

WELCOME

Addiction Medicine ECHO Clinic



The session will begin promptly at 12 pm.



Please mute the audio on your device.



Sessions take place Thursday on the 2nd and 4th week of the month.



Please connect your camera.

Need technical assistance? Call [907.729.2622](tel:907.729.2622) or text your phone number into the chat.



ALASKA NATIVE
MEDICAL CENTER



ALASKA NATIVE
TRIBAL HEALTH
CONSORTIUM



Foundation for
Opioid Response Efforts

Recording

We will record the **didactic portion** of every session. After the session, the didactic portion of this clinic will be available on the ANTHC Addiction Medicine ECHO page.

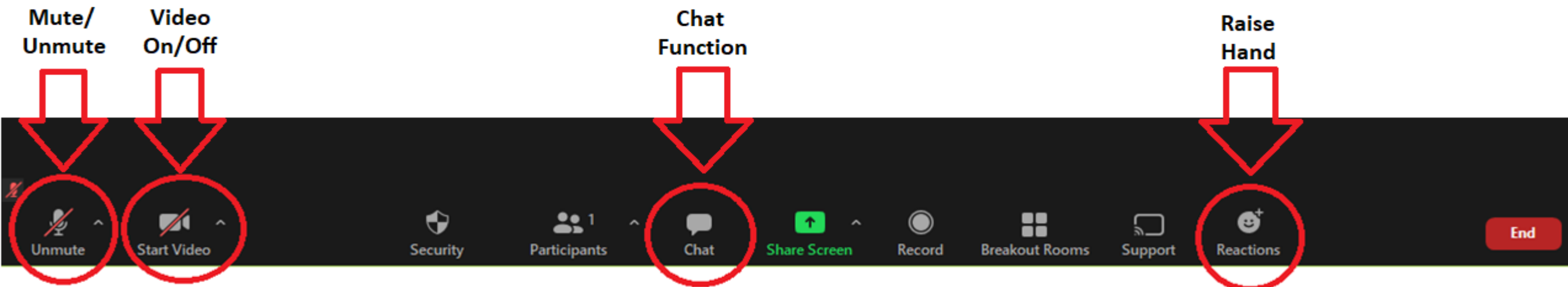
By participating in this clinic you are consenting to be recorded.

If you do not wish to be recorded, please email behavioralhealth@anthc.org at least one week prior to the ECHO Clinic you plan to attend.

Some Helpful Tips

- ▶ Please mute microphone when not speaking
- ▶ Use chat function
- ▶ Position webcam effectively
- ▶ Test both audio & video

Need technical assistance? Use the chat function or call 907.729.2622



ANTHC Clinical ECHO Series

Approved Provider Statements:



In support of improving patient care, Alaska Native Medical Center (ANMC) is jointly accredited by the Accreditation Council for Continuing Medical Education (ACCME), the Accreditation Council for Pharmacy Education (ACPE), and the American Nurses Credentialing Center (ANCC), to provide continuing education for the healthcare team.

Contact Hours:

ANMC designates this activity for a maximum of 25 contact hours, including 12 total pharmacotherapeutics contact hours, commensurate with participation.

Financial Disclosures:

None of the presenters and planners for this educational activity have any relevant relationship(s) to disclose with ineligible companies whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients.

Approved for 1 CHAP CE

Conflict of Interest Disclosures:

None of the presenters and planners for this educational activity have any relevant relationship(s) to disclose with ineligible companies whose primary business is producing, marketing, selling, re-selling, or distributing healthcare products used by or on patients.

Requirements for Successful Completion:

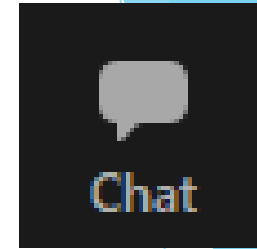
To receive CE credit be sure you are included in attendance record as directed by the facilitator/session moderator, and complete the course evaluation or post session survey via this link: <https://forms.gle/QhwCeGTf4zLNwpBX7>


For more information contact Jennifer Fielder at jfielder@anthc.org or (907) 729-1387


Introductions


Addiction Medicine ECHO

- Please introduce yourself in the chat :
 - Name
 - Location
 - Profession/Credentials
 - *Note:* The chat will be saved as our attendance record for continuing education credits.



