

Community Distribution of Naloxone

What is a Community Distributor?

Any organization that has an interest in providing naloxone (e.g., Narcan[®]) to the public may apply to become a Community Distributor. State statute defines a Community Distributor as, “an organization, either public or private, which provides substance use disorder assistance and services, such as counseling, homeless services, advocacy, harm reduction, alcohol and drug screening, and treatment to individuals at risk of experiencing an opioid-related overdose” (S.C. Code Section 44-130-20(2)). The statute was written broadly on purpose to allow different kinds of organizations to receive the Community Distributor designation.

Why do we need a statute to allow for Community Distribution?

Naloxone is a patient-specific and prescription-only medication. As such, it requires a prescription from a prescriber and must be dispensed by a pharmacist. During the 2017 legislative session, the S.C. Overdose Prevention Act was amended to allow individuals to obtain naloxone directly from a pharmacy, without the need for a prescription. This was done through a statewide protocol developed by the S.C. Board of Medical Examiners and the S.C. Board of Pharmacy. During the 2018 legislative session, the General Assembly amended the Overdose Prevention Act again to give Community Distributors the opportunity to obtain naloxone. This legislation enabled Community Distributors to acquire large quantities of naloxone without the need for the medication to be patient-specific.

Are Community Distributors required to have a prescription for naloxone (e.g., Narcan[®]), and does it have to be dispensed to them by a pharmacy?

Yes. Although the law allows Community Distributors to acquire naloxone in large quantities and without the need for the naloxone to be patient-specific, Community Distributors are still required to have a standing order (i.e., a prescription for the organization) for the naloxone from a physician, and the medication must be dispensed to the Community Distributor by a pharmacist. For example, “Church A” wishes to provide naloxone free of charge to individuals who attend NA/AA meetings in its facility. Church A must partner with a physician, who then writes the church a standing order for naloxone. Church A provides the standing order to a local pharmacy and purchases 100 units of naloxone. The church then distributes the naloxone to individuals whom the church believes might suffer from an opioid-related overdose, or to those whom Church A views as caregivers of individuals who might suffer from an opioid-related overdose.

Does the law protect Community Distributors from any civil liability or criminal prosecution? Yes. S.C. Code Section 44-130-70(D) provides that “A community distributor that distributes an opioid antidote in accordance with the provisions of this section is not as a result of an act or omission subject to civil or criminal liability.”

How does an organization become a Community Distributor?

In November 2018, the S.C. Boards of Medical Examiners and Pharmacy issued a [joint protocol](#) concerning Community Distribution of naloxone. The protocol details the designation criteria and tasks DAODAS with evaluating applications. The protocol requires applicants seeking designation as Community Distributors to submit the following information to DAODAS:

1. A letter of intent outlining the applicant’s purpose and involvement in the delivery of substance use disorder assistance and services to individuals at risk of experiencing an

- opioid-related overdose;
2. Proof of IRS identification or tax designation;
 3. Evidence of an organizational mission statement or charter that identifies the applicant as meeting the definition of “Community Distributor” under S.C. Code Section 44-130-20(2);
and
 4. Two references from credible state or local entities, such as, but not limited to a substance use disorder treatment provider, a community mental health center, city or county governmental officials, faith organization, or local law enforcement officials.

The application, including all attached letters of recommendation, proof of IRS identification, etc., are to be e-mailed to Community.Distribution@daodas.sc.gov.

How long does a Community Distributor designation last?

Once approved, the Community Distributor designation is permanent. However, the designation will be revoked if DAODAS determines that an organization ceases to meet the requirements of a Community Distributor as outlined in the Community Distributor statute and the [joint protocol](#). The Community Distributor designation may also be revoked if DAODAS determines that an organization has violated, or acted in contravention to, the Community Distributor statute or the [joint protocol](#).