

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Feb 6, 2023
S.B. 69
PRINCIPAL CLERK

S

D

SENATE BILL DRS55003-MG-49A

Short Title: Educate Patients About Opioid Antagonists. (Public)

Sponsors: Senators Moffitt and Hanig (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING HEALTH CARE PRACTITIONERS AND PHARMACISTS TO
3 EDUCATE PATIENTS WITH PRESCRIPTIONS FOR OPIOID PAIN MEDICATIONS
4 AND MEDICATIONS TO TREAT OPIOID USE DISORDER ABOUT THE POTENTIAL
5 DANGERS OF OPIOIDS, OVERDOSE PREVENTION, AND THE AVAILABILITY
6 AND USE OF OPIOID ANTAGONISTS TO PREVENT OVERDOSE DEATHS.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. Article 1 of Chapter 90 of the General Statutes is amended by adding
9 a new section to read:

10 "**§ 90-12.8. Requirement to provide opioid antagonist education.**

11 (a) Consistent with the federal Food and Drug Administration's labeling requirements for
12 opioid pain medication and medication to treat opioid use disorder announced in its Drug Safety
13 Communication dated July 23, 2020, a practitioner as defined in G.S. 90-87(22) shall do all of
14 the following when issuing a prescription for an opioid pain medication:

15 (1) Provide information regarding all of the following to each patient receiving
16 the prescription:

17 a. The potential dangers of opioids.

18 b. Overdose prevention.

19 c. The availability and use of a drug approved by the federal Food and
20 Drug Administration as an opioid antagonist for the complete or partial
21 reversal of opioid-induced respiratory depression.

22 (2) Provide the information described in sub-subdivisions (1)a. through (1)c. of
23 this section to one or more persons designated by the patient receiving the
24 prescription or, for a patient who is a minor, to the minor's parent, guardian,
25 or person standing in loco parentis.

26 (b) A pharmacist shall do all of the following when dispensing an opioid pain medication:

27 (1) Ask the individual presenting a prescription for the opioid pain medication if
28 that individual has a prescription for an opioid antagonist and offer to fill the
29 opioid antagonist prescription if the individual has one.

30 (2) If the individual or someone acting on behalf of the individual does not have
31 a prescription for an opioid antagonist, offer to dispense or distribute an opioid
32 antagonist in accordance with G.S. 90-12.7 or a statewide standing order
33 issued under G.S. 90-12.7.

34 (3) Consistent with the federal Food and Drug Administration's labeling
35 requirements for opioid pain medication and medication to treat opioid use
36 disorder announced in its Drug Safety Communication dated July 23, 2020,



1 provide the information described in sub-subdivisions (1)a. through (1)c. of
2 this section to each individual presenting a prescription for an opioid pain
3 medication.

4 (c) Nothing in this section shall be construed to do either of the following:

5 (1) Create a private right of action against a practitioner who fails to follow the
6 requirements of this section.

7 (2) Limit a practitioner's liability for negligent diagnosis or treatment of a patient,
8 as allowed under applicable State or federal law."

9 **SECTION 2.** This act becomes effective October 1, 2023.