

By Senator Taddeo

40-01151-18

20181372__

1 A bill to be entitled
2 An act relating to drug safety; amending s. 893.04,
3 F.S.; prohibiting a pharmacist or practitioner from
4 dispensing specified opioids unless the prescription
5 bottle or container has applied to it a warning
6 sticker approved by the Department of Health which
7 meets certain requirements; amending s. 893.055, F.S.;
8 requiring pharmacies to offer for sale prescription
9 lock boxes; requiring pharmacies to display a
10 specified sign; defining the term "prescription lock
11 box"; authorizing the department to develop and
12 distribute a pamphlet containing certain information;
13 requiring the distribution of the pamphlet by
14 pharmacists under certain circumstances; prohibiting a
15 pharmacy from charging consumers a fee for the
16 pamphlet; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Present subsection (4) of section 893.04,
21 Florida Statutes, is renumbered as subsection (5), and a new
22 subsection (4) is added to that section, to read:

23 893.04 Pharmacist and practitioner.—

24 (4) A pharmacist or practitioner may not dispense a newly-
25 prescribed prescription opioid listed in Schedule II, including
26 one that is compounded by a pharmacist under a prescription or
27 by a practitioner, unless the prescription bottle or container
28 in which the controlled substance is delivered to the user has
29 applied to it a warning sticker approved by the department which

40-01151-18

20181372__

30 warns users concerning the addictive nature of opioids and the
31 risks of overdoses. Such a label may also refer users to
32 additional resources about opioid addiction. The label must be
33 red with text large enough to be legible and placed on the cap
34 of the bottle in which the opioid is dispensed. If a bottle is
35 not used to dispense the opioid, the label must be on a
36 noticeable area of the container in which the opioid is
37 dispensed.

38 Section 2. Present subsections (15) through (18) of section
39 893.055, Florida Statutes, are renumbered as subsections (17)
40 through (20), respectively, and new subsections (15) and (16)
41 are added to that section, to read:

42 893.055 Prescription drug monitoring program.—

43 (15) Pharmacies shall offer for sale prescription lock
44 boxes at each store location. Pharmacies shall make customers
45 aware of the availability of the prescription lock boxes by
46 displaying a sign on or near the pharmacy counter which measures
47 at least 4 inches by 5 inches and includes the statement, in a
48 legibly printed font, "Prescription Lock Boxes for Securing Your
49 Prescription Medications Are Available at This Pharmacy." As
50 used in this subsection, the term "prescription lock box" means
51 a box or a bag with a locking mechanism that cannot be tampered
52 with or opened without the application of extreme force.

53 (16) (a) The department may develop a written pamphlet
54 relating to controlled substances which includes educational
55 information about the following:

56 1. Precautions regarding the use of pain management
57 prescriptions.

58 2. The potential for misuse and abuse of controlled

40-01151-18

20181372__

59 substances by adults and children.

60 3. The risk of controlled substance dependency and
61 addiction.

62 4. The proper storage and disposal of controlled
63 substances.

64 5. Controlled substance addiction support and treatment
65 resources.

66 6. Telephone helplines and website links that provide
67 counseling and emergency assistance for individuals dealing with
68 substance abuse.

69 (b) If the department develops a written pamphlet relating
70 to controlled substances, the department must distribute copies
71 of the pamphlet to pharmacies throughout the state and must make
72 the contents of the pamphlet available in electronic form on its
73 website. If copies of the pamphlet are provided by the
74 department, a pharmacist must distribute the pamphlet to a
75 consumer when dispensing a prescription or a controlled
76 substance and offer them to consumers in a display. Pharmacies
77 may not charge consumers a fee for the pamphlet.

78 Section 3. This act shall take effect January 1, 2019.