DRUG MISUSE

Most States Have Good Samaritan Laws and Research Indicates They May Have Positive Effects

What GAO Found

The Office of National Drug Control Policy (ONDCP) has taken multiple actions to track, study, and share information about Good Samaritan laws, which protect individuals who call for medical assistance for an overdose victim, and Naloxone Access laws, which protect individuals who administer the opioid-reversal drug naloxone. For example:

- ONDCP awarded grants to organizations that included support for efforts to track these laws and to develop a model law.

GAO found that 48 jurisdictions (47 states and D.C.) have enacted both Good Samaritan and Naloxone Access laws. Kansas, Texas and Wyoming do not have a Good Samaritan law for drug overdoses but have a Naloxone Access law. The five U.S. territories do not have either type of law. GAO also found that the laws vary. For example, Good Samaritan laws vary in the types of drug offenses that are exempt from prosecution and whether this immunity takes effect before an individual is arrested or charged, or after these events but before trial.

GAO reviewed 17 studies that provide potential insights into the effectiveness of Good Samaritan laws in reducing overdose deaths or the factors that may contribute to a law’s effectiveness. GAO found that, despite some limitations, the findings collectively suggest a pattern of lower rates of opioid-related overdose deaths among states that have enacted Good Samaritan laws, both compared to death rates prior to a law’s enactment and death rates in states without such laws. In addition, studies found an increased likelihood of individuals calling 911 if they are aware of the laws. However, findings also suggest that awareness of Good Samaritan laws may vary substantially across jurisdictions among both law enforcement officers and the public, which could affect their willingness to call 911.