

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.17744b Prescribing, possessing, or dispensing opioid antagonist; liability.

Sec. 17744b.

(1) Notwithstanding any provision of this act to the contrary, a prescriber may issue a prescription for and a dispensing prescriber or pharmacist may dispense an opioid antagonist to any of the following:

- (a) An individual patient at risk of experiencing an opioid-related overdose.
- (b) A family member, friend, or other individual in a position to assist an individual at risk of experiencing an opioid-related overdose.
- (c) A person other than an individual that meets all of the following requirements:
 - (i) Acts at the direction of the prescriber or dispensing prescriber.
 - (ii) Upon receipt of an opioid antagonist, stores the opioid antagonist in compliance with this part.
 - (iii) Dispenses or administers an opioid antagonist under a valid prescription issued to an individual or a patient.
 - (iv) Performs the requirements under this subsection without charge or compensation.
- (d) An agency authorized to purchase or otherwise obtain, possess, and distribute an opioid antagonist under the administration of opioid antagonists act, 2019 PA 39, MCL 15.671 to 15.677.

(2) When issuing a prescription for or dispensing an opioid antagonist as authorized under this section to an agency described in subsection (1)(d) or a person other than a patient, the prescriber, dispensing prescriber, or pharmacist, as appropriate, shall insert the name of the agency or the person as the name of the patient.

(3) Notwithstanding any provision of this act to the contrary, a person that is acting in good faith and with reasonable care may possess and dispense an opioid antagonist.

(4) Notwithstanding any provision of this act to the contrary, an agency described in subsection (1)(d) or an employee or agent of an agency described in subsection (1)(d) may, subject to the administration of opioid antagonists act, 2019 PA 39, MCL 15.671 to 15.677, possess, administer, and distribute an opioid antagonist dispensed to the agency under this section.

(5) A prescriber who issues a prescription for or a dispensing prescriber or pharmacist who dispenses an opioid antagonist as authorized under this section is not liable in a civil action for a properly stored and dispensed opioid antagonist that was a proximate cause of injury or death to an individual due to the administration of or failure to administer the opioid antagonist.

History: Add. 2014, Act 311, Imd. Eff. Oct. 14, 2014 ;-- Am. 2016, Act 384, Eff. Mar. 29, 2017 ;-- Am. 2019, Act 36, Eff. Sept. 24, 2019 ;-- Am. 2024, Act 232, Eff. Apr. 2, 2025

Popular Name: Act 368