

Massachusetts Department of Public Health

An Act to Reduce Opioid Overdose Deaths- SB 1843

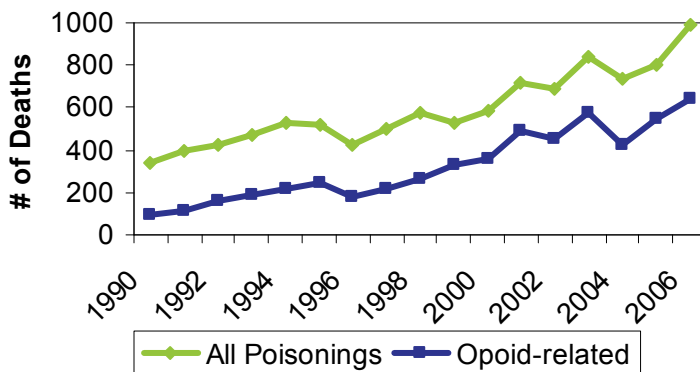
Information Sheet

Senate Bill 1843— “The 911 Good Samaritan Bill”

In Massachusetts, the rate of fatal drug overdose has increased dramatically over the past decade. In 2006, an average of 12 Massachusetts residents died each week of an opioid-related overdose (e.g. from heroin, oxycodone, or fentanyl). Many of these deaths are preventable. One of the major contributing factors to overdose death is the fear of calling 911 and possible police response and criminal charges. An overdose is a life-threatening medical emergency but if emergency responders are called quickly enough, in most cases, the person will survive. **The 911 Good Samaritan Bill, filed by Sen. Steven Tolman, provides limited immunity from drug possession charges and prosecution when a drug-related overdose victim or a witness to an overdose seeks medical attention. Therefore, this law will help reduce drug-related overdose deaths by removing barriers to calling 911.**

The law does not protect people from prosecution from offenses other than possession of illegal drugs when calling 911, including drug trafficking charges. It does not protect individuals with outstanding warrants against them, and does not interfere with law enforcement protocols to secure the scene at an overdose.

Opioid-Related vs. All Poisoning Deaths, MA Residents 1990-2006



Source: Registry of Vital Records and Statistics, MDPH

In 2006, an average of 12 Massachusetts residents died each week of an opioid-related overdose.

In Massachusetts deaths due to poisoning/drug overdoses have been increasing

From 1990 to 2006, the MA age adjusted poison death rate more than doubled from **5.6 to 14.9 per 100,000 residents.**

Most of Massachusetts' 989 poisoning deaths in 2006 were caused by overdoses of prescription and/or illicit drugs. Opioids are the leading type of drug involved in these deaths (637 of the 989).

Fear of calling 911

Fear of criminal charges is clearly a factor in **delaying or preventing access to emergency services**, the single most effective response to an overdose in an urban area. In several studies over half of drug users interviewed reported not calling 911 during an overdose due to fear of police.^{1,2,3,4}

In 2008, community assessments of the opioid overdose problem in **Worcester, Charlestown, JP/Roxbury, Revere, Cambridge, Fall River, Brockton and Lynn** all indicated that fear of calling 911 is one of the major contributing factors to the fatal overdose problem in those communities.

US Conference of Mayors supports the adoption of Good Samaritan laws

US Conference of Mayors **unanimously passed a resolution** on June 25, 2008, urging state governments to adopt emergency “Good Samaritan” immunity laws that protect people who are experiencing or have witnessed a drug overdose and who have contacted 911 to request emergency medical treatment for the victim.

Other States have passed or have similar legislation pending

New Mexico enacted the first such law in July of 2007 and has received positive reports from both law enforcement and community members. Similar life-saving legislation is pending in several states across the country, including **California, Illinois, Maryland, New York, New Jersey, Rhode Island** and **Washington**.

Delays in calling 911 can damage the victim’s brain and body

Neurological and other physical effects of overdose become more severe over time due to the lack of oxygen to the brain - affirming the importance of seeking medical attention as quickly as possible during overdose events.³

More deaths occur in private settings, where people are less likely to call 911 due to fear of police involvement

Bystanders are more likely to call for help in overdoses that occur in public settings than in private settings such as homes or hotels. Public settings afford greater anonymity and consequently less fear of personal trouble arising from potential police response. However research indicates that the majority of fatal overdoses occur in private settings. Public health efforts need to work to improve responses to overdoses occurring in private locations.³

References

- ¹Darke, S., Ross, J., and Hall, W. (1996). Overdose among heroin users in Sydney, Australia: II. Responses to overdose. *Addiction*, 91(3), 413-417.
- ²Davidson, P. J., Ochoa, K. C., Hahn, J. A., Evans, J. L., and Moss, A. R. (2002). Witnessing Heroin-related overdoses: the experiences of young injectors in San Francisco. *Addiction*, 97, 1511-1516.
- ³Tracy, M., Markham Piper, T., Ompad, D., Bucciarelli, A., Coffin, P., Vlahov, D., Galea, S. (2005). Circumstances of witnesses drug overdoses in New York City: implications for intervention. *Drug and Alcohol Dependence* 79 181-190.
- ⁴Pollini, R., McCall, L., Mehta, S., Celentano, D., Vlahov, D., Starthdee, S. (2006). Response to Overdose Among Injection Drug Users. *American Journal of Preventive Medicine*; 31 (3).



Massachusetts Department of Public Health

An Act to Reduce Opioid Overdose Deaths- SB 1843

Fact Sheet

What is the “911 Good Samaritan Bill”?

Sen. Steven Tolman has filed Senate Bill 1843, or the “911 Good Samaritan Bill” which provides certain protections from drug possession charges and prosecution when a drug-related overdose victim or a witness *seeks medical attention*.

Why is it important?

In 2007, 645 residents of Massachusetts died from opioid-related overdose (e.g. heroin, oxycodone, or fentanyl).

Most of these deaths could have been prevented. In most cases if 911 is called quickly enough, the victim will survive, but fear of police and criminal prosecution prevents many people from calling for help.

Immediately calling 911 could also help prevent permanent damage to the victim’s brain or body caused by lack of oxygen during an overdose.

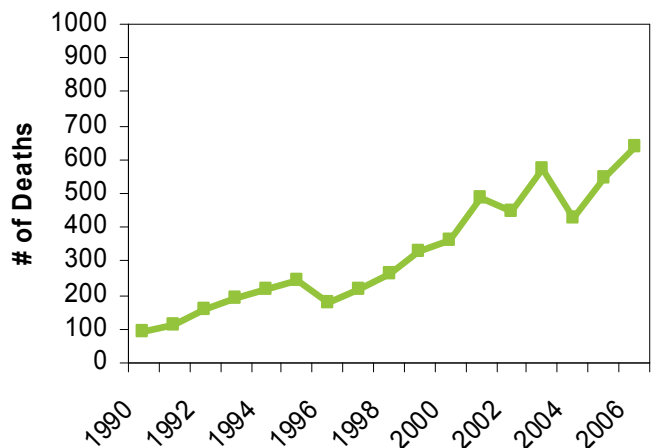
What the law will do:

- . Protect people from prosecution for possession of illegal drugs when calling 911
- . Save lives and give people who use opioids a chance to get help for their addiction
- . Increase the likelihood of 911 being called after an overdose

What the law will not do:

- . *Does not* interfere with law enforcement securing the scene at an overdose
- . *Does not* prevent prosecution for drug trafficking charges
- . *Does not* prevent prosecution for outstanding warrants

Opioid-Related Deaths MA Residents 1990-2007



Source: Registry of Vital Records and Statistics, MDPH