 Chat

To: Everyone 



Name, Location, Credentials: Jane Doe, MD, ANTHC|

Good Samaritan Law

- ▶ Annette Hubbard, BHA I
Ninilchik Traditional Council

Conflict of Interest Disclosure

- ▶ No conflicts of interests to disclose

Objectives

- ▶ Review resources of Good Samaritan Law in Alaska
- ▶ Review the impact of Good Samaritan Law on patients experiencing substance use disorder
- ▶ Review programs and resources to support patients such as opioid overdose response

SAMHSA

- ▶ Overdose Good Samaritan laws are policies that provide legal protections for individuals who call for emergency assistance (such as 9-1-1) in the event of a drug overdose.
- ▶ **This may include protection from arrest and/or prosecution for crimes related to drug possession, drug paraphernalia possession, and other crimes.**
- ▶ These laws are designed to encourage people to summon emergency assistance if they experience or witness a drug overdose.
- ▶ As of July 2017, 40 states and the District of Columbia have instituted Good Samaritan laws. Yet, *lack of awareness and understanding of the protections these laws provide, as well as concerns about their limitations, may be limiting their effectiveness in encouraging overdose bystanders to call for help.* These barriers may also prevent the criminal justice system from fully observing them.

Types of Protection	Information and Considerations
Immunity from arrest, charge, and/or prosecution for <i>controlled substance possession</i> crimes	<ul style="list-style-type: none"> • Most states with Good Samaritan laws offer immunity from being charged or prosecuted— actions that occur after an arrest. Fewer specify immunity from arrest itself. Specifically: <ul style="list-style-type: none"> ○ 23 states offer immunity from arrest, 30 offer immunity from charges, and 32 offer immunity from prosecution. • In most states, immunity does not offer protection related to crimes involving the sale, distribution, or trafficking of controlled substances.
Immunity from arrest, charge, and/or prosecution for <i>drug paraphernalia possession</i> crimes	<ul style="list-style-type: none"> • Fewer states offer these protections. Specifically: <ul style="list-style-type: none"> ○ 16 states offer immunity from arrest, 19 offer immunity from charges, and 25 offer immunity from prosecution. • Some states (e.g., Alaska, Vermont) do not specify this protection because they do not consider paraphernalia possession to be a crime.
Immunity from being considered in violation of... <ul style="list-style-type: none"> - <i>A protective or restraining order</i> - <i>The conditions of a supervision status, such as probation, parole, and/or pretrial conditions (e.g., release pending trial, sentencing, or appeal)</i> 	<ul style="list-style-type: none"> • Even fewer states allow for these types of immunities. Specifically: <ul style="list-style-type: none"> ○ 8 states provide immunity for protective/restraining order violations: Arkansas, Georgia, Hawaii, Mississippi, Montana, Nevada, Tennessee, and Vermont. ○ 18 states provide immunity for supervision status violations: Arkansas, Delaware, Georgia, Hawaii, Maryland, Minnesota, Mississippi, Montana, North Carolina, New Jersey, Nevada, Oregon, Pennsylvania, Rhode Island, Tennessee, Vermont, West Virginia, and the District of Columbia.

Types of Protection	Information and Considerations
Immunity from <i>other controlled substance-related crimes</i>	<ul style="list-style-type: none"> Some states provide immunity for a more expansive list of crimes related to substance use, distribution, or sale. For example: <ul style="list-style-type: none"> Alabama provides protection from all misdemeanor controlled substance offenses except driving under the influence. In Nevada, North Dakota, and New Jersey, immunity applies to controlled substance <i>use</i> offenses. Oregon provides protection from being in a place where drugs are used.
Alternatives to immunity	<ul style="list-style-type: none"> Providing aid or seeking help may be a mitigating factor (i.e., fact or circumstance that lessens the severity or culpability of a criminal act) in the prosecution of crimes for which immunity is not provided. <ul style="list-style-type: none"> 15 states permit the actions of providing aid or seeking help as a mitigating factor. For example, Minnesota and Montana specify that an individual who provides first aid or medical assistance to another person experiencing an overdose may use this as a mitigating factor for a crime in which immunity is not provided. Some states offer affirmative defense, which allows the accused to introduce evidence in court which, if found to be credible, can negate criminal liability (even in cases where it is proven that the accused committed the alleged acts). <ul style="list-style-type: none"> For example, Utah and Virginia allow affirmative defense to be used as protection from prosecution for drug and paraphernalia possession crimes.
Protection from <i>civil forfeiture</i>	<ul style="list-style-type: none"> Four states protect individuals from civil forfeiture (i.e., legal processes that allow law enforcement to take assets from those suspected of illegal activity): Hawaii, Mississippi, Nevada, and Vermont.

