

REFERENCE TITLE: expired opioid antagonists; use

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

HB 2697

Introduced by
Representative Willoughby

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, **INCLUDING ANY EXPIRED OPIOID ANTAGONIST**, that is approved by
9 the United States food and drug administration for a person who is at risk
10 of experiencing an opioid-related overdose or to a family member or
11 community member who is in a position to assist that person.

12 B. A pharmacist who dispenses naloxone hydrochloride or any other
13 opioid antagonist, **INCLUDING ANY EXPIRED OPIOID ANTAGONIST**, pursuant to
14 subsection A of this section shall instruct the individual to whom the
15 opioid antagonist is dispensed to summon emergency services as soon as
16 practicable after administering the opioid 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 who dispenses an opioid antagonist, **INCLUDING ANY**
22 **EXPIRED OPIOID ANTAGONIST**, pursuant to this section is immune from
23 professional liability and criminal prosecution for any decision made, act
24 or omission or injury that results from that act if the pharmacist acts
25 with reasonable care and in good faith, except in cases of wanton or
26 wilful neglect.

27 **E. FOR THE PURPOSES OF THIS SECTION, "EXPIRED OPIOID ANTAGONIST"**
28 **MEANS AN OPIOID ANTAGONIST THAT HAS AN EXPIRATION DATE THAT IS LESS THAN**
29 **FIVE YEARS FROM THE DATE OF USE.**

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

32 36-192. County health departments; naloxone kits; definition

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

40 **B. FOR THE PURPOSES OF THIS SECTION, "EXPIRED OPIOID ANTAGONIST"**
41 **MEANS AN OPIOID ANTAGONIST THAT HAS AN EXPIRATION DATE THAT IS LESS THAN**
42 **FIVE YEARS FROM THE DATE OF USE.**

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

3 36-798.51. Overdose and disease prevention programs;
4 requirements; standards; definition

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

12 1. To reduce the spread of viral hepatitis, HIV and other
13 bloodborne diseases in this state.

14 2. To reduce needle-stick injuries to law enforcement officers and
15 other emergency personnel.

16 3. To encourage individuals who inject drugs to enroll in
17 evidence-based treatment.

18 4. To increase proper disposal of used syringes.

19 5. To reduce the occurrence of skin and soft tissue wounds and
20 infections related to injection drug use.

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

23 1. Disposal of used needles and hypodermic syringes.

24 2. Needles, hypodermic syringes and other injection supply items at
25 no cost and in quantities sufficient to ensure that needles, hypodermic
26 syringes and other injection supply items are not shared or reused.

27 3. Educational materials on all of the following:

28 (a) Overdose prevention.

29 (b) Peer support services.

30 (c) The prevention of HIV, viral hepatitis transmission and the
31 incidence of skin and soft tissue wounds and infections.

32 (d) Treatment for mental illness, including treatment referrals.

33 (e) Treatment for substance use disorder, including referrals for
34 substance use disorder treatment.

35 4. Access to kits that contain naloxone hydrochloride or any other
36 opioid antagonist, **INCLUDING ANY EXPIRED OPIOID ANTAGONIST**, that is
37 approved by the United States food and drug administration to treat a drug
38 overdose, or referrals to programs that provide access to naloxone
39 hydrochloride or any other opioid antagonist, **INCLUDING ANY EXPIRED OPIOID**
40 **ANTAGONIST**, that is approved by the United States food and drug
41 administration to treat a drug overdose.

42 5. For each individual who requests services, personal
43 consultations from a program employee or volunteer concerning mental
44 health or substance use disorder treatment or referrals for evidence-based
45 substance use disorder treatment, as appropriate.

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

7 D. FOR THE PURPOSES OF THIS SECTION, "EXPIRED OPIOID ANTAGONIST"
8 MEANS AN OPIOID ANTAGONIST THAT HAS AN EXPIRATION DATE THAT IS LESS THAN
9 FIVE YEARS FROM THE DATE OF USE.

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

12 36-2266. Prescribing and dispensing; immunity; definitions

13 A. A physician who is licensed pursuant to title 32, chapter 13 or
14 17, a nurse practitioner licensed pursuant to title 32, chapter 15 and
15 authorized by law to prescribe drugs or any other health professional who
16 has prescribing authority and who is acting within the health
17 professional's scope of practice may prescribe or dispense, directly or by
18 a standing order, naloxone hydrochloride or any other opioid antagonist,
19 INCLUDING ANY EXPIRED OPIOID ANTAGONIST, that is approved by the United
20 States food and drug administration for use according to the protocol
21 specified by the physician, nurse practitioner or other health
22 professional to a person who is at risk of experiencing an opioid-related
23 overdose, to a family member of that person, to a community organization
24 that provides services to persons who are at risk of an opioid-related
25 overdose or to any other person who is in a position to assist a person
26 who is at risk of experiencing an opioid-related overdose.

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

33 C. Except in cases of gross negligence, wilful misconduct or
34 intentional wrongdoing, a physician, nurse practitioner or other health
35 professional who in good faith prescribes or dispenses an opioid
36 antagonist, INCLUDING ANY EXPIRED OPIOID ANTAGONIST, pursuant to
37 subsection A of this section is immune from professional liability and
38 criminal prosecution for any decision made, act or omission or injury that
39 results from that act if the physician, nurse practitioner or other health
40 professional acts with reasonable care and in good faith.

41 D. For the purposes of this section: ~~—~~

42 1. "EXPIRED OPIOID ANTAGONIST" MEANS AN OPIOID ANTAGONIST THAT HAS
43 AN EXPIRATION DATE THAT IS LESS THAN FIVE YEARS FROM THE DATE OF USE.

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

