

1                                   A bill to be entitled  
 2           An act relating to emergency services for an  
 3           unintentional drug overdose; amending s. 395.1041,  
 4           F.S.; requiring a hospital with an emergency  
 5           department to develop a best practices policy to  
 6           promote the prevention of unintentional drug  
 7           overdoses; authorizing the policy to include certain  
 8           processes, guidelines, and protocols; providing an  
 9           effective date.

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 11   Be It Enacted by the Legislature of the State of Florida:

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 13           Section 1. Subsection (6) of section 395.1041, Florida  
 14   Statutes, is amended to read:

15           395.1041 Access to emergency services and care.—

16           (6) RIGHTS OF PERSONS BEING TREATED.—

17           (a) A hospital providing emergency services and care to a  
 18   person who is being involuntarily examined under the provisions  
 19   of s. 394.463 shall adhere to the rights of patients specified  
 20   in part I of chapter 394 and the involuntary examination  
 21   procedures provided in s. 394.463, regardless of whether the  
 22   hospital, or any part thereof, is designated as a receiving or  
 23   treatment facility under part I of chapter 394 and regardless of  
 24   whether the person is admitted to the hospital.

25           (b) Each hospital with an emergency department shall

26 | develop a best practices policy to promote the prevention of  
27 | unintentional drug overdoses. The policy may include, but is not  
28 | limited to:

29 | 1. A process to obtain the patient's consent to notify the  
30 | patient's next of kin, and each physician or health care  
31 | practitioner who prescribed a controlled substance to the  
32 | patient, regarding the patient's overdose, her or his location,  
33 | and the nature of the substance or controlled substance involved  
34 | in the overdose.

35 | 2. A process for providing the patient or the patient's  
36 | next of kin with information about licensed substance abuse  
37 | treatment services, voluntary admission procedures under part IV  
38 | of chapter 397, involuntary admission procedures under part V of  
39 | chapter 397, and involuntary commitment procedures under chapter  
40 | 394.

41 | 3. Guidelines for emergency department health care  
42 | practitioners authorized to prescribe controlled substances to  
43 | reduce the risk of opioid use, misuse, and addiction.

44 | 4. The use of licensed or certified behavioral health  
45 | professionals or peer specialists in the emergency department to  
46 | encourage the patient to seek substance abuse treatment.

47 | 5. The use of Screening, Brief Intervention, and Referral  
48 | to Treatment protocols in the emergency department.

49 | Section 2. This act shall take effect July 1, 2017.