

OPIOID ANTAGONISTS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 542 as passed by the Senate
Sponsor: Sen. Kevin Hertel
House Committee: Health Policy
Senate Committee: Health Policy
Complete to 12-11-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 542 would create a new act to provide that, if the Department of Health and Human Services (DHHS) distributes an *opioid antagonist* (such as Narcan) for free to a governmental entity or another individual or entity, DHHS must allow that individual or entity to choose the formulation, delivery device, method of administering, or dosage of the opioid antagonist they will receive. However, this requirement would not apply to the extent that it would jeopardize any DHHS federal funding.

Opioid antagonist would mean naloxone hydrochloride or an equally safe and effective drug approved by the United States Food and Drug Administration (FDA) for the treatment of drug overdose.

BACKGROUND:

Naloxone hydrochloride is a nonaddictive drug that can safely and rapidly reverse the effects of an opioid overdose. (Among other substances, opioids include heroin, fentanyl, and such prescription drugs such as Vicodin, Dilaudid, Demerol, OxyContin, and Percocet.) Naloxone is most commonly known by the brand names Narcan (a nasal spray) and Evzio (a prefilled auto-injection device).¹ Administered to an individual whose breathing has slowed or stopped due to an opioid overdose, naloxone can quickly restore normal breathing. It has been approved as an over-the-counter medicine by the FDA.²

The FDA has also approved a drug called nalmefene hydrochloride as an opioid overdose reversal medication for prescription use in individuals who are 12 or older. Like naloxone, nalmefene is available both as a nasal spray (brand name Opvee) and as a prefilled auto-injector (brand name Zumai).

Michigan had 2,998 drug overdose deaths in 2022, and a projected 2,830 in 2023.³ It is estimated that 80% of those were opioid overdoses.⁴ At the national level, 81,083 people died of an opioid overdose in 2023. Health experts say that a third or more of opioid overdose deaths occur in the presence of someone else, implying that if more bystanders had more access to tools such as opioid antagonists, more lives could be saved.⁵ Accordingly, in response to the

¹ Other nasal spray brand names include Rezenopy and RiVive.

² See <https://www.michigan.gov/opioids/find-help/naloxone-page>

³ <https://www.michigan.gov/opioids/category-data>

⁴ That percentage estimate is based on national and 2021 Michigan percentages.

⁵ <https://www.cdc.gov/overdose-prevention/reversing-overdose/>

ongoing opioid epidemic, Michigan has taken steps to ensure that naloxone is more widely and readily available when needed.⁶ For example, DHHS oversees a web portal through which organizations and health providers can request naloxone kits to help in reducing the number of opioid-related overdoses by having naloxone available for use by their patients or clients or in their communities.

FISCAL IMPACT:

The bill would have a minimal state fiscal cost for DHHS that would depend on the degree to which the bill would change the current DHHS approval process, which only asks community organizations to indicate the number of kits requested and notes that all requests are subject to DHHS approval. The state currently uses federal opioid response funds and state restricted opioid settlement funds to distribute opioid antagonists at no cost, so any fiscal impact would presumably affect those fund sources before GF/GP costs. The bill would have no impact on local units of government.

Legislative Analyst: Rick Yuille
Fiscal Analyst: Kevin Koorstra

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

⁶ For data on naloxone distribution, see page 15 of the 2023 Opioid Annual Report:
https://www.michigan.gov/opioids//opioids/-/media/Project/Websites/opioids/documents/2023_Opioids_Report-ver-2.pdf