



Ohio Revised Code

Section 2925.61 Lawful administration of naloxone.

Effective: December 16, 2020

Legislation: House Bill 341 - 133rd General Assembly

(A) As used in this section:

(1) "Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties.

(2) "Licensed health professional" means all of the following:

(a) A physician;

(b) A physician assistant 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;

(c) An advanced practice registered nurse 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.

(3) "Peace officer" has the same meaning as in section 2921.51 of the Revised Code.

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

(B) A family member, friend, or other individual who is in a position to assist an individual who is apparently experiencing or at risk of experiencing an opioid-related overdose is not subject to criminal prosecution for a violation of section 4731.41 of the Revised Code, is not subject to criminal prosecution under this chapter, 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 allegedly arises from obtaining, maintaining, accessing, or administering naloxone, if the individual, acting in good faith, does all of



the following:

(1) Obtains naloxone pursuant to a prescription issued by a licensed health professional, or obtains naloxone from one of the following:

(a) A licensed health professional;

(b) An individual who is authorized to personally furnish naloxone by any of the following:

(i) A physician under section 4731.941 of the Revised Code;

(ii) An advanced practice registered nurse under section 4723.485 of the Revised Code;

(iii) A physician assistant under section 4730.435 of the Revised Code;

(iv) A board of health under section 3707.561 of the Revised Code.

(c) A pharmacist or pharmacy intern who is authorized by a physician or board of health under section 4729.44 of the Revised Code to dispense naloxone without a prescription.

(2) Administers the naloxone obtained as described in division (B)(1) of this section to an individual who is apparently experiencing an opioid-related overdose;

(3) Attempts to summon emergency services as soon as practicable either before or after administering the naloxone.

(C) An individual who is an employee, volunteer, or contractor of a service entity, as defined in section 4729.514 of the Revised Code, and has been authorized under section 3707.562, 4723.486, 4730.436, or 4731.943 of the Revised Code to administer naloxone is not subject to criminal prosecution for a violation of section 4731.41 of the Revised Code or criminal prosecution under this chapter, if the individual, acting in good faith, does all of the following:

(1) Obtains naloxone from the service entity of which the individual is an employee, volunteer, or



contractor;

(2) Administers the naloxone obtained to an individual who is apparently experiencing an opioid-related overdose;

(3) Attempts to summon emergency services as soon as practicable either before or after administering the naloxone.

(D) Divisions (B) and (C) of this section do not apply to a peace officer or to an emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic, as defined in section 4765.01 of the Revised Code.

(E)(1) If a peace officer, acting in good faith, administers naloxone to an individual who is apparently experiencing an opioid-related overdose, both of the following apply:

(a) The peace officer is not subject to administrative action, criminal prosecution for a violation of section 4731.41 of the Revised Code, or criminal prosecution under this chapter.

(b) The peace officer is not liable for damages in a civil action for injury, death, or loss to person or property for an act or omission that allegedly arises from obtaining, maintaining, accessing, or administering the naloxone.

(2) Division (E)(1)(b) of this section does not eliminate, limit, or reduce any other immunity or defense that an entity or person may be entitled to under section 9.86 or Chapter 2744. of the Revised Code, any other provision of the Revised Code, or the common law of this state.