Some states attach conditions or requirements to their Good Samaritan laws for immunity to be granted. These may:

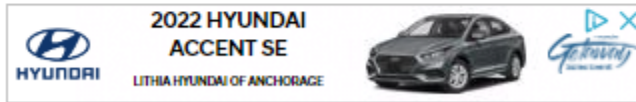
- **Require that individuals who summon help remain at the scene of the overdose, cooperate with law enforcement, and/or provide their legal name.** For example, Delaware requires that the person summoning help provides to emergency personnel “all relevant medical information” related to the cause of the overdose that they are aware of. Other states, such as Alaska, Colorado, and Indiana, require that the individual remains at the scene and identify him/herself to authorities.³
- **Specify that only the individual who summons help and/or the victim of the overdose receive immunity; others may be prosecuted if they remain on the scene.** For example, North Dakota specifies that no more than three people can gain immunity for one overdose occurrence. Other states, such as Colorado and Nebraska, provide immunity only to the first individual who requests assistance during the emergency. Alaska only provides immunity to the person who summoned help (and not the overdose victim).³
- **Require the individual who would have been charged to receive drug testing and a referral to an addiction treatment program or professional.** For example, Ohio provides immunity only if the caller or victim “seeks and obtains a screening and receives a referral for treatment” within 30 days.³
- **Limit the number of times that an individual can be eligible for immunity.** For example, North Dakota specifies that the individual who summons help “shall only qualify once for immunity under this Act.” In Ohio, an individual qualifies for immunity a maximum of two times.³

Skepticism and Lack of Trust

- ▶ Even if they are aware of the Good Samaritan law, many individuals at risk for encountering an overdose often report a strong distrust of law enforcement and skepticism that the law will protect them. **These are likely to be individuals with criminal histories such as outstanding warrants or probation status.** These individuals, particularly those who inject drugs, are more likely to delay or not call for help during an overdose.
- ▶ Media reports of individuals being arrested after experiencing or intervening in an overdose despite the presence of a Good Samaritan law may contribute to this lack of trust. (arrests not pertaining to overdose)
- ▶ Studies suggest these individuals may hesitate to call for help even if they know about Good Samaritan laws. They may fear arrest, withdrawal symptoms in jail, getting others in trouble, or hold the belief that they do not need professional help if they have naloxone on hand.

North Pole Woman Jailed on Manslaughter Charges after She Sold Fentanyl to Person Who Died from Overdose

By *Alaska Native News* on Aug 30, 2022 · Comments Off



A bag of 4-fluoro isobutyryl fentanyl, which was seized in a drug raid, is displayed at the Drug Enforcement Administration (DEA) Special Testing and Research Laboratory in Sterling, Virginia.

Image-DEA

A North Pole woman has been arrested and charged with manslaughter and Misconduct Involving a Controlled Substance following the death of a person that received fentanyl from her, troopers announced on Tuesday.

According to their report, 35-year-old Samantha L. Pearson of North Pole was reported to have sold Fentanyl to another person on July 7th of this year and that person, as a result, died from a fatal overdose.

On August 25th, Pearson was contacted by troopers and taken into custody and charged with Manslaughter and Misconduct Involving a Controlled Substance II. She was remanded to the Fairbanks Correctional

Center.

Resources

- ▶ *SAMHSA. Preventing the Consequences of Opioid Overdose: Understanding 911 Good Samaritan Laws. 2017. Reference #HHSS283201200024I/HHSS28342002T. <https://mnprc.org/wp-content/uploads/2019/01/good-samaritan-law-tool.pdf>
- ▶ SAMHSA. Opioid overdose prevention toolkit. 2018, HHS Publication No. (SMA) 18 4742. <https://store.samhsa.gov/sites/default/files/d7/priv/sma18-4742.pdf>
- ▶ Drug Overdose Immunity and Good Samaritan Laws (2017). National Conference of State Legislatures. <https://www.ncsl.org/research/civil-and-criminal-justice/drug-overdose-immunity-good-samaritan-laws.aspx>
- ▶ Schneider, K.E., Park, J.N., Sean T. Allen, S.T., Weir, B.W. & Sherman, S.E. (2020). Knowledge of Good Samaritan Laws and Beliefs About Arrests Among Persons Who Inject Drugs a Year After Policy Change in Baltimore, Maryland. Public Health Reports, 135(3), 393-400. DOI: 10.1177/0033354920915439

Case Presentation

Project ECHO's goal is to protect patient privacy

- ▶ To help Project ECHO accomplish that goal, please only display or say information that doesn't identify a patient or that cannot be linked to a patient.
- ▶ **References:** For a complete list of protected information under HIPAA, please visit www.hipaa.com

Thank you for joining us today.
We appreciate your participation and hope
to see you at the **NEXT ECHO Session:**
September 22, 2022 from 12pm -1 PM

You will be receiving a follow up survey that we hope you will complete to help us improve. If you are requesting continuing education credits, you will be required to complete the survey to receive your CMEs.

