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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/RE/3R

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03/08/2018 01:05 PM

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Senator Benacquisto moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (c) of subsection (2) of section  
409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements  
as are necessary for the operation of the statewide managed care  
program. In addition to any other provisions the agency may deem  
necessary, the contract must require:



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12 (c) *Access.*—

13 1. The agency shall establish specific standards for the  
14 number, type, and regional distribution of providers in managed  
15 care plan networks to ensure access to care for both adults and  
16 children. Each plan must maintain a regionwide network of  
17 providers in sufficient numbers to meet the access standards for  
18 specific medical services for all recipients enrolled in the  
19 plan. The exclusive use of mail-order pharmacies may not be  
20 sufficient to meet network access standards. Consistent with the  
21 standards established by the agency, provider networks may  
22 include providers located outside the region. A plan may  
23 contract with a new hospital facility before the date the  
24 hospital becomes operational if the hospital has commenced  
25 construction, will be licensed and operational by January 1,  
26 2013, and a final order has issued in any civil or  
27 administrative challenge. Each plan shall establish and maintain  
28 an accurate and complete electronic database of contracted  
29 providers, including information about licensure or  
30 registration, locations and hours of operation, specialty  
31 credentials and other certifications, specific performance  
32 indicators, and such other information as the agency deems  
33 necessary. The database must be available online to both the  
34 agency and the public and have the capability to compare the  
35 availability of providers to network adequacy standards and to  
36 accept and display feedback from each provider's patients. Each  
37 plan shall submit quarterly reports to the agency identifying  
38 the number of enrollees assigned to each primary care provider.

39 2. Each managed care plan must publish any prescribed drug  
40 formulary or preferred drug list on the plan's website in a



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41 manner that is accessible to and searchable by enrollees and  
42 providers. The plan must update the list within 24 hours after  
43 making a change. Each plan must ensure that the prior  
44 authorization process for prescribed drugs is readily accessible  
45 to health care providers, including posting appropriate contact  
46 information on its website and providing timely responses to  
47 providers. For Medicaid recipients diagnosed with hemophilia who  
48 have been prescribed anti-hemophilic-factor replacement  
49 products, the agency shall provide for those products and  
50 hemophilia overlay services through the agency's hemophilia  
51 disease management program.

52 3. Managed care plans, and their fiscal agents or  
53 intermediaries, must accept prior authorization requests for any  
54 service electronically.

55 4. Managed care plans, and their fiscal agents or  
56 intermediaries, may not implement, manage, or require a prior  
57 authorization process or step therapy procedures and may not  
58 impose any other conditions on recipients as a prerequisite to  
59 receiving medication-assisted treatment (MAT) services, as  
60 defined in s. 397.311, to treat substance abuse disorders.

61 5. Managed care plans serving children in the care and  
62 custody of the Department of Children and Families must maintain  
63 complete medical, dental, and behavioral health encounter  
64 information and participate in making such information available  
65 to the department or the applicable contracted community-based  
66 care lead agency for use in providing comprehensive and  
67 coordinated case management. The agency and the department shall  
68 establish an interagency agreement to provide guidance for the  
69 format, confidentiality, recipient, scope, and method of



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70 information to be made available and the deadlines for  
71 submission of the data. The scope of information available to  
72 the department shall be the data that managed care plans are  
73 required to submit to the agency. The agency shall determine the  
74 plan's compliance with standards for access to medical, dental,  
75 and behavioral health services; the use of medications; and  
76 followup on all medically necessary services recommended as a  
77 result of early and periodic screening, diagnosis, and  
78 treatment.

79 Section 2. Section 456.0301, Florida Statutes, is created  
80 to read:

81 456.0301 Requirement for instruction on controlled  
82 substance prescribing.-

83 (1) (a) The appropriate board shall require each person  
84 registered with the United States Drug Enforcement  
85 Administration and authorized to prescribe controlled substances  
86 pursuant to 21 U.S.C. s. 822 to complete a board-approved 2-hour  
87 continuing education course on prescribing controlled substances  
88 offered by a statewide professional association of physicians in  
89 this state that is accredited to provide educational activities  
90 designated for the American Medical Association Physician's  
91 Recognition Award Category 1 Credit or the American Osteopathic  
92 Category 1-A continuing medical education credit as part of  
93 biennial license renewal. The course must include information on  
94 the current standards for prescribing controlled substances,  
95 particularly opiates; alternatives to these standards;  
96 nonpharmacological therapies; prescribing emergency opioid  
97 antagonists; and the risks of opioid addiction following all  
98 stages of treatment in the management of acute pain. The course



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99 may be offered in a distance learning format and must be  
100 included within the number of continuing education hours  
101 required by law. The department may not renew the license of any  
102 prescriber registered with the United States Drug Enforcement  
103 Administration to prescribe controlled substances who has failed  
104 to complete the course. The course must be completed by January  
105 31, 2019, and at each subsequent renewal. This paragraph does  
106 not apply to a licensee who is required by his or her applicable  
107 practice act to complete a minimum of 2 hours of continuing  
108 education on the safe and effective prescribing of controlled  
109 substances.

110 (b) Each practitioner required to complete the course  
111 required in paragraph (a) shall submit confirmation of having  
112 completed such course when applying for biennial license  
113 renewal.

114 (c) Each licensing board that requires a licensee to  
115 complete an educational course pursuant to this subsection must  
116 include the hours required for completion of the course in the  
117 total hours of continuing education required by law for such  
118 profession unless the continuing education requirements for such  
119 profession consist of fewer than 30 hours biennially.

120 (2) Each board may adopt rules to administer this section.

121 Section 3. Paragraph (gg) of subsection (1) of section  
122 456.072, Florida Statutes, is amended to read:

123 456.072 Grounds for discipline; penalties; enforcement.—

124 (1) The following acts shall constitute grounds for which  
125 the disciplinary actions specified in subsection (2) may be  
126 taken:

127 (gg) Engaging in a pattern of practice when prescribing



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128 medicinal drugs or controlled substances which demonstrates a  
129 lack of reasonable skill or safety to patients, a violation of  
130 ~~any provision of this chapter~~ or ss. 893.055 and 893.0551, a  
131 violation of the applicable practice act, or a violation of any  
132 rules adopted under this chapter or the applicable practice act  
133 of the prescribing practitioner. Notwithstanding s. 456.073(13),  
134 the department may initiate an investigation and establish such  
135 a pattern from billing records, data, or any other information  
136 obtained by the department.

137 Section 4. Paragraphs (a) through (g) of subsection (1) of  
138 section 456.44, Florida Statutes, are redesignated as paragraphs  
139 (b) through (h), respectively, a new paragraph (a) is added to  
140 that subsection, subsection (3) of that section is amended, and  
141 subsections (4), (5), and (6) are added to that section, to  
142 read:

143 456.44 Controlled substance prescribing.—

144 (1) DEFINITIONS.—As used in this section, the term:

145 (a) "Acute pain" means the normal, predicted,  
146 physiological, and time-limited response to an adverse chemical,  
147 thermal, or mechanical stimulus associated with surgery, trauma,  
148 or acute illness. The term does not include pain related to:

149 1. Cancer.

150 2. A terminal condition. For purposes of this subparagraph,  
151 the term "terminal condition" means a progressive disease or  
152 medical or surgical condition that causes significant functional  
153 impairment, is not considered by a treating physician to be  
154 reversible without the administration of life-sustaining  
155 procedures, and will result in death within 1 year after  
156 diagnosis if the condition runs its normal course.



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157        3. Palliative care to provide relief of symptoms related to  
158 an incurable, progressive illness or injury.

159        4. A traumatic injury with an Injury Severity Score of 9 or  
160 greater.

161            (3) STANDARDS OF PRACTICE FOR TREATMENT OF CHRONIC  
162 NONMALIGNANT PAIN.—The standards of practice in this section do  
163 not supersede the level of care, skill, and treatment recognized  
164 in general law related to health care licensure.

165            (a) A complete medical history and a physical examination  
166 must be conducted before beginning any treatment and must be  
167 documented in the medical record. The exact components of the  
168 physical examination shall be left to the judgment of the  
169 registrant who is expected to perform a physical examination  
170 proportionate to the diagnosis that justifies a treatment. The  
171 medical record must, at a minimum, document the nature and  
172 intensity of the pain, current and past treatments for pain,  
173 underlying or coexisting diseases or conditions, the effect of  
174 the pain on physical and psychological function, a review of  
175 previous medical records, previous diagnostic studies, and  
176 history of alcohol and substance abuse. The medical record shall  
177 also document the presence of one or more recognized medical  
178 indications for the use of a controlled substance. Each  
179 registrant must develop a written plan for assessing each  
180 patient's risk of aberrant drug-related behavior, which may  
181 include patient drug testing. Registrants must assess each  
182 patient's risk for aberrant drug-related behavior and monitor  
183 that risk on an ongoing basis in accordance with the plan.

184            (b) Each registrant must develop a written individualized  
185 treatment plan for each patient. The treatment plan shall state



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186 objectives that will be used to determine treatment success,  
187 such as pain relief and improved physical and psychosocial  
188 function, and shall indicate if any further diagnostic  
189 evaluations or other treatments are planned. After treatment  
190 begins, the registrant shall adjust drug therapy to the  
191 individual medical needs of each patient. Other treatment  
192 modalities, including a rehabilitation program, shall be  
193 considered depending on the etiology of the pain and the extent  
194 to which the pain is associated with physical and psychosocial  
195 impairment. The interdisciplinary nature of the treatment plan  
196 shall be documented.

197 (c) The registrant shall discuss the risks and benefits of  
198 the use of controlled substances, including the risks of abuse  
199 and addiction, as well as physical dependence and its  
200 consequences, with the patient, persons designated by the  
201 patient, or the patient's surrogate or guardian if the patient  
202 is incompetent. The registrant shall use a written controlled  
203 substance agreement between the registrant and the patient  
204 outlining the patient's responsibilities, including, but not  
205 limited to:

206 1. Number and frequency of controlled substance  
207 prescriptions and refills.

208 2. Patient compliance and reasons for which drug therapy  
209 may be discontinued, such as a violation of the agreement.

210 3. An agreement that controlled substances for the  
211 treatment of chronic nonmalignant pain shall be prescribed by a  
212 single treating registrant unless otherwise authorized by the  
213 treating registrant and documented in the medical record.

214 (d) The patient shall be seen by the registrant at regular





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215 intervals, not to exceed 3 months, to assess the efficacy of  
216 treatment, ensure that controlled substance therapy remains  
217 indicated, evaluate the patient's progress toward treatment  
218 objectives, consider adverse drug effects, and review the  
219 etiology of the pain. Continuation or modification of therapy  
220 shall depend on the registrant's evaluation of the patient's  
221 progress. If treatment goals are not being achieved, despite  
222 medication adjustments, the registrant shall reevaluate the  
223 appropriateness of continued treatment. The registrant shall  
224 monitor patient compliance in medication usage, related  
225 treatment plans, controlled substance agreements, and  
226 indications of substance abuse or diversion at a minimum of 3-  
227 month intervals.

228 (e) The registrant shall refer the patient as necessary for  
229 additional evaluation and treatment in order to achieve  
230 treatment objectives. Special attention shall be given to those  
231 patients who are at risk for misusing their medications and  
232 those whose living arrangements pose a risk for medication  
233 misuse or diversion. The management of pain in patients with a  
234 history of substance abuse or with a comorbid psychiatric  
235 disorder requires extra care, monitoring, and documentation and  
236 requires consultation with or referral to an addiction medicine  
237 specialist or a psychiatrist.

238 (f) A registrant must maintain accurate, current, and  
239 complete records that are accessible and readily available for  
240 review and comply with the requirements of this section, the  
241 applicable practice act, and applicable board rules. The medical  
242 records must include, but are not limited to:

243 1. The complete medical history and a physical examination,



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244 including history of drug abuse or dependence.  
245       2. Diagnostic, therapeutic, and laboratory results.  
246       3. Evaluations and consultations.  
247       4. Treatment objectives.  
248       5. Discussion of risks and benefits.  
249       6. Treatments.  
250       7. Medications, including date, type, dosage, and quantity  
251 prescribed.  
252       8. Instructions and agreements.  
253       9. Periodic reviews.  
254       10. Results of any drug testing.  
255       11. A photocopy of the patient's government-issued photo  
256 identification.  
257       12. If a written prescription for a controlled substance is  
258 given to the patient, a duplicate of the prescription.  
259       13. The registrant's full name presented in a legible  
260 manner.  
261       (g) A registrant shall immediately refer patients with  
262 signs or symptoms of substance abuse to a board-certified pain  
263 management physician, an addiction medicine specialist, or a  
264 mental health addiction facility as it pertains to drug abuse or  
265 addiction unless the registrant is a physician who is board-  
266 certified or board-eligible in pain management. Throughout the  
267 period of time before receiving the consultant's report, a  
268 prescribing registrant shall clearly and completely document  
269 medical justification for continued treatment with controlled  
270 substances and those steps taken to ensure medically appropriate  
271 use of controlled substances by the patient. Upon receipt of the  
272 consultant's written report, the prescribing registrant shall



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273 incorporate the consultant's recommendations for continuing,  
274 modifying, or discontinuing controlled substance therapy. The  
275 resulting changes in treatment shall be specifically documented  
276 in the patient's medical record. Evidence or behavioral  
277 indications of diversion shall be followed by discontinuation of  
278 controlled substance therapy, and the patient shall be  
279 discharged, and all results of testing and actions taken by the  
280 registrant shall be documented in the patient's medical record.

281

282 This subsection does not apply to a board-eligible or board-  
283 certified anesthesiologist, physiatrist, rheumatologist, or  
284 neurologist, or to a board-certified physician who has surgical  
285 privileges at a hospital or ambulatory surgery center and  
286 primarily provides surgical services. This subsection does not  
287 apply to a board-eligible or board-certified medical specialist  
288 who has also completed a fellowship in pain medicine approved by  
289 the Accreditation Council for Graduate Medical Education or the  
290 American Osteopathic Association, or who is board eligible or  
291 board certified in pain medicine by the American Board of Pain  
292 Medicine, the American Board of Interventional Pain Physicians,  
293 the American Association of Physician Specialists, or a board  
294 approved by the American Board of Medical Specialties or the  
295 American Osteopathic Association and performs interventional  
296 pain procedures of the type routinely billed using surgical  
297 codes. This subsection does not apply to a registrant who  
298 prescribes medically necessary controlled substances for a  
299 patient during an inpatient stay in a hospital licensed under  
300 chapter 395.

301

(4) STANDARDS OF PRACTICE FOR TREATMENT OF ACUTE PAIN.—The



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302 applicable boards shall adopt rules establishing guidelines for  
303 prescribing controlled substances for acute pain, including  
304 evaluation of the patient, creation and maintenance of a  
305 treatment plan, obtaining informed consent and agreement for  
306 treatment, periodic review of the treatment plan, consultation,  
307 medical record review, and compliance with controlled substance  
308 laws and regulations. Failure of a prescriber to follow such  
309 guidelines constitutes grounds for disciplinary action pursuant  
310 to s. 456.072(1)(gg), punishable as provided in s. 456.072(2).

