

April 27, 2023

To: Field Services

The MN DOC, along with many state and national stakeholders want to broaden people's education and safety around the risks of overdose when releasing from correctional facilities. Overdose risk at release from correctional facilities is up to 10 times higher than the general public, and one of the leading causes of death for individuals releasing from MN prisons.

Over the last two years we (MN DOC) have been providing Naloxone at release for those with a documented Opioid Use Disorder. This is done through a standing order through our Medical Director, Dr. James Amsterdam. Additionally, the state of MN allows pharmacies to dispense Naloxone to individuals without a prescription from any provider.

The Health, Recovery and Programming unit has decided to include additional items at release in an Overdose Rescue Kit for those releasing to further increase awareness and provide additional education material.

**What's in this kit?**

- Nasal Naloxone – You can use this nasal spray immediately when an opioid overdose is known or suspected. Further instructions are provided inside the med bag.
- Fentanyl Test Strips (3) – You can use this drug testing technology to show and detect the presence of fentanyl in drug samples prior to use. Further instructions are provided inside the med bag.
- Rubber Gloves
- Anonymous letter of support from many from others in recovery.
- Education material & recovery support information

Please note the following statute information:

**Naloxone administration:**

604A.04 GOOD SAMARITAN OVERDOSE PREVENTION.

Subdivision 1. Definitions; opiate antagonist. For purposes of this section, "opiate antagonist" means naloxone hydrochloride or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of a drug overdose.

§Subd. 2. Authority to possess and administer opiate antagonists; release from liability. (a) A person who is not a health care professional may possess or administer an opiate antagonist that is prescribed, dispensed, or distributed by a licensed health care professional pursuant to subdivision 3.

(b) A person who is not a health care professional who acts in good faith in administering an opiate antagonist to another person whom the person believes in good faith to be suffering a drug overdose is immune from criminal prosecution for the act and is not liable for any civil damages for acts or omissions resulting from the act.

Subd. 3. Health care professionals; release from liability. A licensed health care professional who is permitted by law to prescribe an opiate antagonist, if acting in good faith, may directly or by standing order prescribe, dispense, distribute, or administer an opiate antagonist to a person without being subject to civil liability or criminal prosecution for the act. This immunity applies even when the opiate antagonist is eventually administered in either or both of the following instances: (1) by someone other than the person to whom it is prescribed; or (2) to someone other than the person to whom it is prescribed.

### **Fentanyl Tests Strips:**

#### 152.01 DEFINITIONS

(b) "Drug paraphernalia" does not include the possession, manufacture, delivery, or sale of: (1) hypodermic needles or syringes in accordance with section 151.40, subdivision 2; or (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance.

Thank you for the opportunity to share this information and help with tackling the opioid epidemic. Our goal is to help save lives and provide people with the tools they need.

Sincerely,

*Nanette M. Larson*

Nanette Larson

Assistant Commissioner

Health, Recovery and Programming