

Title 21

Food and Drugs

Chapter 28.9

The Good Samaritan Overdose Prevention Act of 2016

R.I. Gen. Laws § 21-28.9-4

§ 21-28.9-4. Emergency overdose care — Immunity from legal repercussions.

- (a) Any person who, in good faith, without malice and in the absence of evidence of an intent to defraud, seeks medical assistance for someone experiencing a drug or alcohol overdose or other drug- or alcohol-related medical emergency shall not be charged or prosecuted for any crime related to the possession of a controlled substance or drug paraphernalia, or the operation of a drug-involved premises, if the evidence for the charge was gained as a result of the seeking of medical assistance.
- (b) A person who experiences a drug or alcohol overdose or other drug- or alcohol-related medical emergency and is in need of medical assistance shall not be charged or prosecuted for any crime related to the possession of a controlled substance or drug paraphernalia, possession or transportation of alcohol by an underage person, or the operation of a drug-involved premises, if the evidence for the charge was gained as a result of the overdose and the need for medical assistance.
- (c) The act of providing first aid or other medical assistance to someone who is experiencing a drug or alcohol overdose or other drug- or alcohol-related medical emergency may be used as a mitigating factor in a criminal prosecution pursuant to the controlled substances act.
- (d) The immunity related to the possession of a controlled substance or drug paraphernalia, possession or transportation of alcohol by an underage person, or the operation of a drug-involved premises afforded under this section shall also extend to a violation of probation and/or parole on those grounds.

History of Section.

P.L. 2016, ch. 1, § 1; P.L. 2016, ch. 2, § 1; P.L. 2018, ch. 138, § 1; P.L. 2018, ch. 195, § 1.