311 (5) PRESCRIPTION SUPPLY.—

312 (a) For the treatment of acute pain, a prescription for an  
313 opioid drug listed as a Schedule II controlled substance in s.  
314 893.03 or 21 U.S.C. s. 812 may not exceed a 3-day supply, except  
315 that up to a 7-day supply may be prescribed if:

316 1. The prescriber, in his or her professional judgment,  
317 believes that more than a 3-day supply of such an opioid is  
318 medically necessary to treat the patient's pain as an acute  
319 medical condition;

320 2. The prescriber indicates "MEDICALLY NECESSARY FOR ACUTE  
321 PAIN" on the prescription; and

322 3. The prescriber adequately documents in the patient's  
323 medical records the acute medical condition and lack of  
324 alternative treatment options that justify deviation from the 3-  
325 day supply limit established in this subsection.

326 (b) For the treatment of pain other than acute pain, a  
327 prescriber must indicate "FOR NONACUTE PAIN" on a prescription  
328 for an opioid drug listed as a Schedule II controlled substance  
329 in s. 893.03 or 21 U.S.C. s. 812.

330 (6) EMERGENCY OPIOID ANTAGONIST.—For the treatment of pain



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331 related to a traumatic injury with an Injury Severity Score of 9  
332 or greater, a prescriber who prescribes a Schedule II controlled  
333 substance listed in s. 893.03 or 21 U.S.C. s. 812 must  
334 concurrently prescribe an emergency opioid antagonist, as  
335 defined in s. 381.887(1).

336 Section 5. Effective January 1, 2019, present subsections  
337 (2) through (5) of section 458.3265, Florida Statutes, are  
338 renumbered as subsections (3) through (6), respectively,  
339 paragraphs (a) and (g) of subsection (1), paragraph (a) of  
340 present subsection (2), paragraph (a) of present subsection (3),  
341 and paragraph (a) of present subsection (4) of that section are  
342 amended, and a new subsection (2) is added to that section, to  
343 read:

344 458.3265 Pain-management clinics.—

345 (1) REGISTRATION.—

346 (a)1. As used in this section, the term:

347 a. "Board eligible" means successful completion of an  
348 anesthesia, physical medicine and rehabilitation, rheumatology,  
349 or neurology residency program approved by the Accreditation  
350 Council for Graduate Medical Education or the American  
351 Osteopathic Association for a period of 6 years from successful  
352 completion of such residency program.

353 b. "Chronic nonmalignant pain" means pain unrelated to  
354 cancer which persists beyond the usual course of disease or the  
355 injury that is the cause of the pain or more than 90 days after  
356 surgery.

357 c. "Pain-management clinic" or "clinic" means any publicly  
358 or privately owned facility:

359 (I) That advertises in any medium for any type of pain-



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360 management services; or

361 (II) Where in any month a majority of patients are  
362 prescribed opioids, benzodiazepines, barbiturates, or  
363 carisoprodol for the treatment of chronic nonmalignant pain.

364 2. Each pain-management clinic must register with the  
365 department or hold a valid certificate of exemption pursuant to  
366 subsection (2).

367 3. The following clinics are exempt from the registration  
368 requirement of paragraphs (c)-(m) and must apply to the  
369 department for a certificate of exemption unless:

370 a. A ~~The~~ clinic ~~is~~ licensed as a facility pursuant to  
371 chapter 395;

372 b. A clinic in which the majority of the physicians who  
373 provide services in the clinic primarily provide surgical  
374 services;

375 c. A ~~The~~ clinic ~~is~~ owned by a publicly held corporation  
376 whose shares are traded on a national exchange or on the over-  
377 the-counter market and whose total assets at the end of the  
378 corporation's most recent fiscal quarter exceeded \$50 million;

379 d. A ~~The~~ clinic ~~is~~ affiliated with an accredited medical  
380 school at which training is provided for medical students,  
381 residents, or fellows;

382 e. A ~~The~~ clinic that does not prescribe controlled  
383 substances for the treatment of pain;

384 f. A ~~The~~ clinic ~~is~~ owned by a corporate entity exempt from  
385 federal taxation under 26 U.S.C. s. 501(c)(3);

386 g. A ~~The~~ clinic ~~is~~ wholly owned and operated by one or more  
387 board-eligible or board-certified anesthesiologists,  
388 physiatrists, rheumatologists, or neurologists; or



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389 h. A ~~The~~ clinic ~~is~~ wholly owned and operated by a physician  
390 multispecialty practice where one or more board-eligible or  
391 board-certified medical specialists, who have also completed  
392 fellowships in pain medicine approved by the Accreditation  
393 Council for Graduate Medical Education or who are also board-  
394 certified in pain medicine by the American Board of Pain  
395 Medicine or a board approved by the American Board of Medical  
396 Specialties, the American Association of Physician Specialists,  
397 or the American Osteopathic Association, perform interventional  
398 pain procedures of the type routinely billed using surgical  
399 codes.

400 (g) The department may revoke the clinic's certificate of  
401 registration and prohibit all physicians associated with that  
402 pain-management clinic from practicing at that clinic location  
403 based upon an annual inspection and evaluation of the factors  
404 described in subsection (4) ~~(3)~~.

405 (2) CERTIFICATE OF EXEMPTION.-

406 (a) A pain management clinic claiming an exemption from the  
407 registration requirements of subsection (1) must apply for a  
408 certificate of exemption on a form adopted in rule by the  
409 department. The form must require the applicant to provide:

410 1. The name or names under which the applicant does  
411 business.

412 2. The address at which the pain management clinic is  
413 located.

414 3. The specific exemption the applicant is claiming with  
415 supporting documentation.

416 4. Any other information deemed necessary by the  
417 department.



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418 (b) The department must approve or deny the certificate  
419 within 30 days after the receipt of a complete application.

420 (c) The certificate of exemption must be renewed  
421 biennially, except that the department may issue the initial  
422 certificates of exemption for up to 3 years in order to stagger  
423 renewal dates.

424 (d) A certificateholder must prominently display the  
425 certificate of exemption and make it available to the department  
426 or the board upon request.

427 (e) A new certificate of exemption is required for a change  
428 of address and is not transferable. A certificate of exemption  
429 is valid only for the applicant, qualifying owners, licenses,  
430 registrations, certifications, and services provided under a  
431 specific statutory exemption and is valid only to the specific  
432 exemption claimed and granted.

433 (f) A certificateholder must notify the department at least  
434 60 days before any anticipated relocation or name change of the  
435 pain management clinic or a change of ownership.

436 (g) If a pain management clinic no longer qualifies for a  
437 certificate of exemption, the certificateholder must notify the  
438 department within 3 days after becoming aware that the clinic no  
439 longer qualifies for a certificate of exemption and register as  
440 a pain management clinic under subsection (1) or cease  
441 operations.

442 (3)-(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities  
443 apply to any physician who provides professional services in a  
444 pain-management clinic that is required to be registered in  
445 subsection (1).

446 (a) A physician may not practice medicine in a pain-





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447 management clinic, as described in subsection (5) ~~(4)~~, if the  
448 pain-management clinic is not registered with the department as  
449 required by this section. Any physician who qualifies to  
450 practice medicine in a pain-management clinic pursuant to rules  
451 adopted by the Board of Medicine as of July 1, 2012, may  
452 continue to practice medicine in a pain-management clinic as  
453 long as the physician continues to meet the qualifications set  
454 forth in the board rules. A physician who violates this  
455 paragraph is subject to disciplinary action by his or her  
456 appropriate medical regulatory board.

457 (4) ~~(3)~~ INSPECTION.—

458 (a) The department shall inspect the pain-management clinic  
459 annually, including a review of the patient records, to ensure  
460 that it complies with this section and the rules of the Board of  
461 Medicine adopted pursuant to subsection (5) ~~(4)~~ unless the  
462 clinic is accredited by a nationally recognized accrediting  
463 agency approved by the Board of Medicine.

464 (5) ~~(4)~~ RULEMAKING.—

465 (a) The department shall adopt rules necessary to  
466 administer the registration, exemption, and inspection of pain-  
467 management clinics which establish the specific requirements,  
468 procedures, forms, and fees.

469 Section 6. Effective January 1, 2019, present subsections  
470 (2) through (5) of section 459.0137, Florida Statutes, are  
471 renumbered as subsections (3) through (6), respectively,  
472 paragraphs (a) and (g) of subsection (1), paragraph (a) of  
473 present subsection (2), paragraph (a) of present subsection (3),  
474 and paragraph (a) of present subsection (4) of that section are  
475 amended, and a new subsection (2) is added to that section, to



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476 read:

477 459.0137 Pain-management clinics.—

478 (1) REGISTRATION.—

479 (a)1. As used in this section, the term:

480 a. "Board eligible" means successful completion of an  
481 anesthesia, physical medicine and rehabilitation, rheumatology,  
482 or neurology residency program approved by the Accreditation  
483 Council for Graduate Medical Education or the American  
484 Osteopathic Association for a period of 6 years from successful  
485 completion of such residency program.

486 b. "Chronic nonmalignant pain" means pain unrelated to  
487 cancer which persists beyond the usual course of disease or the  
488 injury that is the cause of the pain or more than 90 days after  
489 surgery.

490 c. "Pain-management clinic" or "clinic" means any publicly  
491 or privately owned facility:

492 (I) That advertises in any medium for any type of pain-  
493 management services; or

494 (II) Where in any month a majority of patients are  
495 prescribed opioids, benzodiazepines, barbiturates, or  
496 carisoprodol for the treatment of chronic nonmalignant pain.

497 2. Each pain-management clinic must register with the  
498 department or hold a valid certificate of exemption pursuant to  
499 subsection (2).

500 3. The following clinics are exempt from the registration  
501 requirement of paragraphs (c)-(m) and must apply to the  
502 department for a certificate of exemption unless:

503 a. A ~~That~~ clinic ~~is~~ licensed as a facility pursuant to  
504 chapter 395;



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505           b. A clinic in which the majority of the physicians who  
506 provide services in the clinic primarily provide surgical  
507 services;

508           c. A ~~The clinic is~~ owned by a publicly held corporation  
509 whose shares are traded on a national exchange or on the over-  
510 the-counter market and whose total assets at the end of the  
511 corporation's most recent fiscal quarter exceeded \$50 million;

512           d. A ~~The clinic is~~ affiliated with an accredited medical  
513 school at which training is provided for medical students,  
514 residents, or fellows;

515           e. A ~~The clinic~~ that does not prescribe controlled  
516 substances for the treatment of pain;

517           f. A ~~The clinic is~~ owned by a corporate entity exempt from  
518 federal taxation under 26 U.S.C. s. 501(c)(3);

519           g. A ~~The clinic is~~ wholly owned and operated by one or more  
520 board-eligible or board-certified anesthesiologists,  
521 physiatrists, rheumatologists, or neurologists; or

522           h. A ~~The clinic is~~ wholly owned and operated by a physician  
523 multispecialty practice where one or more board-eligible or  
524 board-certified medical specialists, who have also completed  
525 fellowships in pain medicine approved by the Accreditation  
526 Council for Graduate Medical Education or the American  
527 Osteopathic Association or who are also board-certified in pain  
528 medicine by the American Board of Pain Medicine or a board  
529 approved by the American Board of Medical Specialties, the  
530 American Association of Physician Specialists, or the American  
531 Osteopathic Association, perform interventional pain procedures  
532 of the type routinely billed using surgical codes.

533           (g) The department may revoke the clinic's certificate of



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534 registration and prohibit all physicians associated with that  
535 pain-management clinic from practicing at that clinic location  
536 based upon an annual inspection and evaluation of the factors  
537 described in subsection (4) ~~(3)~~.

538 (2) CERTIFICATE OF EXEMPTION.-

539 (a) A pain management clinic claiming an exemption from the  
540 registration requirements of subsection (1) must apply for a  
541 certificate of exemption on a form adopted in rule by the  
542 department. The form must require the applicant to provide:

543 1. The name or names under which the applicant does  
544 business.

545 2. The address at which the pain management clinic is  
546 located.

547 3. The specific exemption the applicant is claiming with  
548 supporting documentation.

549 4. Any other information deemed necessary by the  
550 department.

551 (b) The department must approve or deny the certificate  
552 within 30 days after the receipt of a complete application.

553 (c) The certificate of exemption must be renewed  
554 biennially, except that the department may issue the initial  
555 certificates of exemption for up to 3 years in order to stagger  
556 renewal dates.

557 (d) A certificateholder must prominently display the  
558 certificate of exemption and make it available to the department  
559 or the board upon request.

560 (e) A new certificate of exemption is required for a change  
561 of address and is not transferable. A certificate of exemption  
562 is valid only for the applicant, qualifying owners, licenses,



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563 registrations, certifications, and services provided under a  
564 specific statutory exemption and is valid only to the specific  
565 exemption claimed and granted.

566 (f) A certificateholder must notify the department at least  
567 60 days before any anticipated relocation or name change of the  
568 pain management clinic or a change of ownership.

569 (g) If a pain management clinic no longer qualifies for a  
570 certificate of exemption, the certificateholder must notify the  
571 department within 3 days after becoming aware that the clinic no  
572 longer qualifies for a certificate of exemption and register as  
573 a pain management clinic under subsection (1) or cease  
574 operations.

575 (3) ~~(2)~~ PHYSICIAN RESPONSIBILITIES.—These responsibilities  
576 apply to any osteopathic physician who provides professional  
577 services in a pain-management clinic that is required to be  
578 registered in subsection (1).

579 (a) An osteopathic physician may not practice medicine in a  
580 pain-management clinic, as described in subsection (5) ~~(4)~~, if  
581 the pain-management clinic is not registered with the department  
582 as required by this section. Any physician who qualifies to  
583 practice medicine in a pain-management clinic pursuant to rules  
584 adopted by the Board of Osteopathic Medicine as of July 1, 2012,  
585 may continue to practice medicine in a pain-management clinic as  
586 long as the physician continues to meet the qualifications set  
587 forth in the board rules. An osteopathic physician who violates  
588 this paragraph is subject to disciplinary action by his or her  
589 appropriate medical regulatory board.

590 (4) ~~(3)~~ INSPECTION.—

591 (a) The department shall inspect the pain-management clinic



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592 annually, including a review of the patient records, to ensure  
593 that it complies with this section and the rules of the Board of  
594 Osteopathic Medicine adopted pursuant to subsection (5) ~~(4)~~  
595 unless the clinic is accredited by a nationally recognized  
596 accrediting agency approved by the Board of Osteopathic  
597 Medicine.

598 (5) ~~(4)~~ RULEMAKING.—

599 (a) The department shall adopt rules necessary to  
600 administer the registration, exemption, and inspection of pain-  
601 management clinics which establish the specific requirements,  
602 procedures, forms, and fees.

