


Slide 1

John Dossetor Health Ethics Centre

Legal Interventions to Reduce Opioid-Related Mortality: Access to Naloxone

Tracey Bailey, BA, LLB
Associate Adjunct Professor, John Dossetor Health Ethics Centre
Health Ethics Seminar
March 17, 2017



Slide 2

**IT'S NEVER GOING TO BE YOU...
UNTIL IT IS.**



Footprints may be hiding in the drugs you're using. You won't know if you've taken it until it's too late. If you're looking for help, call 1-800-487-4873.

Health Ethics Seminar

Slide 3

Tools to address an issue

- ▶ Non-legal
 - We all use these most of the time
 - This includes government and other organizations
- ▶ Legal
 - Legislation (federal and/or provincial) (Acts)
 - Regulations
 - Orders (e.g. Ministerial orders)
 - Directions
 - Standards of practice
 - Conditions of funding or provision or resources
 - Etc.

Health Ethics Seminar

Slide 16

Greatly increased access

- ▶ And – still barriers
- ▶ Reassessment and decision to expand access further

Health Ethics Seminar

Slide 17

Naloxone de-scheduled in AB

- ▶ Removed from all Alberta drug schedules
- ▶ Provides potential ability to access without interaction with a health care professional
- ▶ If sold or dispensed without an interaction with a regulated health care professional, no need to address other duties of HCPs

Health Ethics Seminar

Slide 18

Another e.g. of legal measures

- ▶ Further M.O.s issued under GOA
 - Authorize police officers, peace officers and firefighters to administer injectable naloxone
 - January 2017

Health Ethics Seminar

Slide 19

Public health emergency

- ▶ Alberta's *Public Health Act* provides authority to declare a public health emergency if certain criteria are met
 - CMOH advises that a PHE exists or may exist, AND prompt co-ordination of action or special regulation of persons or property is required in order to protect the public health
 - LGiC is satisfied criteria met based on CMOH advice

Health Ethics Seminar

Slide 20

If criteria met, does that mean declaration should be made?

- ▶ Extraordinary powers
- ▶ Powers not in keeping with law/normal processes in a democratic society
- ▶ To be used only when necessary
- ▶ Actions of government and public health officials are to be *Charter* compliant
 - i.e. in keeping with our Constitution which supercedes other legislation

Health Ethics Seminar

Slide 21

What are the powers available?

- ▶ If LGiC declared, Minister responsible for Act may, by order, without consultation, suspend or modify the application or operation of all or part of an enactment (and if Minister responsible is not available, Minister of Health)

Health Ethics Seminar

Slide 22

What powers are available?

- ▶ Minister of Health or AHS may:
 - Acquire or use real or personal property
 - Authorize or require any qualified person to render aid
 - Authorize the conscription of persons
 - Authorize entry into any building or on any land, without warrant, by any person
 - Provide for distribution of essential health and medical supplies and provide, maintain and co-ordinate the delivery of health services

Health Ethics Seminar

Slide 23

Contact Information:

John Dossetor Health Ethics Centre
Phone: 780-492-6676
E-mail: dossetor.centre@ualberta.ca
Fax: 780-492-0673
Website: <http://www.bioethics.ualberta.ca/>

Health Ethics Seminar
