

House Engrossed

expired opioid antagonists; use

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

# HOUSE BILL 2697

AN ACT

AMENDING SECTIONS 32-1979, 36-192, 36-798.51, 36-2266 AND 36-2267, ARIZONA  
REVISED STATUTES; RELATING TO SUBSTANCE USE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1979, Arizona Revised Statutes, is amended to  
3 read:

4 32-1979. Pharmacists; dispensing opioid antagonists;  
5 immunity; definition

6 A. A pharmacist may dispense, pursuant to a standing order issued  
7 pursuant to section 36-2266, naloxone hydrochloride or any other opioid  
8 antagonist that is approved by the United States food and drug  
9 administration for a person who is at risk of experiencing an  
10 opioid-related overdose or to a family member or community member who is  
11 in a position to assist that person.

12 B. A pharmacist who dispenses naloxone hydrochloride or any other  
13 opioid antagonist pursuant to subsection A of this section shall instruct  
14 the individual to whom the opioid antagonist is dispensed to summon  
15 emergency services as soon as practicable after administering the opioid  
16 antagonist.

17 C. This section does not affect the authority of a pharmacist to  
18 fill or refill a prescription for naloxone hydrochloride or any other  
19 opioid antagonist that is approved by the United States food and drug  
20 administration.

21 D. A PHARMACIST MAY PROVIDE, WITHOUT COMPENSATION, A KIT THAT  
22 CONTAINS NALOXONE HYDROCHLORIDE OR ANY OTHER OPIOID ANTAGONIST THAT IS  
23 APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO TREAT A DRUG  
24 OVERDOSE, INCLUDING ANY EXPIRED OPIOID ANTAGONIST, TO A PERSON WHO IS AT  
25 RISK OF EXPERIENCING OR WHO IS EXPERIENCING AN OPIOID-RELATED OVERDOSE.

26 ~~D.~~ E. FOR THE PURPOSES OF SECTION 36-2267, SUBSECTION B TO ADDRESS  
27 OPIOID OVERDOSE EMERGENCIES, a pharmacist who dispenses an opioid  
28 antagonist OR PROVIDES ANY EXPIRED OPIOID ANTAGONIST pursuant to this  
29 section is immune from professional liability and criminal prosecution for  
30 any decision made, act or omission or injury that results from that act if  
31 the pharmacist acts with reasonable care and in good faith, except in  
32 cases of wanton or wilful neglect.

33 F. FOR THE PURPOSES OF THIS SECTION, "EXPIRED OPIOID ANTAGONIST"  
34 MEANS AN OPIOID ANTAGONIST THAT IS NOT MORE THAN THREE YEARS PAST THE  
35 OPIOID ANTAGONIST'S EXPIRATION DATE.

36 Sec. 2. Section 36-192, Arizona Revised Statutes, is amended to  
37 read:

38 36-192. County health departments; naloxone kits; definition

39 A. The department and the Arizona health care cost containment  
40 system shall continue to distribute naloxone kits as necessary. In  
41 addition, a county health department may provide to a person who is at  
42 risk of experiencing or who is experiencing an opioid-related overdose a  
43 kit that contains naloxone hydrochloride or any other opioid antagonist,  
44 INCLUDING ANY EXPIRED OPIOID ANTAGONIST, that is approved by the United  
45 States food and drug administration for the treatment of a drug overdose.

1 B. FOR THE PURPOSES OF THIS SECTION, "EXPIRED OPIOID ANTAGONIST"  
2 MEANS AN OPIOID ANTAGONIST THAT IS NOT MORE THAN THREE YEARS PAST THE  
3 OPIOID ANTAGONIST'S EXPIRATION DATE.

4 Sec. 3. Section 36-798.51, Arizona Revised Statutes, is amended to  
5 read:

6 36-798.51. Overdose and disease prevention programs;  
7 requirements; standards; definition

8 A. A city, town, county or nongovernmental organization, including  
9 a local health department or an organization that promotes scientifically  
10 proven ways of mitigating health risks associated with drug use and other  
11 high-risk behaviors, or any combination of these entities, may establish  
12 and operate an overdose and disease prevention program. A program  
13 established pursuant to this section shall have all of the following  
14 objectives:

- 15 1. To reduce the spread of viral hepatitis, HIV and other  
16 bloodborne diseases in this state.
- 17 2. To reduce needle-stick injuries to law enforcement officers and  
18 other emergency personnel.
- 19 3. To encourage individuals who inject drugs to enroll in  
20 evidence-based treatment.
- 21 4. To increase proper disposal of used syringes.
- 22 5. To reduce the occurrence of skin and soft tissue wounds and  
23 infections related to injection drug use.

24 B. A program established pursuant to this section shall offer all  
25 of the following:

- 26 1. Disposal of used needles and hypodermic syringes.
- 27 2. Needles, hypodermic syringes and other injection supply items at  
28 no cost and in quantities sufficient to ensure that needles, hypodermic  
29 syringes and other injection supply items are not shared or reused.
- 30 3. Educational materials on all of the following:
  - 31 (a) Overdose prevention.
  - 32 (b) Peer support services.
  - 33 (c) The prevention of HIV, viral hepatitis transmission and the  
34 incidence of skin and soft tissue wounds and infections.
  - 35 (d) Treatment for mental illness, including treatment referrals.
  - 36 (e) Treatment for substance use disorder, including referrals for  
37 substance use disorder treatment.
- 38 4. Access to kits that contain naloxone hydrochloride or any other  
39 opioid antagonist, INCLUDING ANY EXPIRED OPIOID ANTAGONIST, that is  
40 approved by the United States food and drug administration to treat a drug  
41 overdose, or referrals to programs that provide access to naloxone  
42 hydrochloride or any other opioid antagonist, INCLUDING ANY EXPIRED OPIOID  
43 ANTAGONIST, that is approved by the United States food and drug  
44 administration to treat a drug overdose.

