

Aaron's Law & Overdose Good Samaritan Law

OVERVIEW

Across the state of Indiana, an individual administering Naloxone (Narcan) to a person who has overdosed is protected under the laws so long as they “act in good faith,” do not display “gross negligence or willful misconduct,” and they “attempt to summon” EMS.

Under civil liability protection, the person who administers Naloxone will not be charged if the person experiencing an overdose were to die despite best efforts to revive them. Under criminal liability protection, the person who administers the Naloxone is protected from charges related to drug possession, specifically possession of “cocaine, meth, paraphernalia, marijuana, synthetic drug lookalike, and controlled substances.”

These protections only apply if the individual who administers the Naloxone acts in good faith and makes an attempt to summon EMS. The person administering Naloxone must cooperate with law enforcement officials and provide the name of the individual who overdosed and remain on the scene until police arrive.

Aaron's Law will not protect individuals administering Naloxone from charges different than those described here. For example, a person who administers Naloxone is not protected from charges related to parole/probation violations. In addition, Aaron's Law does not protect against public intoxication, meaning that if the overdose occurs in a public place, the person who administers the Naloxone is not protected from charges related to public intoxication if they are also under the influence.

KEY POINTS

Requirements to receive protection under the laws:

1. Administer Naloxone (Narcan) to a person suffering an overdose
2. Contact Emergency Services (911)
3. Wait for EMS and police to arrive at the scene
4. Provide all relevant info requested by law enforcement and cooperate at the scene

If an individual follows ALL of the requirements above they are protected from:

Criminal Liability:

- Drug possession
- Practicing medicine without a license

Civil Liability:

- Being sued by the person Naloxone was administered to

But they are NOT protected from:

Criminal Liability:

- Parole or probation violations
- Public intoxication, trespassing or other crimes committed at the scene

Individuals NOT protected under the laws:

- The person who suffered the overdose
- Those that administer Naloxone but do not call emergency services
- Other people at the scene who do not follow the requirements above

To locate Naloxone, visit:
<https://optin.in.gov>



IUPUI

RICHARD M. FAIRBANKS SCHOOL OF PUBLIC HEALTH
Department of Social and Behavioral Sciences



INDIANA

CTSI

Clinical and Translational
Sciences Institute



Indiana State
Department of Health



CHEER
COMMUNITY HEALTH
ENGAGEMENT and
EQUITY RESEARCH



SOURCES:

- IN Code 16-42-27-2 and 16-42-27-3
- *What Is Aaron's Law?* (2017) and *Naloxone Access and Overdose Good Samaritan Law in Indiana* (2018); Indiana University Purdue University Indianapolis School of Public Health; Sights, Janota, Watson, Huynh, Anderson