603 Section 7. Section 465.0155, Florida Statutes, is amended  
604 to read:

605 465.0155 Standards of practice.—

606 (1) Consistent with the provisions of this act, the board  
607 shall adopt by rule standards of practice relating to the  
608 practice of pharmacy which shall be binding on every state  
609 agency and shall be applied by such agencies when enforcing or  
610 implementing any authority granted by any applicable statute,  
611 rule, or regulation, whether federal or state.

612 (2) (a) Before dispensing a controlled substance to a person  
613 not known to the pharmacist, the pharmacist must require the  
614 person purchasing, receiving, or otherwise acquiring the  
615 controlled substance to present valid photographic  
616 identification or other verification of his or her identity. If  
617 the person does not have proper identification, the pharmacist  
618 may verify the validity of the prescription and the identity of  
619 the patient with the prescriber or his or her authorized agent.  
620 Verification of health plan eligibility through a real-time



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621 inquiry or adjudication system is considered to be proper  
622 identification.

623 (b) This subsection does not apply in an institutional  
624 setting or to a long-term care facility, including, but not  
625 limited to, an assisted living facility or a hospital to which  
626 patients are admitted.

627 (c) As used in this subsection, the term "proper  
628 identification" means an identification that is issued by a  
629 state or the Federal Government containing the person's  
630 photograph, printed name, and signature or a document considered  
631 acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).

632 Section 8. Paragraph (b) of subsection (1) of section  
633 465.0276, Florida Statutes, is amended, and paragraph (d) is  
634 added to subsection (2) of that section, to read:

635 465.0276 Dispensing practitioner.—

636 (1)

637 (b) A practitioner registered under this section may not  
638 dispense a controlled substance listed in Schedule II or  
639 Schedule III as provided in s. 893.03. This paragraph does not  
640 apply to:

641 1. The dispensing of complimentary packages of medicinal  
642 drugs which are labeled as a drug sample or complimentary drug  
643 as defined in s. 499.028 to the practitioner's own patients in  
644 the regular course of her or his practice without the payment of  
645 a fee or remuneration of any kind, whether direct or indirect,  
646 as provided in subsection (4).

647 2. The dispensing of controlled substances in the health  
648 care system of the Department of Corrections.

649 3. The dispensing of a controlled substance listed in



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650 Schedule II or Schedule III in connection with the performance  
651 of a surgical procedure.

652 a. For an opioid drug listed as a Schedule II controlled  
653 substance in s. 893.03 or 21 U.S.C. s. 812:

654 (I) For the treatment of acute pain, the amount dispensed  
655 pursuant to this subparagraph may not exceed a 3-day supply, or  
656 a 7-day supply if the criteria in s. 456.44(5) (a) are met.

657 (II) For the treatment of pain other than acute pain, a  
658 practitioner must indicate "FOR NONACUTE PAIN" on a  
659 prescription.

660 (III) For the treatment of pain related to a traumatic  
661 injury with an Injury Severity Score of 9 or greater, a  
662 practitioner must concurrently prescribe an emergency opioid  
663 antagonist, as defined in s. 381.887(1).

664 b. For a controlled substance listed in Schedule III, the  
665 amount dispensed pursuant to ~~this~~ the subparagraph may not  
666 exceed a 14-day supply.

667 c. The exception in this subparagraph ~~exception~~ does not  
668 allow for the dispensing of a controlled substance listed in  
669 Schedule II or Schedule III more than 14 days after the  
670 performance of the surgical procedure.

671 d. For purposes of this subparagraph, the term "surgical  
672 procedure" means any procedure in any setting which involves, or  
673 reasonably should involve:

674 (I) ~~a.~~ Perioperative medication and sedation that allows the  
675 patient to tolerate unpleasant procedures while maintaining  
676 adequate cardiorespiratory function and the ability to respond  
677 purposefully to verbal or tactile stimulation and makes intra-  
678 and postoperative monitoring necessary; or





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679        (II)~~b~~. The use of general anesthesia or major conduction  
680 anesthesia and preoperative sedation.

681            4. The dispensing of a controlled substance listed in  
682 Schedule II or Schedule III pursuant to an approved clinical  
683 trial. For purposes of this subparagraph, the term "approved  
684 clinical trial" means a clinical research study or clinical  
685 investigation that, in whole or in part, is state or federally  
686 funded or is conducted under an investigational new drug  
687 application that is reviewed by the United States Food and Drug  
688 Administration.

689            5. The dispensing of methadone in a facility licensed under  
690 s. 397.427 where medication-assisted treatment for opiate  
691 addiction is provided.

692            6. The dispensing of a controlled substance listed in  
693 Schedule II or Schedule III to a patient of a facility licensed  
694 under part IV of chapter 400.

695            7. The dispensing of controlled substances listed in  
696 Schedule II or Schedule III which have been approved by the  
697 United States Food and Drug Administration for the purpose of  
698 treating opiate addictions, including, but not limited to,  
699 buprenorphine and buprenorphine combination products, by a  
700 practitioner authorized under 21 U.S.C. s. 823, as amended, to  
701 the practitioner's own patients for the medication-assisted  
702 treatment of opiate addiction.

703            (2) A practitioner who dispenses medicinal drugs for human  
704 consumption for fee or remuneration of any kind, whether direct  
705 or indirect, must:

706            (d)1. Before dispensing a controlled substance to a person  
707 not known to the dispenser, require the person purchasing,



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708 receiving, or otherwise acquiring the controlled substance to  
709 present valid photographic identification or other verification  
710 of his or her identity. If the person does not have proper  
711 identification, the dispenser may verify the validity of the  
712 prescription and the identity of the patient with the prescriber  
713 or his or her authorized agent. Verification of health plan  
714 eligibility through a real-time inquiry or adjudication system  
715 is considered to be proper identification.

716 2. This paragraph does not apply in an institutional  
717 setting or to a long-term care facility, including, but not  
718 limited to, an assisted living facility or a hospital to which  
719 patients are admitted.

720 3. As used in this paragraph, the term "proper  
721 identification" means an identification that is issued by a  
722 state or the Federal Government containing the person's  
723 photograph, printed name, and signature or a document considered  
724 acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).

725 Section 9. Subsection (5) is added to section 627.42392,  
726 Florida Statutes, to read:

727 627.42392 Prior authorization.—

728 (5) A health insurer may not require a prior authorization  
729 process or step therapy procedure or impose any other conditions  
730 on insureds as a prerequisite to receiving medication-assisted  
731 treatment (MAT) services, as defined in s. 397.311, to treat  
732 substance abuse disorders.

733 Section 10. Paragraph (c) of subsection (1) and subsections  
734 (2) through (5) of section 893.03, Florida Statutes, are amended  
735 to read:

736 893.03 Standards and schedules.—The substances enumerated



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737 in this section are controlled by this chapter. The controlled  
738 substances listed or to be listed in Schedules I, II, III, IV,  
739 and V are included by whatever official, common, usual,  
740 chemical, trade name, or class designated. The provisions of  
741 this section shall not be construed to include within any of the  
742 schedules contained in this section any excluded drugs listed  
743 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
744 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
745 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted  
746 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
747 Anabolic Steroid Products."

748 (1) SCHEDULE I.—A substance in Schedule I has a high  
749 potential for abuse and has no currently accepted medical use in  
750 treatment in the United States and in its use under medical  
751 supervision does not meet accepted safety standards. The  
752 following substances are controlled in Schedule I:

753 (c) Unless specifically excepted or unless listed in  
754 another schedule, any material, compound, mixture, or  
755 preparation that contains any quantity of the following  
756 hallucinogenic substances or that contains any of their salts,  
757 isomers, including optical, positional, or geometric isomers,  
758 homologues, nitrogen-heterocyclic analogs, esters, ethers, and  
759 salts of isomers, homologues, nitrogen-heterocyclic analogs,  
760 esters, or ethers, if the existence of such salts, isomers, and  
761 salts of isomers is possible within the specific chemical  
762 designation or class description:

- 763 1. Alpha-Ethyltryptamine.
- 764 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-  
765 oxazoline).



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- 766 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).
- 767 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 768 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 769 6. Bufotenine.
- 770 7. Cannabis.
- 771 8. Cathinone.
- 772 9. DET (Diethyltryptamine).
- 773 10. 2,5-Dimethoxyamphetamine.
- 774 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
- 775 12. DMT (Dimethyltryptamine).
- 776 13. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
- 777 of phencyclidine).
- 778 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
- 779 15. N-Ethylamphetamine.
- 780 16. Fenethylamine.
- 781 17. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 782 18. Ibogaine.
- 783 19. LSD (Lysergic acid diethylamide).
- 784 20. Mescaline.
- 785 21. Methcathinone.
- 786 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 787 23. PMA (4-Methoxyamphetamine).
- 788 24. PMMA (4-Methoxymethamphetamine).
- 789 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 790 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 791 27. MDA (3,4-Methylenedioxyamphetamine).
- 792 28. JB-336 (N-Methyl-3-piperidyl benzilate).
- 793 29. N,N-Dimethylamphetamine.
- 794 30. Parahexyl.



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- 795           31. Peyote.
- 796           32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine  
797 analog of phencyclidine).
- 798           33. Psilocybin.
- 799           34. Psilocyn.
- 800           35. *Salvia divinorum*, except for any drug product approved  
801 by the United States Food and Drug Administration which contains  
802 *Salvia divinorum* or its isomers, esters, ethers, salts, and  
803 salts of isomers, esters, and ethers, if the existence of such  
804 isomers, esters, ethers, and salts is possible within the  
805 specific chemical designation.
- 806           36. Salvinorin A, except for any drug product approved by  
807 the United States Food and Drug Administration which contains  
808 Salvinorin A or its isomers, esters, ethers, salts, and salts of  
809 isomers, esters, and ethers, if the existence of such isomers,  
810 esters, ethers, and salts is possible within the specific  
811 chemical designation.
- 812           37. Xylazine.
- 813           38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)  
814 (Thiophene analog of phencyclidine).
- 815           39. 3,4,5-Trimethoxyamphetamine.
- 816           40. Methylone (3,4-Methylenedioxymethcathinone).
- 817           41. MDPV (3,4-Methylenedioxypropylvalerone).
- 818           42. Methylmethcathinone.
- 819           43. Methoxymethcathinone.
- 820           44. Fluoromethcathinone.
- 821           45. Methylethcathinone.
- 822           46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-  
823 yl)phenol) and its dimethyloctyl (C8) homologue.



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- 824 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-  
825 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol].  
826 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).  
827 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole).  
828 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-  
829 naphthoyl)indole).  
830 51. BZP (Benzylpiperazine).  
831 52. Fluorophenylpiperazine.  
832 53. Methylphenylpiperazine.  
833 54. Chlorophenylpiperazine.  
834 55. Methoxyphenylpiperazine.  
835 56. DBZP (1,4-Dibenzylpiperazine).  
836 57. TFMPP (Trifluoromethylphenylpiperazine).  
837 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-  
838 Methylenedioxy-N-methylbutanamine).  
839 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).  
840 60. 5-Hydroxy-N-methyltryptamine.  
841 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).  
842 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).  
843 63. Methyltryptamine.  
844 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).  
845 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).  
846 66. Tyramine (4-Hydroxyphenethylamine).  
847 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).  
848 68. DiPT (N,N-Diisopropyltryptamine).  
849 69. DPT (N,N-Dipropyltryptamine).  
850 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).  
851 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).  
852 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).



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- 853 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 854 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 855 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 856 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 857 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 858 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 859 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 860 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 861 81. Butylone (3,4-Methylenedioxy-alpha-
- 862 methylaminobutyrophenone).
- 863 82. Ethcathinone.
- 864 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 865 84. Naphyrone (Naphthylpyrovalerone).
- 866 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone).
- 867 86. 3,4-Methylenedioxy-N,N-diethylcathinone.
- 868 87. 3,4-Methylenedioxy-propiofenone.
- 869 88. 3,4-Methylenedioxy-alpha-bromopropiofenone.
- 870 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 871 90. 3,4-Methylenedioxy-N-acetylcathinone.
- 872 91. 3,4-Methylenedioxy-N-acetylmethcathinone.
- 873 92. 3,4-Methylenedioxy-N-acetylethcathinone.
- 874 93. Bromomethcathinone.
- 875 94. Buphedrone (alpha-Methylamino-butyrophenone).
- 876 95. Eutylone (3,4-Methylenedioxy-alpha-
- 877 ethylaminobutyrophenone).
- 878 96. Dimethylcathinone.
- 879 97. Dimethylmethcathinone.
- 880 98. Pentylone (3,4-Methylenedioxy-alpha-
- 881 methylaminovalerophenone).



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- 882           99. MDPPP (3,4-Methylenedioxy-alpha-  
883 pyrrolidinopropiophenone).  
884           100. MDPBP (3,4-Methylenedioxy-alpha-  
885 pyrrolidinobutyrophenone).  
886           101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).  
887           102. MPHP (Methyl-alpha-pyrrolidinohexanophenone).  
888           103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP  
889 (Benocyclidine).  
890           104. F-MABP (Fluoromethylaminobutyrophenone).  
891           105. MeO-PBP (Methoxypyrrolidinobutyrophenone).  
892           106. Et-PBP (Ethylpyrrolidinobutyrophenone).  
893           107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).  
894           108. Me-EABP (Methylethylaminobutyrophenone).  
895           109. Etizolam.  
896           110. PPP (Pyrrolidinopropiophenone).  
897           111. PBP (Pyrrolidinobutyrophenone).  
898           112. PVP (Pyrrolidinovalerophenone) or  
899 (Pyrrolidinopentiophenone).  
900           113. MPPP (Methyl-alpha-pyrrolidinopropiophenone).  
901           114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).  
902           115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).  
903           116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).  
904           117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).  
905           118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole).  
906           119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).  
907           120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).  
908           121. JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-  
909 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).  
910           122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).





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- 911 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl) indole).  
912 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl) indole).  
913 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl) indole).  
914 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl) indole).  
915 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl) indole).  
916 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl) indole).  
917 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl) indole).  
918 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
919 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
920 ol).  
921 131. HU-308 ([ (1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-methyloctan-  
922 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]  
923 methanol).  
924 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-  
925 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-  
926 1,4-dione).  
927 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl) naphthalene).  
928 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-  
929 undecanamide).  
930 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-  
931 undecanamide).  
932 136. CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-(2-  
933 methyloctan-2-yl)phenol).  
934 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl) indole).  
935 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl) indole).  
936 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl) indole).  
937 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-  
938 methoxyphenylacetyl) indole).  
939 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-



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- 940 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
941 naphthalenylmethanone).
- 942 142. WIN55,212-3 ([ (3S)-2,3-Dihydro-5-methyl-3-(4-  
943 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
944 naphthalenylmethanone).
- 945 143. Pentedrone (alpha-Methylaminovalerophenone).
- 946 144. Fluoroamphetamine.
- 947 145. Fluoromethamphetamine.
- 948 146. Methoxetamine.
- 949 147. Methiopropamine.
- 950 148. Methylbuphedrone (Methyl-alpha-  
951 methylaminobutyrophenone).
- 952 149. APB ((2-Aminopropyl)benzofuran).
- 953 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 954 151. UR-144 (1-Pentyl-3-(2,2,3,3-  
955 tetramethylcyclopropanoyl)indole).
- 956 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
957 tetramethylcyclopropanoyl)indole).
- 958 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-  
959 tetramethylcyclopropanoyl)indole).
- 960 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 961 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
962 iodobenzoyl)indole).
- 963 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-  
964 carboxamide).
- 965 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-  
966 cyclohexylcarbamate).
- 967 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,  
968 cyclohexyl ester).



