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate  
 250 antagonist:

251 (a) in a good faith effort to assist:

252 (i) an individual who is at increased risk of experiencing an opiate-related drug  
 253 overdose event; or

254 (ii) a family member of, friend of, or other person, including a person described in  
 255 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to  
 256 assist an individual who is at increased risk of experiencing an opiate-related drug  
 257 overdose event; or

258 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).

259 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do  
 260 not establish a duty or standard of care in the prescribing, dispensing, or administration  
 261 of an opiate antagonist.

262 Section 7. Section **58-68-702** is amended to read:

263 **58-68-702 . Opiate antagonist -- Exclusion from unlawful or unprofessional**  
 264 **conduct.**

265 (1) As used in this section:

- 266 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 267 (b) "Expired opiate antagonist" means an opiate antagonist that is no more than 24
- 268 months past the month and year of the opiate antagonist's expiration date.
- 269 [(b)] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 270 [(e)] (d)(i) "Opiate antagonist" means the same as that term is defined in Section
- 271 26B-4-501.
- 272 (ii) "Opiate antagonist" includes an expired opiate antagonist.
- 273 [(d)] (e) "Opiate-related drug overdose event" means the same as that term is defined in
- 274 Section 26B-4-501.
- 275 [(e)] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 276 (2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is
- 277 not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate
- 278 antagonist:
- 279 (a) in a good faith effort to assist:
- 280 (i) an individual who is at increased risk of experiencing an opiate-related drug
- 281 overdose event; or
- 282 (ii) a family member of, friend of, or other person, including a person described in
- 283 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
- 284 assist an individual who is at increased risk of experiencing an opiate-related drug
- 285 overdose event; or
- 286 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).
- 287 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
- 288 not establish a duty or standard of care in the prescribing, dispensing, or administration
- 289 of an opiate antagonist.
- 290 Section 8. Section **58-69-702** is amended to read:
- 291 **58-69-702 . Opiate antagonist -- Exclusion from unlawful or unprofessional**
- 292 **conduct.**
- 293 (1) As used in this section:
- 294 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 295 (b) "Expired opiate antagonist" means an opiate antagonist that is no more than 24
- 296 months past the month and year of the opiate antagonist's expiration date.
- 297 [(b)] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 298 [(e)] (d)(i) "Opiate antagonist" means the same as that term is defined in Section
- 299 26B-4-501.

- 300           (ii) "Opiate antagonist" includes an expired opiate antagonist.
- 301           ~~[(d)]~~ (e) "Opiate-related drug overdose event" means the same as that term is defined in  
302           Section 26B-4-501.
- 303           ~~[(e)]~~ (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 304           (2) The prescribing or dispensing of an opiate antagonist by an individual licensed under  
305           this chapter to engage in the practice of dentistry is not unprofessional or unlawful  
306           conduct if the licensee prescribed or dispensed the opiate antagonist:
- 307           (a) in a good faith effort to assist:
- 308               (i) an individual who is at increased risk of experiencing an opiate-related drug  
309               overdose event; or
- 310               (ii) a family member of, friend of, or other person, including a person described in  
311               Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to  
312               assist an individual who is at increased risk of experiencing an opiate-related drug  
313               overdose event; or
- 314           (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).
- 315           (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do  
316           not establish a duty or standard of care in the prescribing, dispensing, or administration  
317           of an opiate antagonist.
- 318           Section 9. Section **58-70a-505** is amended to read:
- 319           **58-70a-505 . Opiate antagonist -- Exclusion from unlawful or unprofessional**  
320           **conduct.**
- 321           (1) As used in this section:
- 322               (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 323               (b) "Expired opiate antagonist" means an opiate antagonist that is no more than 24  
324               months past the month and year of the opiate antagonist's expiration date.
- 325           ~~[(b)]~~ (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 326           ~~[(e)]~~ (d)(i) "Opiate antagonist" means the same as that term is defined in Section  
327           26B-4-501.
- 328               (ii) "Opiate antagonist" includes an expired opiate antagonist.
- 329           ~~[(d)]~~ (e) "Opiate-related drug overdose event" means the same as that term is defined in  
330           Section 26B-4-501.
- 331           ~~[(e)]~~ (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 332           (2) The prescribing or dispensing of an opiate antagonist by a licensee under this chapter is  
333           not unprofessional or unlawful conduct if the licensee prescribed or dispensed the opiate

- 334 antagonist:
- 335 (a) in a good faith effort to assist:
  - 336 (i) an individual who is at increased risk of experiencing an opiate-related drug
  - 337 overdose event; or
  - 338 (ii) a family member of, friend of, or other person, including a person described in
  - 339 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
  - 340 assist an individual who is at increased risk of experiencing an opiate-related drug
  - 341 overdose event; or
  - 342 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).
- 343 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
- 344 not establish a duty or standard of care in the prescribing, dispensing, or administration
- 345 of an opiate antagonist.
- 346 Section 10. **Effective Date.**
- 347 This bill takes effect on May 6, 2026.