

# **NOPE** NARCOTICS **TASK FORCE** OVERDOSE PREVENTION & EDUCATION

## **Overdose Death Prevention Act- “Richie’s Law” Fact Sheet**

**A person brought to the hospital for an overdose, whether intentional or accidental, is facing serious and imminent threats to their health and safety.** Abusing a substance to this extent means a grave problem, one that demands and deserves serious treatment.

**The hospital emergency room is an important intervention point.** Studies indicate that at least one third of fatal drug overdose victims had suffered a previous non-fatal overdose with a hospital visit. The best hope of survival for a person who is substance abuse impaired is intervention. Denial and distorted thinking impedes the patient’s ability to make a rational decision. Therefore, responsibility must be placed on the attending physician in the hospital to insure that proper post overdose care is delivered. Attending physicians must provide the same level of care offered to other patients with life threatening circumstances, such as: heart attack and stroke victims.

- **In 2012, there were 33,175 unintentional drug overdose deaths in the United States.** (Source: Center for Disease Control)
- **2.5 million Emergency Department visits are attributed to drug misuse or overdose.** (Source: Drug Abuse Warning Network (DAWN), 2011 National ED Estimates)
- **26.8% of the people who died from a drug overdose had experienced a prior drug overdose with a hospital visit.** (Source: Palm Beach County Sheriff’s Office Overdose Suppression Project 2013)
- **82.3 % of the decedents had a known substance abuse history prior to their fatal overdose.** (Source: Palm Beach County Sheriff’s Office Overdose Suppression Project 2013)
- **51.3 % of the decedents were under the care of a physician at the time of their fatal overdose.** (Source: Palm Beach County Sheriff’s Office Overdose Suppression Project 2013)

### **HIPAA**

When discussing the issue of notification, HIPAA is a perceived communication issue. **The fact is that the HIPAA law currently indicates that emergency room physicians may notify next of kin if they feel it important or necessary for survival of the patient.**

This linked-document (authored by the U.S. Department of Health and Human Services) provides a summary of the HIPAA Privacy Rule.

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/summary/index.html>

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Serious Threats to Health or Safety--Page 4

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/summary/index.html>

### **Federal Register-Volume 65. No. 250 (12-28-2000) Section 164.502(g) – Personal Representatives**

“We continue to **allow covered entities to use their discretion to disclose certain protected health care information to family members, relatives, close friends, and other persons assisting in the care of an individual**, in accordance with 164.510(b). We recognize that many health care decisions take place on an informal basis, and we permit disclosures in certain circumstance to permit this practice to continue. Health care providers may continue to use their discretion to address these informal situations” (p. 82501).