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- 969 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-  
970 benzoxazin-4-one).
- 971 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 972 161. 2C-H (2,5-Dimethoxyphenethylamine).
- 973 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 974 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 975 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-  
976 methoxybenzyl)]phenethylamine).
- 977 165. MDMA (3,4-Methylenedioxyamphetamine).
- 978 166. PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate).
- 979 167. Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl)indole-3-  
980 carboxylate).
- 981 168. BB-22 (8-Quinolinyll 1-(cyclohexylmethyl)indole-3-  
982 carboxylate).
- 983 169. Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-  
984 3-carboxamide).
- 985 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
986 pentylindazole-3-carboxamide).
- 987 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
988 (4-fluorobenzyl)indazole-3-carboxamide).
- 989 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-  
990 1-pentylindazole-3-carboxamide).
- 991 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
992 yl)-1-(fluoropentyl)indole-3-carboxamide).
- 993 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-  
994 methoxybenzyl)]phenethylamine).
- 995 175. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-  
996 methoxybenzyl)]phenethylamine).
- 997 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-



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998 (cyclohexylmethyl)indazole-3-carboxamide).

999 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-

1000 carboxylate).

1001 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-

1002 3-carboxamide).

1003 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-

1004 (fluoropentyl)indazole-3-carboxamide).

1005 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole).

1006 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-

1007 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).

1008 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-

1009 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-

1010 hexahydrobenzo[c]chromen-1-ol).

1011 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-

1012 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-

1013 hexahydrobenzo[c]chromen-1-ol).

1014 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-

1015 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9

1016 diol).

1017 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-

1018 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-

1019 tetrahydro-6aH-benzo[c]chromen-1-ol).

1020 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-

1021 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).

1022 187. MAPB ((2-Methylaminopropyl)benzofuran).

1023 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).

1024 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).

1025 190. Synthetic Cannabinoids.-Unless specifically excepted

1026 or unless listed in another schedule or contained within a



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1027 pharmaceutical product approved by the United States Food and  
1028 Drug Administration, any material, compound, mixture, or  
1029 preparation that contains any quantity of a synthetic  
1030 cannabinoid found to be in any of the following chemical class  
1031 descriptions, or homologues, nitrogen-heterocyclic analogs,  
1032 isomers (including optical, positional, or geometric), esters,  
1033 ethers, salts, and salts of homologues, nitrogen-heterocyclic  
1034 analogs, isomers, esters, or ethers, whenever the existence of  
1035 such homologues, nitrogen-heterocyclic analogs, isomers, esters,  
1036 ethers, salts, and salts of isomers, esters, or ethers is  
1037 possible within the specific chemical class or designation.

1038 Since nomenclature of these synthetically produced cannabinoids  
1039 is not internationally standardized and may continually evolve,  
1040 these structures or the compounds of these structures shall be  
1041 included under this subparagraph, regardless of their specific  
1042 numerical designation of atomic positions covered, if it can be  
1043 determined through a recognized method of scientific testing or  
1044 analysis that the substance contains properties that fit within  
1045 one or more of the following categories:

1046       a. Tetrahydrocannabinols.—Any tetrahydrocannabinols  
1047 naturally contained in a plant of the genus *Cannabis*, the  
1048 synthetic equivalents of the substances contained in the plant  
1049 or in the resinous extracts of the genus *Cannabis*, or synthetic  
1050 substances, derivatives, and their isomers with similar chemical  
1051 structure and pharmacological activity, including, but not  
1052 limited to, Delta 9 tetrahydrocannabinols and their optical  
1053 isomers, Delta 8 tetrahydrocannabinols and their optical  
1054 isomers, Delta 6a,10a tetrahydrocannabinols and their optical  
1055 isomers, or any compound containing a tetrahydrobenzo[c]chromene



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1056 structure with substitution at either or both the 3-position or  
1057 9-position, with or without substitution at the 1-position with  
1058 hydroxyl or alkoxy groups, including, but not limited to:

1059 (I) Tetrahydrocannabinol.

1060 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
1061 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
1062 ol).

1063 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
1064 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
1065 ol).

1066 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
1067 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1068 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-  
1069 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1070 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-  
1071 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1072 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-(2,3-  
1073 dimethylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1074 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-  
1075 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

1076 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-  
1077 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

1078 (X) Parahexyl.

1079 b. Naphthoylindoles, Naphthoylindazoles,  
1080 Naphthoylcarbazoles, Naphthylmethylindoles,  
1081 Naphthylmethylindazoles, and Naphthylmethylcarbazoles.—Any  
1082 compound containing a naphthoylindole, naphthoylindazole,  
1083 naphthoylcarbazole, naphthylmethylindole,  
1084 naphthylmethylindazole, or naphthylmethylcarbazole structure,



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1085 with or without substitution on the indole, indazole, or  
1086 carbazole ring to any extent, whether or not substituted on the  
1087 naphthyl ring to any extent, including, but not limited to:  
1088 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).  
1089 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-  
1090 naphthoyl)indole).  
1091 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).  
1092 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).  
1093 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).  
1094 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).  
1095 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).  
1096 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).  
1097 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).  
1098 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).  
1099 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).  
1100 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).  
1101 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).  
1102 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-  
1103 naphthoyl)indole).  
1104 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).  
1105 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).  
1106 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-  
1107 naphthoyl)indole).  
1108 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl)indole).  
1109 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).  
1110 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).  
1111 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).  
1112 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-  
1113 naphthylmethyl]indole).



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- 1114 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-  
1115 naphthoyl)indole).
- 1116 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-  
1117 naphthoyl)indole).
- 1118 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-  
1119 naphthoyl)indole).
- 1120 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
- 1121 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).
- 1122 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 1123 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).
- 1124 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).
- 1125 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-  
1126 naphthoyl)indole).
- 1127 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-  
1128 naphthoyl)indole).
- 1129 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-  
1130 naphthoyl)indole).
- 1131 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-  
1132 naphthoyl)indole).
- 1133 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-  
1134 naphthoyl)indole).
- 1135 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
- 1136 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-  
1137 naphthoyl)indazole).
- 1138 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-  
1139 naphthoyl)indole).
- 1140 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-  
1141 naphthoyl)indole).
- 1142 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).





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1143 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-  
1144 naphthoyl)carbazole).

1145 c. Naphthoylpyrroles.—Any compound containing a  
1146 naphthoylpyrrole structure, with or without substitution on the  
1147 pyrrole ring to any extent, whether or not substituted on the  
1148 naphthyl ring to any extent, including, but not limited to:

1149 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).

1150 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl)pyrrole).

1151 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl)pyrrole).

1152 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl)pyrrole).

1153 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl)pyrrole).

1154 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-  
1155 naphthoyl)pyrrole).

1156 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-  
1157 naphthoyl)pyrrole).

1158 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-  
1159 naphthoyl)pyrrole).

1160 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-  
1161 naphthoyl)pyrrole).

1162 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-  
1163 naphthoyl)pyrrole).

1164 d. Naphthylmethylenindenes.—Any compound containing a  
1165 naphthylmethylenindene structure, with or without substitution  
1166 at the 3-position of the indene ring to any extent, whether or  
1167 not substituted on the naphthyl ring to any extent, including,  
1168 but not limited to, JWH-176 (3-Pentyl-1-  
1169 (naphthylmethylene)indene).

1170 e. Phenylacetylindoles and Phenylacetylindazoles.—Any  
1171 compound containing a phenylacetylindole or phenylacetylindazole



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1172 structure, with or without substitution on the indole or  
1173 indazole ring to any extent, whether or not substituted on the  
1174 phenyl ring to any extent, including, but not limited to:

- 1175 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).
- 1176 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 1177 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
- 1178 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
- 1179 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
- 1180 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 1181 (VII) Cannabipiperidiethanone.
- 1182 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-

1183 methoxyphenylacetyl)indole).

1184 f. Cyclohexylphenols.—Any compound containing a  
1185 cyclohexylphenol structure, with or without substitution at the  
1186 5-position of the phenolic ring to any extent, whether or not  
1187 substituted on the cyclohexyl ring to any extent, including, but  
1188 not limited to:

- 1189 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-  
1190 yl)phenol).
- 1191 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)  
1192 homologue).
- 1193 (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-  
1194 methyloctan-2-yl)phenol).

1195 g. Benzoylindoles and Benzoylindazoles.—Any compound  
1196 containing a benzoylindole or benzoylindazole structure, with or  
1197 without substitution on the indole or indazole ring to any  
1198 extent, whether or not substituted on the phenyl ring to any  
1199 extent, including, but not limited to:

- 1200 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).



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- 1201 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).  
1202 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
1203 iodo-5-nitrobenzoyl)indole).  
1204 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-(4-  
1205 methoxybenzoyl)indole).  
1206 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
1207 iodobenzoyl)indole).  
1208 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).  
1209 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-  
1210 methoxybenzoyl)indole).  
1211 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-  
1212 3-(4-methoxybenzoyl)indole).  
1213 h. Tetramethylcyclopropanoylindoles and  
1214 Tetramethylcyclopropanoylindazoles.—Any compound containing a  
1215 tetramethylcyclopropanoylindole or  
1216 tetramethylcyclopropanoylindazole structure, with or without  
1217 substitution on the indole or indazole ring to any extent,  
1218 whether or not substituted on the tetramethylcyclopropyl group  
1219 to any extent, including, but not limited to:  
1220 (I) UR-144 (1-Pentyl-3-(2,2,3,3-  
1221 tetramethylcyclopropanoyl)indole).  
1222 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
1223 tetramethylcyclopropanoyl)indole).  
1224 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-  
1225 tetramethylcyclopropanoyl)indole).  
1226 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-  
1227 tetramethylcyclopropanoyl)indole).  
1228 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-  
1229 tetramethylcyclopropanoyl)indole).



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- 1230 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-  
1231 tetramethylcyclopropanoyl)indole).
- 1232 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-  
1233 tetramethylcyclopropanoyl)indole).
- 1234 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
1235 tetramethylcyclopropanoyl)indazole).
- 1236 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-  
1237 tetramethylcyclopropanoyl)indole).
- 1238 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-  
1239 tetramethylcyclopropanoyl)indole).
- 1240 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole  
1241 carboxamides, and Adamantylindazole carboxamides.—Any compound  
1242 containing an adamantoyl indole, adamantoyl indazole, adamantyl  
1243 indole carboxamide, or adamantyl indazole carboxamide structure,  
1244 with or without substitution on the indole or indazole ring to  
1245 any extent, whether or not substituted on the adamantyl ring to  
1246 any extent, including, but not limited to:
- 1247 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 1248 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-  
1249 3-carboxamide).
- 1250 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-  
1251 carboxamide).
- 1252 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-  
1253 adamantoyl)indole).
- 1254 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).
- 1255 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).
- 1256 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-  
1257 adamantoyl)indole).
- 1258 j. Quinolinyllindolecarboxylates,



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1259 Quinolinyllindazolecarboxylates, Quinolinyllindolecarboxamides,  
1260 and Quinolinyllindazolecarboxamides.—Any compound containing a  
1261 quinolinyllindole carboxylate, quinolinyllindazole carboxylate,  
1262 isoquinolinyllindole carboxylate, isoquinolinyllindazole  
1263 carboxylate, quinolinyllindole carboxamide, quinolinyllindazole  
1264 carboxamide, isoquinolinyllindole carboxamide, or  
1265 isoquinolinyllindazole carboxamide structure, with or without  
1266 substitution on the indole or indazole ring to any extent,  
1267 whether or not substituted on the quinoline or isoquinoline ring  
1268 to any extent, including, but not limited to:

1269 (I) PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate).

1270 (II) Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl)indole-3-  
1271 carboxylate).

1272 (III) BB-22 (8-Quinolinyll 1-(cyclohexylmethyl)indole-3-  
1273 carboxylate).

1274 (IV) FUB-PB-22 (8-Quinolinyll 1-(4-fluorobenzyl)indole-3-  
1275 carboxylate).

1276 (V) NPB-22 (8-Quinolinyll 1-pentylindazole-3-carboxylate).

1277 (VI) Fluoro NPB-22 (8-Quinolinyll 1-(fluoropentyl)indazole-  
1278 3-carboxylate).

1279 (VII) FUB-NPB-22 (8-Quinolinyll 1-(4-fluorobenzyl)indazole-  
1280 3-carboxylate).

1281 (VIII) THJ (8-Quinolinyll 1-pentylindazole-3-carboxamide).

1282 (IX) Fluoro THJ (8-Quinolinyll 1-(fluoropentyl)indazole-3-  
1283 carboxamide).

1284 k. Naphthylindolecarboxylates and  
1285 Naphthylindazolecarboxylates.—Any compound containing a  
1286 naphthylindole carboxylate or naphthylindazole carboxylate  
1287 structure, with or without substitution on the indole or



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1288 indazole ring to any extent, whether or not substituted on the  
1289 naphthyl ring to any extent, including, but not limited to:

1290 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-  
1291 carboxylate).

1292 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-  
1293 carboxylate).

1294 (III) Fluoro SDB-005 (1-Naphthalenyl 1-  
1295 (fluoropentyl)indazole-3-carboxylate).

1296 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-  
1297 carboxylate).

1298 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-  
1299 carboxylate).

1300 1. Naphthylindole carboxamides and Naphthylindazole  
1301 carboxamides.—Any compound containing a naphthylindole  
1302 carboxamide or naphthylindazole carboxamide structure, with or  
1303 without substitution on the indole or indazole ring to any  
1304 extent, whether or not substituted on the naphthyl ring to any  
1305 extent, including, but not limited to:

1306 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

1307 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-  
1308 3-carboxamide).

1309 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-  
1310 (chloropentyl)indole-3-carboxamide).

1311 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-  
1312 carboxamide).

1313 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-  
1314 (fluoropentyl)indazole-3-carboxamide).

