



Naloxone Kits in Communal Spaces: Frequently Asked Questions

What is naloxone?

Naloxone (sometimes referred to by the brand name Narcan) is a safe medication that can reverse the effects of an opioid overdose. Naloxone only works on opioids (such as heroin, fentanyl and opioid-based painkillers) but is safe to use even if opioids are not present. Naloxone is widely available at no cost throughout New York City (NYC) and can also be purchased at many pharmacies as an over-the-counter medication.

Why should I carry naloxone and keep it on-site in communal spaces?

Anyone can easily administer naloxone to reverse opioid overdose symptoms long enough for emergency medical services to arrive. Having naloxone readily available in communal spaces increases the likelihood of someone responding to an opioid overdose to prevent overdose death.

What protections does New York State (NYS) offer to people who carry, administer or receive naloxone?

NYS' Good Samaritan laws protect people who choose to respond to a medical emergency, including a drug overdose, from criminal and civil penalties. These laws include:

- **Emergency Medical Treatment Law:** People who provide aid in a medical emergency, including a drug overdose, are protected from civil penalties if they are providing voluntary assistance without expecting monetary compensation. This law specifically protects people who provide aid "at the scene of an accident or other emergency outside a hospital, doctor's office or any other place having proper and necessary medical equipment."¹
- **Opioid Overdose Program Law:** People who choose to administer naloxone in response to a suspected opioid overdose are protected from criminal, civil and administrative penalties if they are acting reasonably, in good faith and in compliance with NYS regulations. Opioid antagonists, such as naloxone, are considered emergency treatments or first aid.²
- **911 Good Samaritan Law:** People are protected from prosecution for misdemeanor drug possession, possession of drug paraphernalia and being under the influence if they call **911** in response to someone experiencing a suspected overdose. These protections also apply to the person experiencing the overdose.^{3,4}

¹ Emergency Medical Treatment, N.Y. Public Health Law §3000-A (March 31, 2017).

<https://www.nysenate.gov/legislation/laws/PBH/3000-A>

² Opioid Overdose Prevention, N.Y. Public Health Law §3309 (April 28, 2023). <https://www.nysenate.gov/legislation/laws/PBH/3309>

³ Opioid Overdose Prevention Programs, 10 NYCRR §80.138 (May 6, 2015). <https://regs.health.ny.gov/content/section-80138-opioid-overdose-prevention-programs>

⁴ Witness or Victim of Drug or Alcohol Overdose, N.Y. Penal Law §220.78 (April 2, 2021). [nysenate.gov](https://www.nysenate.gov)

What protections do the Good Samaritan laws provide?

For people seeking medical attention during an opioid overdose, regardless of their age or whether they are seeking help for themselves or someone else, the Good Samaritan laws protect them from charges and prosecutions for:

- Possessing less than 8 ounces (oz) of a controlled substance (a Class A2 felony or lower)
- Possessing alcohol, if underage drinking is involved
- Possessing any amount of cannabis
- Possessing drug paraphernalia
- Sharing drugs

There are limitations on protections. You may still face legal consequences for:

- Violating parole or probation
- Having an open arrest warrant
- Selling or intending to sell controlled substances
- Possessing 8 oz or more of a controlled substance (a Class A1 felony)

Additionally, the Good Samaritan laws do not offer specific protections for possible immigration or child welfare consequences.

Am I allowed to carry and administer naloxone if I do not have medical training?

Yes. As of April 2006, it is legal for nonmedical people who received a naloxone kit from an Opioid Overdose Prevention Program to carry and administer naloxone in NYS. As of September 2023, naloxone can be purchased at pharmacies and other locations and used as an over-the-counter medication.

Am I obligated to respond to an overdose?

No. Witnessing someone experience a suspected overdose (for example, overdose symptoms such as discoloration or unresponsiveness) does not obligate you to administer naloxone. If you choose to respond, you can administer naloxone, give rescue breaths and call **911**. If you do not feel comfortable administering naloxone, you can still call **911**, identify the location of the person experiencing the suspected overdose and describe their symptoms.

Can multiple staff share a naloxone kit or have a communal kit?

Trained overdose responders are permitted to share naloxone if they work for the same organization or in the same location.

Do people need liability insurance to intervene in an overdose?

No. Since the Opioid Overdose Prevention Program started in 2006, the NYC Department of Health and Mental Hygiene has never received a report of anyone needing liability insurance.

If I administer naloxone and need to leave the scene before paramedics or law enforcement arrive, can police contact me based off my naloxone kit Certificate of Completion blue card?

You are not required to leave any identifying information, including the Certificate of Completion blue card from your naloxone kit. Leaving the used naloxone signifies to paramedics that naloxone has been administered, which helps them assess the emergency if no one stays behind.

For more information, visit nyc.gov/health/naloxone.