



HARM REDUCTION AND OVERDOSE PREVENTION 50-State Survey

Harm Reduction Laws in the United States

Drug overdose is a continuing epidemic that claimed the lives of over 67,000 Americans in 2018. Opioids, either alone or in combination with other substances, were responsible for approximately 70% of these deaths. Many of these lost lives and other opioid-related harms are preventable through the timely administration of the opioid reversal drug naloxone and, where appropriate, other follow-up care.

Similarly, consistent access to new injection supplies is critical to prevent the transmission of HIV, viral hepatitis, and other bloodborne diseases among people who inject drugs, and to prevent subsequent infection of sexual partners, children, and others. Unfortunately, state laws and local rules can make it difficult for people who inject drugs to access these lifesaving supplies, and variations in laws among states can create confusion among both people who inject drugs and people and organizations working to ensure that they have the supplies they need to protect themselves and others. This document is designed to reduce this information gap and help individuals and organizations better understand how the legal landscape in their state may impact access to harm reduction services and supplies, including overdose Good Samaritan laws, which provide limited protection from criminal sanctions to encourage people to call for help in an overdose emergency. Specifically, it covers laws related to syringe possession and distribution, naloxone access, statewide naloxone standing orders, and overdose Good Samaritan overdose protections in all 50 states and the District of Columbia.

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For each state, each area of law is briefly explained in plain language. The relevant citation is also listed, together with a hyperlink that will take the reader to the text of the law. All information is current as of September 15, 2020.

This document was developed by the Harm Reduction Legal Project with the support of NEXT Distro, an online and mail-based harm reduction platform designed to reduce opioid overdose death, prevent injection-related disease transmission, and improve the lives of people who use drugs. For more information about the Harm Reduction Legal Project or to request information or technical assistance regarding harm reduction law or policy, please visit <https://www.networkforphl.org/resources/topics/projects/harm-reduction-legal-project/> or email harmreduction@networkforphl.org. For more information about NEXT Distro or to access harm reduction supplies, please visit <https://nextdistro.org/>. The information contained in this document is available in an easy to access format on the NEXT website at <https://nextdistro.org/policies>.

Wyoming

Syringe Possession & Distribution

- » Drug paraphernalia is any equipment, product, and materials when used, intended for use, or designed for use to inject controlled substances into the human body. [Wyo. Stat. Ann. § 35-71002 \(xxvii\)](#).
- There are no state laws prohibiting the possession of drug paraphernalia.
- Delivery or possession with intent to deliver drug paraphernalia is a crime punishable by prison, fine, or both, with higher penalties for delivery to a minor. [Wyo. Stat. Ann. § 35-7-1056; 7-1057](#).
- There is no law authorizing or forbidding SSPs.

Naloxone Access Law

- [Wyo. Stat. Ann. § 35-4-901 et seq.](#)
- Practitioners and pharmacists, acting in good faith and with reasonable care, may prescribe naloxone to a person at risk of experiencing an overdose or a person in a position to help someone experiencing an overdose, including a person who may encounter an overdose in their job. [Wyo. Stat. Ann. § 35-4-903 \(a\)](#).
- The practitioner or pharmacist must provide basic education to the person receiving naloxone. [Wyo. Stat. Ann. § 35-4-903 \(b\)](#).
- A practitioner may issue a standing order to an entity that establishes a drug overdose treatment program and may be in a position to help someone experiencing an overdose in their official duties. [Wyo. Stat. Ann. § 35-4-904\(a\)](#).
- A person acting in good faith may administer naloxone to a person who appears to be experiencing an overdose, and is immune from civil or criminal liability. [Wyo. Stat. Ann. § 345-906 \(a\)—\(b\)](#).
- A practitioner or pharmacist who prescribes naloxone is immune from civil or criminal liability, and the prescribing is not unprofessional conduct. [Wyo. Stat. Ann. § 35-4-906 \(c\)](#).
- An entity that establishes a drug overdose treatment policy is immune from civil or criminal liability. [Wyo. Stat. Ann. § 35-4-906 \(d\)](#).

Naloxone Standing Order

- Wyoming does not appear to have a statewide standing order.

Good Samaritan Law

- Wyoming does not have an overdose Good Samaritan law.

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