1           5. For each individual who requests services, personal  
2 consultations from a program employee or volunteer concerning mental  
3 health or substance use disorder treatment or referrals for evidence-based  
4 substance use disorder treatment, as appropriate.

5           C. A program established pursuant to this section shall develop  
6 standards for distributing and disposing of needles and hypodermic  
7 syringes based on scientific evidence and best practices. The number of  
8 needles and hypodermic syringes disposed of through a program shall be at  
9 least equivalent to the number of needles and hypodermic syringes  
10 distributed through the program.

11           D. FOR THE PURPOSES OF THIS SECTION, "EXPIRED OPIOID ANTAGONIST"  
12 MEANS AN OPIOID ANTAGONIST THAT IS NOT MORE THAN THREE YEARS PAST THE  
13 OPIOID ANTAGONIST'S EXPIRATION DATE.

14           Sec. 4. Section 36-2266, Arizona Revised Statutes, is amended to  
15 read:

16           36-2266. Prescribing and dispensing; immunity; definitions

17           A. A physician who is licensed pursuant to title 32, chapter 13 or  
18 17, a nurse practitioner licensed pursuant to title 32, chapter 15 and  
19 authorized by law to prescribe drugs or any other health professional who  
20 has prescribing authority and who is acting within the health  
21 professional's scope of practice may prescribe or dispense, directly or by  
22 a standing order, naloxone hydrochloride or any other opioid antagonist  
23 that is approved by the United States food and drug administration for use  
24 according to the protocol specified by the physician, nurse practitioner  
25 or other health professional to a person who is at risk of experiencing an  
26 opioid-related overdose, to a family member of that person, to a community  
27 organization that provides services to persons who are at risk of an  
28 opioid-related overdose or to any other person who is in a position to  
29 assist a person who is at risk of experiencing an opioid-related overdose.

30           B. A physician, nurse practitioner or other health professional who  
31 prescribes or dispenses naloxone hydrochloride or any other opioid  
32 antagonist pursuant to subsection A of this section shall instruct the  
33 individual to whom the opioid antagonist is dispensed to summon emergency  
34 services as soon as practicable, either before or after administering the  
35 opioid antagonist.

36           C. A PHYSICIAN, A NURSE PRACTITIONER OR ANY OTHER HEALTH  
37 PROFESSIONAL WHO IS LICENSED IN THIS STATE MAY PROVIDE, WITHOUT  
38 COMPENSATION, A KIT THAT CONTAINS NALOXONE HYDROCHLORIDE OR ANY OTHER  
39 OPIOID ANTAGONIST THAT IS APPROVED BY THE UNITED STATES FOOD AND DRUG  
40 ADMINISTRATION TO TREAT A DRUG OVERDOSE, INCLUDING ANY EXPIRED OPIOID  
41 ANTAGONIST, TO A PERSON WHO IS AT RISK OF EXPERIENCING OR WHO IS  
42 EXPERIENCING AN OPIOID-RELATED OVERDOSE.

43           D. Except in cases of gross negligence, wilful misconduct or  
44 intentional wrongdoing, a physician, nurse practitioner or other health  
45 professional who in good faith prescribes or dispenses an opioid

1 antagonist OR PROVIDES AN EXPIRED OPIOID ANTAGONIST FOR THE PURPOSES OF  
2 SECTION 36-2267, SUBSECTION B TO ADDRESS OPIOID OVERDOSE EMERGENCIES  
3 pursuant to subsection A of this section is immune from professional  
4 liability and criminal prosecution for any decision made, act or omission  
5 or injury that results from that act if the physician, nurse practitioner  
6 or other health professional acts with reasonable care and in good faith.

7 ~~D.~~ E. For the purposes of this section: ~~;~~

8 1. "EXPIRED OPIOID ANTAGONIST" MEANS AN OPIOID ANTAGONIST THAT IS  
9 NOT MORE THAN THREE YEARS PAST THE OPIOID ANTAGONIST'S EXPIRATION DATE.

10 2. "Person" includes an employee of a school district or charter  
11 school who is acting in the person's official capacity.

12 Sec. 5. Section 36-2267, Arizona Revised Statutes, is amended to  
13 read:

14 36-2267. Administration of opioid antagonist; exemption from  
15 civil liability; definitions

16 A. A person may administer an opioid antagonist, INCLUDING ANY  
17 EXPIRED OPIOID ANTAGONIST, ~~that is prescribed or dispensed pursuant to~~  
18 ~~section 32-1979 or 36-2266 in accordance with the protocol specified by~~  
19 ~~the physician, nurse practitioner, pharmacist or other health professional~~  
20 ~~or that is received from a county health department pursuant to section~~  
21 ~~36-192~~ to a person who is experiencing an opioid-related overdose.

22 B. A person who in good faith and without compensation administers  
23 an opioid antagonist, INCLUDING ANY EXPIRED OPIOID ANTAGONIST, to a person  
24 who is experiencing an opioid-related overdose is not liable for any civil  
25 or other damages as the result of any act or omission by the person  
26 rendering the care or as the result of any act or failure to act to  
27 arrange for further medical treatment or care for the person experiencing  
28 the overdose, unless the person while rendering the care acts with gross  
29 negligence, wilful misconduct or intentional wrongdoing.

30 C. For the purposes of this section: ~~;~~

31 1. "EXPIRED OPIOID ANTAGONIST" MEANS AN OPIOID ANTAGONIST THAT IS  
32 NOT MORE THAN THREE YEARS PAST THE OPIOID ANTAGONIST'S EXPIRATION DATE.

33 2. "Person" includes an employee of a school district or charter  
34 school who is acting in the person's official capacity.