1315 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl  
1316 indazole carboxamides, Alkylcarbonyl indole carboxylates, and



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1317 Alkylcarbonyl indazole carboxylates.—Any compound containing an  
1318 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,  
1319 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-  
1320 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an  
1321 indole carboxamide, indazole carboxamide, indole carboxylate, or  
1322 indazole carboxylate, with or without substitution on the indole  
1323 or indazole ring to any extent, whether or not substituted on  
1324 the alkylcarbonyl group to any extent, including, but not  
1325 limited to:

1326 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-  
1327 pentylindole-3-carboxamide).

1328 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
1329 yl)-1-(fluoropentyl)indole-3-carboxamide).

1330 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
1331 (fluoropentyl)indole-3-carboxamide).

1332 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
1333 pentylindazole-3-carboxamide).

1334 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-  
1335 1-(fluoropentyl)indazole-3-carboxamide).

1336 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-  
1337 1-pentylindazole-3-carboxamide).

1338 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-  
1339 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

1340 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
1341 (4-fluorobenzyl)indazole-3-carboxamide).

1342 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
1343 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1344 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
1345 (cyclohexylmethyl)indazole-3-carboxamide).



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1346 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-  
1347 (cyclohexylmethyl)indazole-3-carboxamide).

1348 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
1349 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

1350 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-  
1351 pentylindazole-3-carboxamide).

1352 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-  
1353 (fluoropentyl)indazole-3-carboxamide).

1354 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-  
1355 fluorobenzyl)indazole-3-carboxamide).

1356 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
1357 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

1358 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
1359 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1360 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
1361 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).

1362 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-  
1363 fluoropentyl)indole-3-carboxamide).

1364 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-  
1365 fluoropentyl)indazole-3-carboxamide).

1366 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-  
1367 (cyclohexylmethyl)indazole-3-carboxamide).

1368 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-  
1369 fluorobenzyl)indazole-3-carboxamide).

1370 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
1371 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).

1372 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-  
1373 Any compound containing a N-(2-phenylpropan-2-yl) indole  
1374 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide





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1375 structure, with or without substitution on the indole or  
1376 indazole ring to any extent, whether or not substituted on the  
1377 phenyl ring of the cumyl group to any extent, including, but not  
1378 limited to:

1379 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-  
1380 carboxamide).

1381 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-  
1382 (fluoropentyl)indole-3-carboxamide).

1383 o. Other Synthetic Cannabinoids.—Any material, compound,  
1384 mixture, or preparation that contains any quantity of a  
1385 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

1386 (I) With or without modification or replacement of a  
1387 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage  
1388 between either two core rings, or linkage between a core ring  
1389 and group structure, with or without the addition of a carbon or  
1390 replacement of a carbon;

1391 (II) With or without replacement of a core ring or group  
1392 structure, whether or not substituted on the ring or group  
1393 structures to any extent; and

1394 (III) Is a cannabinoid receptor agonist, unless  
1395 specifically excepted or unless listed in another schedule or  
1396 contained within a pharmaceutical product approved by the United  
1397 States Food and Drug Administration.

1398 191. Substituted Cathinones.—Unless specifically excepted,  
1399 listed in another schedule, or contained within a pharmaceutical  
1400 product approved by the United States Food and Drug  
1401 Administration, any material, compound, mixture, or preparation,  
1402 including its salts, isomers, esters, or ethers, and salts of  
1403 isomers, esters, or ethers, whenever the existence of such salts



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1404 is possible within any of the following specific chemical  
1405 designations:

1406 a. Any compound containing a 2-amino-1-phenyl-1-propanone  
1407 structure;

1408 b. Any compound containing a 2-amino-1-naphthyl-1-propanone  
1409 structure; or

1410 c. Any compound containing a 2-amino-1-thiophenyl-1-  
1411 propanone structure,

1412

1413 whether or not the compound is further modified:

1414 (I) With or without substitution on the ring system to any  
1415 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,  
1416 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused  
1417 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide  
1418 substituents;

1419 (II) With or without substitution at the 3-propanone  
1420 position with an alkyl substituent or removal of the methyl  
1421 group at the 3-propanone position;

1422 (III) With or without substitution at the 2-amino nitrogen  
1423 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or  
1424 not further substituted in the ring system; or

1425 (IV) With or without inclusion of the 2-amino nitrogen atom  
1426 in a cyclic structure, including, but not limited to:

1427 (A) Methcathinone.

1428 (B) Ethcathinone.

1429 (C) Methydone (3,4-Methylenedioxy-methcathinone).

1430 (D) 2,3-Methylenedioxy-methcathinone.

1431 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).

1432 (F) Methylmethcathinone.



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- 1433 (G) Methoxymethcathinone.
- 1434 (H) Fluoromethcathinone.
- 1435 (I) Methylethcathinone.
- 1436 (J) Butylone (3,4-Methylenedioxy-alpha-
- 1437 methylaminobutyrophenone).
- 1438 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1439 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1440 (M) Naphyrone (Naphthylpyrovalerone).
- 1441 (N) Bromomethcathinone.
- 1442 (O) Buphedrone (alpha-Methylaminobutyrophenone).
- 1443 (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1444 ethylaminobutyrophenone).
- 1445 (Q) Dimethylcathinone.
- 1446 (R) Dimethylmethcathinone.
- 1447 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1448 methylaminovalerophenone).
- 1449 (T) Pentedrone (alpha-Methylaminovalerophenone).
- 1450 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1451 pyrrolidinopropiophenone).
- 1452 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1453 pyrrolidinobutyrophenone).
- 1454 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1455 (X) PPP (Pyrrolidinopropiophenone).
- 1456 (Y) PVP (Pyrrolidinovalerophenone) or
- 1457 (Pyrrolidinopentiophenone).
- 1458 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1459 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1460 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1461 (CC) Me-EABP (Methylethylaminobutyrophenone).



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- 1462 (DD) PBP (Pyrrolidinobutyrophenone).  
1463 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).  
1464 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).  
1465 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).  
1466 (HH) Dimethylone (3,4-Methylenedioxy-N,N-  
1467 dimethylcathinone).  
1468 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.  
1469 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.  
1470 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.  
1471 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.  
1472 (MM) Methylbuphedrone (Methyl-alpha-  
1473 methylaminobutyrophenone).  
1474 (NN) Methyl-alpha-methylaminohexanophenone.  
1475 (OO) N-Ethyl-N-methylcathinone.  
1476 (PP) PHP (Pyrrolidinohexanophenone).  
1477 (QQ) PV8 (Pyrrolidinoheptanophenone).  
1478 (RR) Chloromethcathinone.  
1479 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.  
1480 192. Substituted Phenethylamines.—Unless specifically  
1481 excepted or unless listed in another schedule, or contained  
1482 within a pharmaceutical product approved by the United States  
1483 Food and Drug Administration, any material, compound, mixture,  
1484 or preparation, including its salts, isomers, esters, or ethers,  
1485 and salts of isomers, esters, or ethers, whenever the existence  
1486 of such salts is possible within any of the following specific  
1487 chemical designations, any compound containing a phenethylamine  
1488 structure, without a beta-keto group, and without a benzyl group  
1489 attached to the amine group, whether or not the compound is  
1490 further modified with or without substitution on the phenyl ring



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1491 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,  
1492 halide, fused alkylenedioxy, fused furan, fused benzofuran,  
1493 fused dihydrofuran, or fused tetrahydropyran substituents,  
1494 whether or not further substituted on a ring to any extent, with  
1495 or without substitution at the alpha or beta position by any  
1496 alkyl substituent, with or without substitution at the nitrogen  
1497 atom, and with or without inclusion of the 2-amino nitrogen atom  
1498 in a cyclic structure, including, but not limited to:

- 1499 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 1500 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 1501 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 1502 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 1503 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 1504 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 1505 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1506 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1507 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1508 j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1509 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1510 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1511 m. MDMA (3,4-Methylenedioxyamphetamine).
- 1512 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-  
1513 Methylenedioxy-N-methylbutanamine).
- 1514 o. MDA (3,4-Methylenedioxyamphetamine).
- 1515 p. 2,5-Dimethoxyamphetamine.
- 1516 q. Fluoroamphetamine.
- 1517 r. Fluoromethamphetamine.
- 1518 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1519 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).



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- 1520 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1521 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1522 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1523 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1524 y. PMA (4-Methoxyamphetamine).
- 1525 z. N-Ethylamphetamine.
- 1526 aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 1527 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1528 cc. PMMA (4-Methoxymethamphetamine).
- 1529 dd. N,N-Dimethylamphetamine.
- 1530 ee. 3,4,5-Trimethoxyamphetamine.
- 1531 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1532 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1533 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1534 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1535 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1536 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1537 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1538 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1539 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1540 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1541 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1542 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1543 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1544 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1545 dihydrobenzofuran),
- 1546
- 1547 which does not include phenethylamine, mescaline as described in
- 1548 subparagraph 20., substituted cathinones as described in



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1549 subparagraph 191., N-Benzyl phenethylamine compounds as  
1550 described in subparagraph 193., or methamphetamine as described  
1551 in subparagraph (2)(c)5. ~~(2)(e)4.~~

1552 193. N-Benzyl Phenethylamine Compounds.—Unless specifically  
1553 excepted or unless listed in another schedule, or contained  
1554 within a pharmaceutical product approved by the United States  
1555 Food and Drug Administration, any material, compound, mixture,  
1556 or preparation, including its salts, isomers, esters, or ethers,  
1557 and salts of isomers, esters, or ethers, whenever the existence  
1558 of such salts is possible within any of the following specific  
1559 chemical designations, any compound containing a phenethylamine  
1560 structure without a beta-keto group, with substitution on the  
1561 nitrogen atom of the amino group with a benzyl substituent, with  
1562 or without substitution on the phenyl or benzyl ring to any  
1563 extent with alkyl, alkoxy, thio, alkylthio, halide, fused  
1564 alkylenedioxy, fused furan, fused benzofuran, or fused  
1565 tetrahydropyran substituents, whether or not further substituted  
1566 on a ring to any extent, with or without substitution at the  
1567 alpha position by any alkyl substituent, including, but not  
1568 limited to:

1569 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-  
1570 methoxybenzyl)]phenethylamine).

1571 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-  
1572 hydroxybenzyl)]phenethylamine).

1573 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-  
1574 fluorobenzyl)]phenethylamine).

1575 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-  
1576 methylenedioxybenzyl)]phenethylamine).

1577 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-



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1578 methoxybenzyl) ]phenethylamine) .  
1579 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-  
1580 hydroxybenzyl) ]phenethylamine) .  
1581 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-  
1582 fluorobenzyl) ]phenethylamine) .  
1583 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-  
1584 methylenedioxybenzyl) ]phenethylamine) .  
1585 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-  
1586 methoxybenzyl) ]phenethylamine) .  
1587 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-  
1588 methoxybenzyl) ]phenethylamine) .  
1589 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-  
1590 methoxybenzyl) ]phenethylamine) .  
1591 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-  
1592 methoxybenzyl) ]phenethylamine) .  
1593 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-  
1594 hydroxybenzyl) ]phenethylamine) .  
1595 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-  
1596 fluorobenzyl) ]phenethylamine) .  
1597 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-  
1598 methylenedioxybenzyl) ]phenethylamine) .  
1599 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-  
1600 methoxybenzyl) ]phenethylamine) .  
1601 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-  
1602 hydroxybenzyl) ]phenethylamine) .  
1603 r. 25H-NBF (2,5-Dimethoxy-[N-(2-  
1604 fluorobenzyl) ]phenethylamine) .  
1605 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-  
1606 methoxybenzyl) ]phenethylamine) ,





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1607  
1608 which does not include substituted cathinones as described in  
1609 subparagraph 191.

1610       194. Substituted Tryptamines.—Unless specifically excepted  
1611 or unless listed in another schedule, or contained within a  
1612 pharmaceutical product approved by the United States Food and  
1613 Drug Administration, any material, compound, mixture, or  
1614 preparation containing a 2-(1H-indol-3-yl)ethanamine, for  
1615 example tryptamine, structure with or without mono- or di-  
1616 substitution of the amine nitrogen with alkyl or alkenyl groups,  
1617 or by inclusion of the amino nitrogen atom in a cyclic  
1618 structure, whether or not substituted at the alpha position with  
1619 an alkyl group, whether or not substituted on the indole ring to  
1620 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy  
1621 groups, including, but not limited to:

- 1622       a. Alpha-Ethyltryptamine.
- 1623       b. Bufotenine.
- 1624       c. DET (Diethyltryptamine).
- 1625       d. DMT (Dimethyltryptamine).
- 1626       e. MET (N-Methyl-N-ethyltryptamine).
- 1627       f. DALT (N,N-Diallyltryptamine).
- 1628       g. EiPT (N-Ethyl-N-isopropyltryptamine).
- 1629       h. MiPT (N-Methyl-N-isopropyltryptamine).
- 1630       i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 1631       j. 5-Hydroxy-N-methyltryptamine.
- 1632       k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 1633       l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 1634       m. Methyltryptamine.
- 1635       n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).



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- 1636 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1637 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 1638 q. DiPT (N,N-Diisopropyltryptamine).
- 1639 r. DPT (N,N-Dipropyltryptamine).
- 1640 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1641 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1642 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1643 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1644 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1645 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1646 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1647 isopropyltryptamine).
- 1648 z. Methyl-alpha-ethyltryptamine.
- 1649 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1650  
1651 which does not include tryptamine, psilocyn as described in  
1652 subparagraph 34., or psilocybin as described in subparagraph 33.

1653 195. Substituted Phenylcyclohexylamines.—Unless  
1654 specifically excepted or unless listed in another schedule, or  
1655 contained within a pharmaceutical product approved by the United  
1656 States Food and Drug Administration, any material, compound,  
1657 mixture, or preparation containing a phenylcyclohexylamine  
1658 structure, with or without any substitution on the phenyl ring,  
1659 any substitution on the cyclohexyl ring, any replacement of the  
1660 phenyl ring with a thiophenyl or benzothiophenyl ring, with or  
1661 without substitution on the amine with alkyl, dialkyl, or alkoxy  
1662 substituents, inclusion of the nitrogen in a cyclic structure,  
1663 or any combination of the above, including, but not limited to:

- 1664 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP



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- 1665 (Benocyclidine).
- 1666 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog  
1667 of phencyclidine).
- 1668 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine  
1669 analog of phencyclidine).
- 1670 d. PCPr (Phenylcyclohexylpropylamine).
- 1671 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene  
1672 analog of phencyclidine).
- 1673 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1674 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1675 h. Methoxetamine.
- 1676 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1677 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1678 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1679 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1680 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1681 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1682 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1683 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1684 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1685 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
- 1686 196. W-15, 4-chloro-N-[1-(2-phenylethyl)-2-  
1687 piperidinylidene]-benzenesulfonamide.
- 1688 197. W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-  
1689 piperidinylidene]-benzenesulfonamide.
- 1690 198. AH-7921, 3,4-dichloro-N-[[1-  
1691 (dimethylamino)cyclohexyl]methyl]-benzamide.
- 1692 199. U47700, trans-3,4-dichloro-N-[2-  
1693 (dimethylamino)cyclohexyl]-N-methyl-benzamide.



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1694 200. MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-piperazine,  
1695 dihydrochloride.

1696 (2) SCHEDULE II.—A substance in Schedule II has a high  
1697 potential for abuse and has a currently accepted but severely  
1698 restricted medical use in treatment in the United States, and  
1699 abuse of the substance may lead to severe psychological or  
1700 physical dependence. The following substances are controlled in  
1701 Schedule II:

1702 (a) Unless specifically excepted or unless listed in  
1703 another schedule, any of the following substances, whether  
1704 produced directly or indirectly by extraction from substances of  
1705 vegetable origin or independently by means of chemical  
1706 synthesis:

1707 1. Opium and any salt, compound, derivative, or preparation  
1708 of opium, except nalmefene or isoquinoline alkaloids of opium,  
1709 including, but not limited to the following:

- 1710 a. Raw opium.
- 1711 b. Opium extracts.
- 1712 c. Opium fluid extracts.
- 1713 d. Powdered opium.
- 1714 e. Granulated opium.
- 1715 f. Tincture of opium.
- 1716 g. Codeine.
- 1717 h. Dihydroetorphine.
- 1718 i.~~h.~~ Ethylmorphine.
- 1719 j.~~i.~~ Etorphine hydrochloride.
- 1720 k.~~j.~~ Hydrocodone and hydrocodone combination products.
- 1721 l.~~k.~~ Hydromorphone.
- 1722 m.~~l.~~ Levo-alphaacetylmethadol (also known as levo-alpha-



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1723 acetylmethadol, levomethadyl acetate, or LAAM).

1724 n.m. Metopon (methyldihydromorphinone).

1725 o.n. Morphine.

1726 p. Oripavine.

1727 q.e. Oxycodone.

1728 r.p. Oxymorphone.

1729 s.g. Thebaine.

1730 2. Any salt, compound, derivative, or preparation of a  
1731 substance which is chemically equivalent to or identical with  
1732 any of the substances referred to in subparagraph 1., except  
1733 that these substances shall not include the isoquinoline  
1734 alkaloids of opium.

1735 3. Any part of the plant of the species *Papaver somniferum*,  
1736 *L.*

1737 4. Cocaine or ecgonine, including any of their  
1738 stereoisomers, and any salt, compound, derivative, or  
1739 preparation of cocaine or ecgonine, except that these substances  
1740 shall not include ioflupane I 123.

1741 (b) Unless specifically excepted or unless listed in  
1742 another schedule, any of the following substances, including  
1743 their isomers, esters, ethers, salts, and salts of isomers,  
1744 esters, and ethers, whenever the existence of such isomers,  
1745 esters, ethers, and salts is possible within the specific  
1746 chemical designation:

1747 1. Alfentanil.

1748 2. Alphaprodine.

1749 3. Anileridine.

1750 4. Bezitramide.

1751 5. Bulk propoxyphene (nondosage forms).



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- 1752 6. Carfentanil.
- 1753 7. Dihydrocodeine.
- 1754 8. Diphenoxylate.
- 1755 9. Fentanyl.
- 1756 10. Isomethadone.
- 1757 11. Levomethorphan.
- 1758 12. Levorphanol.
- 1759 13. Metazocine.
- 1760 14. Methadone.
- 1761 15. Methadone-Intermediate, 4-cyano-2-
- 1762 dimethylamino-4,4-diphenylbutane.
- 1763 16. Moramide-Intermediate, 2-methyl-
- 1764 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1765 17. Nabilone.
- 1766 18. Pethidine (meperidine).
- 1767 19. Pethidine-Intermediate-A, 4-cyano-1-
- 1768 methyl-4-phenylpiperidine.
- 1769 20. Pethidine-Intermediate-B, ethyl-4-
- 1770 phenylpiperidine-4-carboxylate.
- 1771 21. Pethidine-Intermediate-C, 1-methyl-4- phenylpiperidine-
- 1772 4-carboxylic acid.
- 1773 22. Phenazocine.
- 1774 23. Phencyclidine.
- 1775 24. 1-Phenylcyclohexylamine.
- 1776 25. Piminodine.
- 1777 26. 1-Piperidinocyclohexanecarbonitrile.
- 1778 27. Racemethorphan.
- 1779 28. Racemorphan.
- 1780 29. Remifentanil.



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1781 30.29. Sufentanil.

1782 31. Tapentadol.

1783 32. Thiafentanil.

1784 (c) Unless specifically excepted or unless listed in  
1785 another schedule, any material, compound, mixture, or  
1786 preparation which contains any quantity of the following  
1787 substances, including their salts, isomers, optical isomers,  
1788 salts of their isomers, and salts of their optical isomers:

1789 1. Amobarbital.

1790 2. Amphetamine.

1791 3. Glutethimide.

1792 4. Lisdexamfetamine.

1793 5.4. Methamphetamine.

1794 6.5. Methylphenidate.

1795 7.6. Pentobarbital.

1796 8.7. Phenmetrazine.

1797 9.8. Phenylacetone.

1798 10.9. Secobarbital.

1799 (d) Dronabinol (synthetic THC) in oral solution in a drug  
1800 product approved by the United States Food and Drug  
1801 Administration.

1802 (3) SCHEDULE III.—A substance in Schedule III has a  
1803 potential for abuse less than the substances contained in  
1804 Schedules I and II and has a currently accepted medical use in  
1805 treatment in the United States, and abuse of the substance may  
1806 lead to moderate or low physical dependence or high  
1807 psychological dependence or, in the case of anabolic steroids,  
1808 may lead to physical damage. The following substances are  
1809 controlled in Schedule III:



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1810 (a) Unless specifically excepted or unless listed in  
1811 another schedule, any material, compound, mixture, or  
1812 preparation which contains any quantity of the following  
1813 substances having a depressant or stimulant effect on the  
1814 nervous system:

1815 1. Any substance which contains any quantity of a  
1816 derivative of barbituric acid, including thiobarbituric acid, or  
1817 any salt of a derivative of barbituric acid or thiobarbituric  
1818 acid, including, but not limited to, butabarbital and  
1819 butalbital.

1820 2. Benzphetamine.

1821 3. Buprenorphine.

1822 ~~4.3. Chlorhexadol.~~

1823 ~~5.4. Chlorphentermine.~~

1824 ~~6.5. Clortermine.~~

1825 7. Embutramide.

1826 ~~8.6. Lysergic acid.~~

1827 ~~9.7. Lysergic acid amide.~~

1828 ~~10.8. Methyprylon.~~

1829 11. Perampanel.

1830 ~~12.9. Phendimetrazine.~~

1831 ~~13.10. Sulfondiethylmethane.~~

1832 ~~14.11. Sulfonethylmethane.~~

1833 ~~15.12. Sulfonmethane.~~

1834 ~~16.13. Tiletamine and zolazepam or any salt thereof.~~

1835 (b) Nalorphine.

1836 (c) Unless specifically excepted or unless listed in  
1837 another schedule, any material, compound, mixture, or  
1838 preparation containing limited quantities of any of the





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1839 following controlled substances or any salts thereof:

1840 1. Not more than 1.8 grams of codeine per 100 milliliters  
1841 or not more than 90 milligrams per dosage unit, with an equal or  
1842 greater quantity of an isoquinoline alkaloid of opium.

1843 2. Not more than 1.8 grams of codeine per 100 milliliters  
1844 or not more than 90 milligrams per dosage unit, with recognized  
1845 therapeutic amounts of one or more active ingredients which are  
1846 not controlled substances.

1847 3. Not more than 300 milligrams of hydrocodone per 100  
1848 milliliters or not more than 15 milligrams per dosage unit, with  
1849 a fourfold or greater quantity of an isoquinoline alkaloid of  
1850 opium.

1851 4. Not more than 300 milligrams of hydrocodone per 100  
1852 milliliters or not more than 15 milligrams per dosage unit, with  
1853 recognized therapeutic amounts of one or more active ingredients  
1854 that are not controlled substances.

1855 5. Not more than 1.8 grams of dihydrocodeine per 100  
1856 milliliters or not more than 90 milligrams per dosage unit, with  
1857 recognized therapeutic amounts of one or more active ingredients  
1858 which are not controlled substances.

1859 6. Not more than 300 milligrams of ethylmorphine per 100  
1860 milliliters or not more than 15 milligrams per dosage unit, with  
1861 one or more active, nonnarcotic ingredients in recognized  
1862 therapeutic amounts.

1863 7. Not more than 50 milligrams of morphine per 100  
1864 milliliters or per 100 grams, with recognized therapeutic  
1865 amounts of one or more active ingredients which are not  
1866 controlled substances.

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1868 For purposes of charging a person with a violation of s. 893.135  
1869 involving any controlled substance described in subparagraph 3.  
1870 or subparagraph 4., the controlled substance is a Schedule III  
1871 controlled substance pursuant to this paragraph but the weight  
1872 of the controlled substance per milliliters or per dosage unit  
1873 is not relevant to the charging of a violation of s. 893.135.  
1874 The weight of the controlled substance shall be determined  
1875 pursuant to s. 893.135(6).

1876 (d) Anabolic steroids.

1877 1. The term "anabolic steroid" means any drug or hormonal  
1878 substance, chemically and pharmacologically related to  
1879 testosterone, other than estrogens, progestins, and  
1880 corticosteroids, that promotes muscle growth and includes:

- 1881 a. Androsterone.
- 1882 b. Androsterone acetate.
- 1883 c. Boldenone.
- 1884 d. Boldenone acetate.
- 1885 e. Boldenone benzoate.
- 1886 f. Boldenone undecylenate.
- 1887 g. Chlorotestosterone (Clostebol).
- 1888 h. Dehydrochlormethyltestosterone.
- 1889 i. Dihydrotestosterone (Stanolone).
- 1890 j. Drostanolone.
- 1891 k. Ethylestrenol.
- 1892 l. Fluoxymesterone.
- 1893 m. Formebolone (Formebolone).
- 1894 n. Mesterolone.
- 1895 o. Methandrostenolone (Methandienone).
- 1896 p. Methandranone.



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- 1897 q. Methandriol.
- 1898 r. Methenolone.
- 1899 s. Methyltestosterone.
- 1900 t. Mibolerone.
- 1901 u. Nortestosterone (Nandrolone).
- 1902 v. Norethandrolone.
- 1903 w. Nortestosterone decanoate.
- 1904 x. Nortestosterone phenylpropionate.
- 1905 y. Nortestosterone propionate.
- 1906 z. Oxandrolone.
- 1907 aa. Oxymesterone.
- 1908 bb. Oxymetholone.
- 1909 cc. Stanozolol.
- 1910 dd. Testolactone.
- 1911 ee. Testosterone.
- 1912 ff. Testosterone acetate.
- 1913 gg. Testosterone benzoate.
- 1914 hh. Testosterone cypionate.
- 1915 ii. Testosterone decanoate.
- 1916 jj. Testosterone enanthate.
- 1917 kk. Testosterone isocaproate.
- 1918 ll. Testosterone oleate.
- 1919 mm. Testosterone phenylpropionate.
- 1920 nn. Testosterone propionate.
- 1921 oo. Testosterone undecanoate.
- 1922 pp. Trenbolone.
- 1923 qq. Trenbolone acetate.
- 1924 rr. Any salt, ester, or isomer of a drug or substance
- 1925 described or listed in this subparagraph if that salt, ester, or



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1926 isomer promotes muscle growth.

1927           2. The term does not include an anabolic steroid that is  
1928 expressly intended for administration through implants to cattle  
1929 or other nonhuman species and that has been approved by the  
1930 United States Secretary of Health and Human Services for such  
1931 administration. However, any person who prescribes, dispenses,  
1932 or distributes such a steroid for human use is considered to  
1933 have prescribed, dispensed, or distributed an anabolic steroid  
1934 within the meaning of this paragraph.

1935           (e) Ketamine, including any isomers, esters, ethers, salts,  
1936 and salts of isomers, esters, and ethers, whenever the existence  
1937 of such isomers, esters, ethers, and salts is possible within  
1938 the specific chemical designation.

1939           (f) Dronabinol (synthetic THC) in sesame oil and  
1940 encapsulated in a soft gelatin capsule in a drug product  
1941 approved by the United States Food and Drug Administration.

1942           (g) Any drug product containing gamma-hydroxybutyric acid,  
1943 including its salts, isomers, and salts of isomers, for which an  
1944 application is approved under s. 505 of the Federal Food, Drug,  
1945 and Cosmetic Act.

1946           (4) (a) SCHEDULE IV.—A substance in Schedule IV has a low  
1947 potential for abuse relative to the substances in Schedule III  
1948 and has a currently accepted medical use in treatment in the  
1949 United States, and abuse of the substance may lead to limited  
1950 physical or psychological dependence relative to the substances  
1951 in Schedule III.

1952           (b) Unless specifically excepted or unless listed in  
1953 another schedule, any material, compound, mixture, or  
1954 preparation which contains any quantity of the following



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1955 substances, including its salts, isomers, and salts of isomers  
1956 whenever the existence of such salts, isomers, and salts of  
1957 isomers is possible within the specific chemical designation,  
1958 are controlled in Schedule IV:

- 1959 1. Alfaxalone.
- 1960 2.~~(a)~~ Alprazolam.
- 1961 3.~~(b)~~ Barbital.
- 1962 4.~~(c)~~ Bromazepam.
- 1963 5.~~(iii)~~ Butorphanol tartrate.
- 1964 6.~~(d)~~ Camazepam.
- 1965 7.~~(jjj)~~ Carisoprodol.
- 1966 8.~~(e)~~ Cathine.
- 1967 9.~~(f)~~ Chloral betaine.
- 1968 10.~~(g)~~ Chloral hydrate.
- 1969 11.~~(h)~~ Chlordiazepoxide.
- 1970 12.~~(i)~~ Clobazam.
- 1971 13.~~(j)~~ Clonazepam.
- 1972 14.~~(k)~~ Clorazepate.
- 1973 15.~~(l)~~ Clotiazepam.
- 1974 16.~~(m)~~ Cloxazolam.
- 1975 17. Dexfenfluramine.
- 1976 18.~~(n)~~ Delorazepam.
- 1977 19. Dichloralphenazone.
- 1978 20.~~(p)~~ Diazepam.
- 1979 21.~~(q)~~ Diethylpropion.
- 1980 22. Eluxadoline.
- 1981 23.~~(r)~~ Estazolam.
- 1982 24. Eszopiclone.
- 1983 25.~~(s)~~ Ethchlorvynol.



