CHAPTER 59

AN ACT

RELATING TO HEALTH; ENACTING NEW SECTIONS OF THE NMSA 1978 TO
REQUIRE THAT CERTAIN PERSONS PROVIDE OPIOID OVERDOSE
EDUCATION AND NALOXONE TO PREVENT OPIOID OVERDOSE DEATHS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. OPIOID TREATMENT CENTER--OPIOID OVERDOSE
EDUCATION--NALOXONE.--

A. As agency funding and agency supplies of
naloxone permit, an opioid treatment center agency operating
a federally certified program to dispense methadone or other
narcotic replacement as part of a detoxification treatment or
maintenance treatment shall provide each patient it treats
with:

(1) opioid overdose education that:

(a) conforms to department of health or
federal substance abuse and mental health services
administration guidelines for opioid overdose education;

(b) explains the causes of an opioid
overdose;

(c) instructs when and how to
administer in accordance with medical best practices: 1)
life-saving rescue techniques; and 2) an opioid antagonist;
and

(d) explains how to contact appropriate

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emergency medical services;

(2) two doses of naloxone in either a
generic form or in a form approved by the federal food and
drug administration; and

(3) a prescription for naloxone.

B. As used in this section, "naloxone" means
naloxone hydrochloride, which is an opioid antagonist for the
treatment of opioid overdose.

SECTION 2. A new section of Chapter 29 NMSA 1978 is
enacted to read:

"LAW ENFORCEMENT OFFICERS--NALOXONE RESCUE KIT.--

A. As agency funding and agency supplies of
naloxone rescue kits permit, each local and state law
enforcement agency shall provide naloxone rescue kits to its
law enforcement officers and require that officers carry the
naloxone rescue kits in accordance with agency procedures so
as to optimize the officers' capacity to timely assist in the
prevention of opioid overdoses.

B. Nothing in this section shall be construed to
impose civil or criminal liability on a local or state law
enforcement agency or law enforcement officer when ordinary
care is used in the administration or provision of naloxone
in cases where an individual appears to be experiencing an
opioid overdose.

C. As used in this section:
(1) "naloxone" means naloxone hydrochloride, which is an opioid antagonist for the treatment of opioid overdose; and

(2) "naloxone rescue kit" means a kit containing:

(a) two doses of naloxone in either a generic form or in a form approved by the federal food and drug administration; and

(b) overdose education materials that conform to department of health or federal substance abuse and mental health services administration guidelines for opioid overdose education that explain the signs and causes of an opioid overdose and instruct when and how to administer in accordance with medical best practices: 1) life-saving rescue techniques; and 2) an opioid antagonist."

SECTION 3. A new section of Chapter 33 NMSA 1978 is enacted to read:

"DISCHARGE--OPIOID USE DISORDER--OPIOID OVERDOSE EDUCATION--NALOXONE.--

A. As corrections department funding and department supplies of naloxone permit, upon discharge of an inmate who has been diagnosed with an opioid use disorder from a corrections facility, regardless of whether that inmate has received treatment for that disorder, the corrections department shall:
(1) ensure that the inmate is provided with opioid overdose education that:

   (a) conforms to department of health or federal substance abuse and mental health services administration guidelines for opioid overdose education;

   (b) explains the causes of an opioid overdose;

   (c) instructs when and how to administer in accordance with medical best practices: 1) life-saving rescue techniques; and 2) an opioid antagonist; and

   (d) explains how to contact appropriate emergency medical services; and

(2) provide the inmate, as the inmate leaves the correctional facility, with:

   (a) two doses of naloxone in either a generic form or in a form approved by the federal food and drug administration; and

   (b) a prescription for naloxone.

B. As used in this section:

   (1) "corrections facility" means a prison or other detention facility, whether operated by a government or private contractor, that is used for confinement of adult or juvenile persons who are charged with or convicted of a violation of a law or an ordinance; and
(2) "naloxone" means naloxone hydrochloride, which is an opioid antagonist for the treatment of an opioid overdose."
Approved by me this 6th day of April, 2017

SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO