



LAWSUIT REFORM ALLIANCE OF NEW YORK

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SUPPORT

BILL NUMBER:	S.6361 (Carlucci)/A.7277(Rosenthal, L)
SUBJECT:	Liability protection information on first aid opioid antagonists
DATE:	June 12, 2019
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Summary:

This legislation would require informational materials regarding the use of opioid antagonists for first aid or emergency treatment to provide information of the application of Good Samaritan laws to protect against liability.

Why we support this legislation:

The Specter of Liability Deters Citizens from Administering Life Saving Treatment

- Fear of tort liability and litigation is often cited by citizens as a reason that they would not consider administering life saving first aid opioid antagonists, such as Narcan.^{1,2} Such treatments are an important tool in the battle against the national opioid epidemic and citizens should be made aware of how and when these products can be utilized, and how state law shields them from liability. Section 3000-a of the Public Health Law affords Good Samaritan liability protections to citizens who may need to administer vital emergency first aid. This bill would ensure that the information included with these products explains that Good Samaritans who decide to assist their fellow citizens are protected from liability as provided in the Public Health Law.³

¹The New York Times. (2017, May 10). Would You Administer Narcan? Readers Respond. *New York Times*. Accessed from : <https://www.nytimes.com/2017/05/10/us/narcan-readers-respond.html>

²Seelye, K.Q. (2017, May 9). A Public Overdose. An Antidote at Hand. Would Passers-By Use It? *New York Times*. Accessed from: <https://www.nytimes.com/2017/05/09/us/opioids-narcan-drug-overdose-heroin-fentanyl.html>

³New York Public Health Law - PBH § 3000-a. Emergency medical treatment.

The Lawsuit Reform Alliance of New York is a not-for-profit association of businesses, healthcare professionals, membership organizations, and concerned citizens dedicated to reform of the legal system in order to foster a better business climate, promote job growth and address the growing cost of lawsuit abuse.