



Ohio Revised Code

Section 3715.50 Overdose reversal drugs definitions.

Effective: April 6, 2023

Legislation: House Bill 558 - 134th General Assembly

(A) As used in this section and in sections 3715.501 to 3715.505 of the Revised Code:

(1) "Advanced practice registered nurse" means an individual who holds a current, valid license issued under Chapter 4723. of the Revised Code and is designated as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.

(2) "Overdose reversal drug" has the same meaning as in section 4729.01 of the Revised Code.

(3) "Pharmacist" means an individual licensed under Chapter 4729. of the Revised Code to practice as a pharmacist.

(4) "Pharmacy intern" means an individual licensed under Chapter 4729. of the Revised Code to practice as a pharmacy intern.

(5) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

(6) "Physician assistant" means an individual who is licensed under Chapter 4730. of the Revised Code, holds a valid prescriber number issued by the state medical board, and has been granted physician-delegated prescriptive authority.

(B) Notwithstanding any conflicting provision of the Revised Code, any person or government entity may purchase, possess, distribute, dispense, personally furnish, sell, or otherwise obtain or provide an overdose reversal drug, which includes any instrument or device used to administer the drug, if all of the following conditions are met:

(1) The overdose reversal drug is in its original manufacturer's packaging.



(2) The overdose reversal drug's packaging contains the manufacturer's instructions for use.

(3) The overdose reversal drug is stored in accordance with the manufacturer's or distributor's instructions.

(C) In addition to actions authorized by division (B) of this section, any person or government entity may obtain and maintain a supply of an overdose reversal drug for either or both of the following purposes: for use in an emergency situation and for distribution through an automated mechanism.

(1) In the case of a supply of an overdose reversal drug obtained and maintained for use in an emergency situation, a person or government entity shall do all of the following:

(a) Provide to any individual who accesses the supply instructions regarding emergency administration of the drug, including a specific instruction to summon emergency services as necessary;

(b) Establish a process for replacing within a reasonable time period any overdose reversal drug that has been accessed;

(c) Store the overdose reversal drug in accordance with the manufacturer's or distributor's instructions.

(2) In the case of a supply of an overdose reversal drug obtained and maintained for distribution through an automated mechanism, a person or government entity shall do all of the following:

(a) Ensure that the mechanism is securely fastened to a permanent structure or is of an appropriate size and weight to reasonably prevent it from being removed from its intended location;

(b) Provide to any individual who accesses the supply instructions regarding emergency administration of the drug, including a specific instruction to summon emergency services as necessary;

(c) Develop a process for monitoring and replenishing the supply maintained in the automated



mechanism;

(d) Store the overdose reversal drug in accordance with the manufacturer's or distributor's instructions.

(D) If the authority granted by division (B) or (C) of this section is exercised in good faith, the following immunities apply:

(1) The person or government entity exercising the authority is not subject to administrative action or criminal prosecution and is not liable for damages in a civil action for injury, death, or loss to person or property for an act or omission that arises from exercising that authority.

(2) After an overdose reversal drug has been dispensed or personally furnished, the person or government entity is not liable for or subject to any of the following for any act or omission of the individual to whom the drug is dispensed or personally furnished: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

(E)(1) This section does not affect any other authority to issue a prescription for, or personally furnish a supply of, an overdose reversal drug.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a person or government entity may be entitled to under section 9.86, Chapter 2744., section 4765.49, or any other provision of the Revised Code or the common law of this state.