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- 1984      26.~~(t)~~ Ethinamate.
- 1985      27.~~(u)~~ Ethyl loflazepate.
- 1986      28.~~(v)~~ Fencamfamin.
- 1987      29.~~(w)~~ Fenfluramine.
- 1988      30.~~(x)~~ Fenproporex.
- 1989      31.~~(y)~~ Fludiazepam.
- 1990      32.~~(z)~~ Flurazepam.
- 1991      33. Fospropofol.
- 1992      34.~~(aa)~~ Halazepam.
- 1993      35.~~(bb)~~ Haloxazolam.
- 1994      36.~~(cc)~~ Ketazolam.
- 1995      37.~~(dd)~~ Loprazolam.
- 1996      38.~~(ee)~~ Lorazepam.
- 1997      39. Lorcaserin.
- 1998      40.~~(ff)~~ Lormetazepam.
- 1999      41.~~(gg)~~ Mazindol.
- 2000      42.~~(hh)~~ Mebutamate.
- 2001      43.~~(ii)~~ Medazepam.
- 2002      44.~~(jj)~~ Mefenorex.
- 2003      45.~~(kk)~~ Meprobamate.
- 2004      46.~~(ll)~~ Methohexital.
- 2005      47.~~(mm)~~ Methylphenobarbital.
- 2006      48.~~(nn)~~ Midazolam.
- 2007      49. Modafinil.
- 2008      50.~~(oo)~~ Nimetazepam.
- 2009      51.~~(pp)~~ Nitrazepam.
- 2010      52.~~(qq)~~ Nordiazepam.
- 2011      53.~~(rr)~~ Oxazepam.
- 2012      54.~~(ss)~~ Oxazolam.



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- 2013        55.~~(tt)~~ Paraldehyde.
- 2014        56.~~(uu)~~ Pemoline.
- 2015        57.~~(vv)~~ Pentazocine.
- 2016        58. Petrichloral.
- 2017        59.~~(ww)~~ Phenobarbital.
- 2018        60.~~(xx)~~ Phentermine.
- 2019        61.~~(yy)~~ Pinazepam.
- 2020        62.~~(zz)~~ Pipradrol.
- 2021        63.~~(aaa)~~ Prazepam.
- 2022        64.~~(o)~~ Propoxyphene (dosage forms).
- 2023        65.~~(bbb)~~ Propylhexedrine, excluding any patent or  
2024 proprietary preparation containing propylhexedrine, unless  
2025 otherwise provided by federal law.
- 2026        66.~~(eee)~~ Quazepam.
- 2027        67. Sibutramine.
- 2028        68.~~(eee)~~ SPA[(-)-1 dimethylamino-1, 2  
2029 diphenylethane].
- 2030        69. Suvorexant.
- 2031        70.~~(fff)~~ Temazepam.
- 2032        71.~~(ddd)~~ Tetrazepam.
- 2033        72. Tramadol.
- 2034        73.~~(ggg)~~ Triazolam.
- 2035        74. Zaleplon.
- 2036        75. Zolpidem.
- 2037        76. Zopiclone.
- 2038        77.~~(hhh)~~ Not more than 1 milligram of difenoxin and not  
2039 less than 25 micrograms of atropine sulfate per dosage unit.
- 2040        (5) SCHEDULE V.—A substance, compound, mixture, or  
2041 preparation of a substance in Schedule V has a low potential for



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2042 abuse relative to the substances in Schedule IV and has a  
2043 currently accepted medical use in treatment in the United  
2044 States, and abuse of such compound, mixture, or preparation may  
2045 lead to limited physical or psychological dependence relative to  
2046 the substances in Schedule IV.

2047 (a) Substances controlled in Schedule V include any  
2048 compound, mixture, or preparation containing any of the  
2049 following limited quantities of controlled substances, which  
2050 must ~~shall~~ include one or more active medicinal ingredients that  
2051 ~~which~~ are not controlled substances in sufficient proportion to  
2052 confer upon the compound, mixture, or preparation valuable  
2053 medicinal qualities other than those possessed by the controlled  
2054 substance alone:

2055 1. Not more than 200 milligrams of codeine per 100  
2056 milliliters or per 100 grams.

2057 2. Not more than 100 milligrams of dihydrocodeine per 100  
2058 milliliters or per 100 grams.

2059 3. Not more than 100 milligrams of ethylmorphine per 100  
2060 milliliters or per 100 grams.

2061 4. Not more than 2.5 milligrams of diphenoxylate and not  
2062 less than 25 micrograms of atropine sulfate per dosage unit.

2063 5. Not more than 100 milligrams of opium per 100  
2064 milliliters or per 100 grams.

2065 6. Not more than 0.5 milligrams of difenoxin and not less  
2066 than 25 micrograms of atropine sulfate per dosage unit.

2067 (b) Unless a specific exception exists or unless listed in  
2068 another schedule, any material, compound, mixture, or  
2069 preparation that contains any quantity of the following  
2070 substances is controlled in Schedule V:





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- 2071           1. Brivaracetam.  
2072           2. Ezogabine.  
2073           3. Lacosamide.  
2074           4. Pregabalin ~~Narcotic drugs. Unless specifically excepted~~  
2075 ~~or unless listed in another schedule, any material, compound,~~  
2076 ~~mixture, or preparation containing any of the following narcotic~~  
2077 ~~drugs and their salts: Buprenorphine.~~

2078           (c) Stimulants. Unless specifically excepted or unless  
2079 listed in another schedule, any material, compound, mixture, or  
2080 preparation which contains any quantity of the following  
2081 substances having a stimulant effect on the central nervous  
2082 system, including its salts, isomers, and salts of isomers:  
2083 Pyrovalerone.

2084           Section 11. Subsection (1) of section 893.04, Florida  
2085 Statutes, is amended to read:

2086           893.04 Pharmacist and practitioner.—

2087           (1) A pharmacist, in good faith and in the course of  
2088 professional practice only, may dispense controlled substances  
2089 upon a written, ~~or~~ oral, or electronic prescription of a  
2090 practitioner, under the following conditions:

2091           (a) Oral prescriptions must be promptly reduced to writing  
2092 by the pharmacist or recorded electronically if permitted by  
2093 federal law.

2094           (b) The written prescription must be dated and signed by  
2095 the prescribing practitioner on the day when issued.

2096           (c) There shall appear on the face of the prescription or  
2097 written record thereof for the controlled substance the  
2098 following information:

- 2099           1. The full name and address of the person for whom, or the



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2100 owner of the animal for which, the controlled substance is  
2101 dispensed.

2102         2. The full name and address of the prescribing  
2103 practitioner and the practitioner's federal controlled substance  
2104 registry number shall be printed thereon.

2105         3. If the prescription is for an animal, the species of  
2106 animal for which the controlled substance is prescribed.

2107         4. The name of the controlled substance prescribed and the  
2108 strength, quantity, and directions for use thereof.

2109         5. The number of the prescription, as recorded in the  
2110 prescription files of the pharmacy in which it is filled.

2111         6. The initials of the pharmacist filling the prescription  
2112 and the date filled.

2113         (d) The prescription shall be retained on file by the  
2114 proprietor of the pharmacy in which it is filled for a period of  
2115 2 years.

2116         (e) Affixed to the original container in which a controlled  
2117 substance is delivered upon a prescription or authorized refill  
2118 thereof, as hereinafter provided, there shall be a label bearing  
2119 the following information:

2120             1. The name and address of the pharmacy from which such  
2121 controlled substance was dispensed.

2122             2. The date on which the prescription for such controlled  
2123 substance was filled.

2124             3. The number of such prescription, as recorded in the  
2125 prescription files of the pharmacy in which it is filled.

2126             4. The name of the prescribing practitioner.

2127             5. The name of the patient for whom, or of the owner and  
2128 species of the animal for which, the controlled substance is



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2129 prescribed.

2130 6. The directions for the use of the controlled substance  
2131 prescribed in the prescription.

2132 7. A clear, concise warning that it is a crime to transfer  
2133 the controlled substance to any person other than the patient  
2134 for whom prescribed.

2135 (f) A prescription for a controlled substance listed in  
2136 Schedule II may be dispensed only upon a written or electronic  
2137 prescription of a practitioner, except that in an emergency  
2138 situation, as defined by regulation of the Department of Health,  
2139 such controlled substance may be dispensed upon oral  
2140 prescription but is limited to a 72-hour supply. A prescription  
2141 for a controlled substance listed in Schedule II may not be  
2142 refilled.

2143 (g) A prescription for a controlled substance listed in  
2144 Schedule III, Schedule IV, or Schedule V may not be filled or  
2145 refilled more than five times within a period of 6 months after  
2146 the date on which the prescription was written unless the  
2147 prescription is renewed by a practitioner.

2148 Section 12. Section 893.055, Florida Statutes, is amended  
2149 to read:

2150 (Substantial rewording of section. See  
2151 s. 893.055, F.S., for present text.)  
2152 893.055 Prescription drug monitoring program.-

2153 (1) As used in this section, the term:

2154 (a) "Active investigation" means an investigation that is  
2155 being conducted with a reasonable, good faith belief that it  
2156 could lead to the filing of administrative, civil, or criminal  
2157 proceedings, or that is ongoing and continuing and for which



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2158 there is a reasonable, good faith anticipation of securing an  
2159 arrest or prosecution in the foreseeable future.

2160 (b) "Administration" means the obtaining and giving of a  
2161 single dose of a controlled substance by a legally authorized  
2162 person to a patient for her or his consumption.

2163 (c) "Controlled substance" means a controlled substance  
2164 listed in Schedule II, Schedule III, Schedule IV, or Schedule V  
2165 of s. 893.03 or 21 U.S.C. s. 812.

2166 (d) "Dispense" means the transfer of possession of one or  
2167 more doses of a controlled substance by a dispenser to the  
2168 ultimate consumer or to his or her agent.

2169 (e) "Dispenser" means a dispensing health care  
2170 practitioner, pharmacy, or pharmacist licensed to dispense  
2171 controlled substances in or into this state.

2172 (f) "Health care practitioner" or "practitioner" means any  
2173 practitioner licensed under chapter 458, chapter 459, chapter  
2174 461, chapter 463, chapter 464, chapter 465, or chapter 466.

2175 (g) "Health care regulatory board" has the same meaning as  
2176 in s. 456.001(1).

2177 (h) "Law enforcement agency" means the Department of Law  
2178 Enforcement, a sheriff's office in this state, a police  
2179 department in this state, or a law enforcement agency of the  
2180 Federal Government which enforces the laws of this state or the  
2181 United States relating to controlled substances and whose agents  
2182 and officers are empowered by law to conduct criminal  
2183 investigations and make arrests.

2184 (i) "Pharmacy" includes a community pharmacy, an  
2185 institutional pharmacy, a nuclear pharmacy, a special pharmacy,  
2186 or an Internet pharmacy that is licensed by the department under



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2187 chapter 465 and that dispenses or delivers controlled substances  
2188 to an individual or address in this state.

2189 (j) "Prescriber" means a prescribing physician, prescribing  
2190 practitioner, or other prescribing health care practitioner  
2191 authorized by the laws of this state to order controlled  
2192 substances.

2193 (k) "Program manager" means an employee of or a person  
2194 contracted by the department who is designated to ensure the  
2195 integrity of the prescription drug monitoring program in  
2196 accordance with the requirements established in this section.

2197 (2) (a) The department shall maintain an electronic system  
2198 to collect and store controlled substance dispensing information  
2199 and shall release the information as authorized in this section  
2200 and s. 893.0551. The electronic system must:

2201 1. Not infringe upon the legitimate prescribing or  
2202 dispensing of a controlled substance by a prescriber or  
2203 dispenser acting in good faith and in the course of professional  
2204 practice.

2205 2. Be consistent with standards of the American Society for  
2206 Automation in Pharmacy.

2207 3. Comply with the Health Insurance Portability and  
2208 Accountability Act as it pertains to protected health  
2209 information, electronic protected health information, and all  
2210 other relevant state and federal privacy and security laws and  
2211 regulations.

2212 4. Purge or cause to be purged information in the database  
2213 that is more than 4 years old.

2214 (b) The department may collaborate with professional health  
2215 care regulatory boards, appropriate organizations, and other



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2216 state agencies to identify indicators of controlled substance  
2217 abuse.

2218 (3) (a) For each controlled substance dispensed to a patient  
2219 in this state, the following information must be reported by the  
2220 dispenser to the system as soon thereafter as possible but no  
2221 later than the close of the next business day after the day the  
2222 controlled substance is dispensed unless an extension or  
2223 exemption is approved by the department:

2224 1. The name of the prescribing practitioner, the  
2225 practitioner's federal Drug Enforcement Administration  
2226 registration number, the practitioner's National Provider  
2227 Identification or other appropriate identifier, and the date of  
2228 the prescription.

2229 2. The date the prescription was filled and the method of  
2230 payment, such as cash by an individual, insurance coverage  
2231 through a third party, or Medicaid payment. This paragraph does  
2232 not authorize the department to include individual credit card  
2233 numbers or other account numbers in the system.

2234 3. The full name, address, telephone number, and date of  
2235 birth of the person for whom the prescription was written.

2236 4. The name, national drug code, quantity, and strength of  
2237 the controlled substance dispensed.

2238 5. The full name, federal Drug Enforcement Administration  
2239 registration number, State of Florida Department of Health  
2240 issued pharmacy permit number, and address of the pharmacy or  
2241 other location from which the controlled substance was  
2242 dispensed. If the controlled substance was dispensed by a  
2243 practitioner other than a pharmacist, the practitioner's full  
2244 name, address, federal Drug Enforcement Administration



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2245 registration number, State of Florida Department of Health  
2246 issued license number, and National Provider Identification.  
2247 6. Whether the drug was dispensed as an initial  
2248 prescription or a refill, and the number of refills ordered.  
2249 7. The name of the individual picking up the controlled  
2250 substance prescription and type and issuer of the identification  
2251 provided.  
2252 8. Other appropriate identifying information as determined  
2253 by department rule.  
2254 (b) The following acts of administration or dispensing are  
2255 exempt from the reporting requirements of this subsection:  
2256 1. All acts of administration of a controlled substance.  
2257 2. The dispensing of a controlled substance in the health  
2258 care system of the Department of Corrections.  
2259 3. The dispensing of a controlled substance to a person  
2260 under the age of 16.  
2261 (4) The following persons must be provided direct access to  
2262 information in the system:  
2263 (a) A prescriber or dispenser or his or her designee.  
2264 (b) An employee of the United States Department of Veterans  
2265 Affairs, the United States Department of Defense, or the Indian  
2266 Health Service who provides health care services pursuant to  
2267 such employment and who has the authority to prescribe  
2268 controlled substances shall have access to the information in  
2269 the program's system upon verification of employment.  
2270 (c) The program manager or designated program and support  
2271 staff to administer the system.  
2272 1. In order to calculate performance measures pursuant to  
2273 subsection (14), the program manager or program and support



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2274 staff members who have been directed by the program manager to  
2275 calculate performance measures may have direct access to  
2276 information that contains no identifying information of any  
2277 patient, physician, health care practitioner, prescriber, or  
2278 dispenser.

