**South Carolina General Assembly**

124th Session, 2021-2022

**A22, R32, S571**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Shealy, Hutto and Senn

Document Path: l:\s-res\ks\024nalo.kmm.ks.docx

Companion/Similar bill(s): 3366

Introduced in the Senate on February 17, 2021

Introduced in the House on March 11, 2021

Last Amended on March 9, 2021

Passed by the General Assembly on April 22, 2021

Governor's Action: April 26, 2021, Signed

Summary: Naloxone

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/17/2021 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210217.docx))

 2/17/2021 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210217.docx))

 3/4/2021 Senate Committee report: Favorable with amendment **Medical Affairs** ([Senate Journal‑page 10](file:///h%3A%5Csj%5C20210304.docx))

 3/9/2021 Senate Committee Amendment Adopted ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20210309.docx))

 3/9/2021 Senate Read second time ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20210309.docx))

 3/9/2021 Senate Roll call Ayes‑37 Nays‑0 ([Senate Journal‑page 17](file:///h%3A%5Csj%5C20210309.docx))

 3/10/2021 Senate Read third time and sent to House ([Senate Journal‑page 15](file:///h%3A%5Csj%5C20210310.docx))

 3/11/2021 House Introduced and read first time ([House Journal‑page 14](file:///h%3A%5Chj%5C20210311.docx))

 3/11/2021 House Referred to Committee on **Judiciary** ([House Journal‑page 14](file:///h%3A%5Chj%5C20210311.docx))

 4/14/2021 House Recalled from Committee on **Judiciary** ([House Journal‑page 22](file:///h%3A%5Chj%5C20210414.docx))

 4/14/2021 House Committed to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 22](file:///h%3A%5Chj%5C20210414.docx))

 4/20/2021 House Committee report: Favorable **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 16](file:///h%3A%5Chj%5C20210420.docx))

 4/21/2021 House Read second time ([House Journal‑page 6](file:///h%3A%5Chj%5C20210421.docx))

 4/21/2021 House Roll call Yeas‑97 Nays‑0 ([House Journal‑page 6](file:///h%3A%5Chj%5C20210421.docx))

 4/22/2021 House Read third time and enrolled ([House Journal‑page 14](file:///h%3A%5Chj%5C20210422.docx))

 4/22/2021 Ratified R 32

 4/26/2021 Signed By Governor

 4/28/2021 Effective date 07/25/21

 4/28/2021 Act No.  22

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=571&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/17/2021](file:///p%3A%5Cpprever%5C2021-22%5C571_20210217.docx)

[3/4/2021](file:///p%3A%5Cpprever%5C2021-22%5C571_20210304.docx)

[3/9/2021](file:///p%3A%5Cpprever%5C2021-22%5C571_20210309.docx)

[4/20/2021](file:///p%3A%5Cpprever%5C2021-22%5C571_20210420.docx)

(A22, R32, S571)

**AN ACT** **TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑53‑361 SO AS TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE HYDROCHLORIDE OR OTHER APPROVED DRUG TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.**

Be it enacted by the General Assembly of the State of South Carolina:

**Prescriptions, opioid antidote**

SECTION 1. Article 3, Chapter 53, Title 44 of the 1976 Code is amended by adding:

 “Section 44‑53‑361. (A) A prescriber shall:

 (1) offer a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to a patient if one or more of the following conditions are present:

 (a) the prescription dosage for the patient is fifty or more morphine milligram equivalents of an opioid medication per day;

 (b) an opioid medication is prescribed concurrently with a prescription for benzodiazepine; or

 (c) the patient presents with an increased risk for overdose, including a patient with a history of overdose, a patient with a history of substance use disorder, or a patient at risk for returning to a high dose of opioid medication to which the patient is no longer tolerant;

 (2) consistent with the existing standard of care, provide education to patients receiving a prescription pursuant to item (1) on overdose prevention and the use of naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression; and

 (3) consistent with the existing standard of care, provide education on overdose prevention and the use of naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to one or more persons designated by the patient or, for a patient who is a minor, to the patient’s parent or guardian.

 (B) A prescriber who fails to offer a prescription, as required by subsection (A)(1), or fails to provide the education and use information required by subsections (A)(2) and (3) may be subject to discipline by the appropriate licensing board. This section does not create a private right of action against a prescriber and does not limit a prescriber’s liability for negligent failure to diagnose or treat a patient.”

**Time effective**

SECTION 2. This act takes effect ninety days after approval by the Governor.

Ratified the 22nd day of April, 2021.

Approved the 26th day of April, 2021.

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