2279 2. The program manager or designated program and support  
2280 staff must provide the department, upon request, data that does  
2281 not contain patient, physician, health care practitioner,  
2282 prescriber, or dispenser identifying information for public  
2283 health care and safety initiatives purposes.

2284 3. The program manager, upon determining a pattern  
2285 consistent with the department's rules established under  
2286 subsection (16), may provide relevant information to the  
2287 prescriber and dispenser.

2288 4. The program manager, upon determining a pattern  
2289 consistent with the rules established under subsection (16) and  
2290 having cause to believe a violation of s. 893.13(7)(a)8.,  
2291 (8)(a), or (8)(b) has occurred, may provide relevant information  
2292 to the applicable law enforcement agency.

2293  
2294 The program manager and designated program and support staff  
2295 must complete a level II background screening.

2296 (5) The following entities may not directly access  
2297 information in the system, but may request information from the  
2298 program manager or designated program and support staff:

2299 (a) The department and its health care regulatory boards,  
2300 as appropriate, for investigations involving licensees  
2301 authorized to prescribe or dispense controlled substances.

2302 (b) The Attorney General for Medicaid fraud cases involving





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2303 prescribed controlled substances.

2304 (c) A law enforcement agency during active investigations  
2305 of potential criminal activity, fraud, or theft regarding  
2306 prescribed controlled substances.

2307 (d) A medical examiner when conducting an authorized  
2308 investigation under s. 406.11, to determine the cause of death  
2309 of an individual.

2310 (e) An impaired practitioner consultant who is retained by  
2311 the department under s. 456.076 to review the system information  
2312 of an impaired practitioner program participant or a referral  
2313 who has agreed to be evaluated or monitored through the program  
2314 and who has separately agreed in writing to the consultant's  
2315 access to and review of such information.

2316 (f) A patient or the legal guardian or designated health  
2317 care surrogate of an incapacitated patient who submits a written  
2318 and notarized request that includes the patient's full name,  
2319 address, phone number, date of birth, and a copy of a  
2320 government-issued photo identification.

2321 (6) The department may enter into one or more reciprocal  
2322 agreements or contracts to share prescription drug monitoring  
2323 information with other states, districts, or territories if the  
2324 prescription drug monitoring programs of such other states,  
2325 districts, or territories are compatible with the Florida  
2326 program.

2327 (a) In determining compatibility, the department shall  
2328 consider:

2329 1. The safeguards for privacy of patient records and the  
2330 success of the program in protecting patient privacy.

2331 2. The persons authorized to view the data collected by the



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2332 program. Comparable entities and licensed health care  
2333 practitioners in other states, districts, or territories of the  
2334 United States, law enforcement agencies, the Attorney General's  
2335 Medicaid Fraud Control Unit, medical regulatory boards, and, as  
2336 needed, management staff that have similar duties as management  
2337 staff who work with the prescription drug monitoring program as  
2338 authorized in s. 893.0551 are authorized access upon approval by  
2339 the department.

2340 3. The schedules of the controlled substances that are  
2341 monitored by the program.

2342 4. The data reported to or included in the program's  
2343 system.

2344 5. Any implementing criteria deemed essential for a  
2345 thorough comparison.

2346 6. The costs and benefits to the state of sharing  
2347 prescription information.

2348 (b) The department shall assess the prescription drug  
2349 monitoring program's continued compatibility with other states',  
2350 districts', or territories' programs every 4 years.

2351 (c) Any agreements or contracts for sharing of prescription  
2352 drug monitoring information between the department and other  
2353 states, districts, or territories shall contain the same  
2354 restrictions and requirements as this section or s. 893.0551,  
2355 and the information must be provided according to the  
2356 department's determination of compatibility.

2357 (7) The department may enter into agreements or contracts  
2358 to establish secure connections between the system and a  
2359 prescribing or dispensing health care practitioner's electronic  
2360 health recordkeeping system. The electronic health recordkeeping



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2361 system owner or license holder will be responsible for ensuring  
2362 that only authorized individuals have access to prescription  
2363 drug monitoring program information.

2364 (8) A prescriber or dispenser or a designee of a prescriber  
2365 or dispenser must consult the system to review a patient's  
2366 controlled substance dispensing history before prescribing or  
2367 dispensing a controlled substance for a patient age 16 or older.  
2368 This requirement does not apply when prescribing or dispensing a  
2369 nonopioid controlled substance listed in Schedule V of s. 893.03  
2370 or 21 U.S.C. 812. For purposes of this subsection, a "nonopioid  
2371 controlled substance" is a controlled substance that does not  
2372 contain any amount of a substance listed as an opioid in s.  
2373 893.03 or 21 U.S.C. 812.

2374 (a) The duty to consult the system does not apply when the  
2375 system:

- 2376 1. Is determined by the department to be nonoperational; or  
2377 2. Cannot be accessed by the prescriber or dispenser or a  
2378 designee of the prescriber or dispenser because of a temporary  
2379 technological or electrical failure.

2380 (b) A prescriber or dispenser or designee of a prescriber  
2381 or dispenser who does not consult the system under this  
2382 subsection shall document the reason he or she did not consult  
2383 the system in the patient's medical record or prescription  
2384 record and shall not prescribe or dispense greater than a 3-day  
2385 supply of a controlled substance to the patient.

2386 (c) Notwithstanding s. 456.077(1), the department must  
2387 issue a citation pursuant to s. 456.077 to any prescriber or  
2388 dispenser who fails to comply with this subsection or whose  
2389 designee fails to comply with this subsection. The department



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2390 must also refer the noncompliance to the appropriate board for  
2391 consideration of disciplinary action, including suspension or  
2392 revocation of license, against the non-compliant prescriber or  
2393 dispenser.

2394 (9) A person who willfully and knowingly fails to report  
2395 the dispensing of a controlled substance as required by this  
2396 section commits a misdemeanor of the first degree, punishable as  
2397 provided in s. 775.082 or s. 775.083.

2398 (10) Information in the prescription drug monitoring  
2399 program's system may be released only as provided in this  
2400 section and s. 893.0551. The content of the system is intended  
2401 to be informational only. Information in the system is not  
2402 subject to discovery or introduction into evidence in any civil  
2403 or administrative action against a prescriber, dispenser,  
2404 pharmacy, or patient arising out of matters that are the subject  
2405 of information in the system. The program manager and authorized  
2406 persons who participate in preparing, reviewing, issuing, or any  
2407 other activity related to management of the system may not be  
2408 permitted or required to testify in any such civil or  
2409 administrative action as to any findings, recommendations,  
2410 evaluations, opinions, or other actions taken in connection with  
2411 management of the system.

2412 (11) A prescriber or dispenser, or his or her designee, may  
2413 have access to the information under this section which relates  
2414 to a patient of that prescriber or dispenser as needed for the  
2415 purpose of reviewing the patient's controlled drug prescription  
2416 history. A prescriber or dispenser acting in good faith is  
2417 immune from any civil, criminal, or administrative liability  
2418 that might otherwise be incurred or imposed for receiving or



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2419 using information from the prescription drug monitoring program.  
2420 This subsection does not create a private cause of action, and a  
2421 person may not recover damages against a prescriber or dispenser  
2422 authorized to access information under this subsection for  
2423 accessing or failing to access such information.

2424 (12) (a) All costs incurred by the department in  
2425 administering the prescription drug monitoring program shall be  
2426 funded through federal grants, private funding applied for or  
2427 received by the state, or state funds appropriated in the  
2428 General Appropriations Act. The department may not:

2429 1. Commit funds for the monitoring program without ensuring  
2430 funding is available; or

2431 2. Use funds provided, directly or indirectly, by  
2432 prescription drug manufacturers to implement the program.

2433 (b) The department shall cooperate with the direct-support  
2434 organization established under subsection (15) in seeking  
2435 federal grant funds, other nonstate grant funds, gifts,  
2436 donations, or other private moneys for the department if the  
2437 costs of doing so are immaterial. Immaterial costs include, but  
2438 are not limited to, the costs of mailing and personnel assigned  
2439 to research or apply for a grant. The department may  
2440 competitively procure and contract pursuant to s. 287.057 for  
2441 any goods and services required by this section.

2442 (13) The department shall conduct or participate in studies  
2443 to examine the feasibility of enhancing the prescription drug  
2444 monitoring program for the purposes of public health initiatives  
2445 and statistical reporting. Such studies shall respect the  
2446 privacy of the patient, the prescriber, and the dispenser. Such  
2447 studies may be conducted by the department or a contracted



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2448 vendor in order to:  
2449 (a) Improve the quality of health care services and safety  
2450 by improving prescribing and dispensing practices for controlled  
2451 substances;  
2452 (b) Take advantage of advances in technology;  
2453 (c) Reduce duplicative prescriptions and the  
2454 overprescribing of controlled substances; and  
2455 (d) Reduce drug abuse.  
2456 (14) The department shall annually report on performance  
2457 measures to the Governor, the President of the Senate, and the  
2458 Speaker of the House of Representatives by December 1.  
2459 Performance measures may include, but are not limited to, the  
2460 following outcomes:  
2461 (a) Reduction of the rate of inappropriate use of  
2462 controlled substances through department education and safety  
2463 efforts.  
2464 (b) Reduction of the quantity of controlled substances  
2465 obtained by individuals attempting to engage in fraud and  
2466 deceit.  
2467 (c) Increased coordination among partners participating in  
2468 the prescription drug monitoring program.  
2469 (d) Involvement of stakeholders in achieving improved  
2470 patient health care and safety and reduction of controlled  
2471 substance abuse and controlled substance diversion.  
2472 (15) The department may establish a direct-support  
2473 organization to provide assistance, funding, and promotional  
2474 support for the activities authorized for the prescription drug  
2475 monitoring program.  
2476 (a) As used in this subsection, the term "direct-support



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2477 organization” means an organization that is:

2478 1. A Florida corporation not for profit incorporated under  
2479 chapter 617, exempted from filing fees, and approved by the  
2480 Department of State.

2481 2. Organized and operated to conduct programs and  
2482 activities; raise funds; request and receive grants, gifts, and  
2483 bequests of money; acquire, receive, hold, and invest, in its  
2484 own name, securities, funds, objects of value, or other  
2485 property, either real or personal; and make expenditures or  
2486 provide funding to or for the direct or indirect benefit of the  
2487 department in the furtherance of the prescription drug  
2488 monitoring program.

2489 (b) The State Surgeon General shall appoint a board of  
2490 directors for the direct-support organization.

2491 1. The board of directors shall consist of no fewer than  
2492 five members who shall serve at the pleasure of the State  
2493 Surgeon General.

2494 2. The State Surgeon General shall provide guidance to  
2495 members of the board to ensure that moneys received by the  
2496 direct-support organization are not received from inappropriate  
2497 sources. Inappropriate sources include, but are not limited to,  
2498 donors, grantors, persons, prescription drug manufacturers, or  
2499 organizations that may monetarily or substantively benefit from  
2500 the purchase of goods or services by the department in  
2501 furtherance of the prescription drug monitoring program.

2502 (c) The direct-support organization shall operate under  
2503 written contract with the department. The contract must, at a  
2504 minimum, provide for:

2505 1. Approval of the articles of incorporation and bylaws of



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2506 the direct-support organization by the department.

2507 2. Submission of an annual budget for the approval of the  
2508 department.

2509 3. The reversion, without penalty, to the department's  
2510 grants and donations trust fund for the administration of the  
2511 prescription drug monitoring program of all moneys and property  
2512 held in trust by the direct-support organization for the benefit  
2513 of the prescription drug monitoring program if the direct-  
2514 support organization ceases to exist or if the contract is  
2515 terminated.

2516 4. The fiscal year of the direct-support organization,  
2517 which must begin July 1 of each year and end June 30 of the  
2518 following year.

2519 5. The disclosure of the material provisions of the  
2520 contract to donors of gifts, contributions, or bequests,  
2521 including such disclosure on all promotional and fundraising  
2522 publications, and an explanation to such donors of the  
2523 distinction between the department and the direct-support  
2524 organization.

2525 6. The direct-support organization's collecting, expending,  
2526 and providing of funds to the department for the development,  
2527 implementation, and operation of the prescription drug  
2528 monitoring program as described in this section. The direct-  
2529 support organization may collect and expend funds to be used for  
2530 the functions of the direct-support organization's board of  
2531 directors, as necessary and approved by the department. In  
2532 addition, the direct-support organization may collect and  
2533 provide funding to the department in furtherance of the  
2534 prescription drug monitoring program by:





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2535 a. Establishing and administering the prescription drug  
2536 monitoring program's electronic system, including hardware and  
2537 software.

2538 b. Conducting studies on the efficiency and effectiveness  
2539 of the program to include feasibility studies as described in  
2540 subsection (13).

2541 c. Providing funds for future enhancements of the program  
2542 within the intent of this section.

2543 d. Providing user training of the prescription drug  
2544 monitoring program, including distribution of materials to  
2545 promote public awareness and education and conducting workshops  
2546 or other meetings for health care practitioners, pharmacists,  
2547 and others as appropriate.

2548 e. Providing funds for travel expenses.

2549 f. Providing funds for administrative costs, including  
2550 personnel, audits, facilities, and equipment.

2551 g. Fulfilling all other requirements necessary to implement  
2552 and operate the program as outlined in this section.

2553 7. Certification by the department that the direct-support  
2554 organization is complying with the terms of the contract in a  
2555 manner consistent with and in furtherance of the goals and  
2556 purposes of the prescription drug monitoring program and in the  
2557 best interests of the state. Such certification must be made  
2558 annually and reported in the official minutes of a meeting of  
2559 the direct-support organization.

2560 (d) The activities of the direct-support organization must  
2561 be consistent with the goals and mission of the department, as  
2562 determined by the department, and in the best interests of the  
2563 state. The direct-support organization must obtain written



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2564 approval from the department for any activities in support of  
2565 the prescription drug monitoring program before undertaking  
2566 those activities.

2567 (e) The direct-support organization shall provide for an  
2568 independent annual financial audit in accordance with s.  
2569 215.981. Copies of the audit shall be provided to the department  
2570 and the Office of Policy and Budget in the Executive Office of  
2571 the Governor.

2572 (f) The direct-support organization may not exercise any  
2573 power under s. 617.0302(12) or (16).

2574 (g) The direct-support organization is not considered a  
2575 lobbying firm within the meaning of s. 11.045.

2576 (h) The department may permit, without charge, appropriate  
2577 use of administrative services, property, and facilities of the  
2578 department by the direct-support organization, subject to this  
2579 section. The use must be directly in keeping with the approved  
2580 purposes of the direct-support organization and may not be made  
2581 at times or places that would unreasonably interfere with  
2582 opportunities for the public to use such facilities for  
2583 established purposes. Any moneys received from rentals of  
2584 facilities and properties managed by the department may be held  
2585 in a separate depository account in the name of the direct-  
2586 support organization and subject to the provisions of the letter  
2587 of agreement with the department. The letter of agreement must  
2588 provide that any funds held in the separate depository account  
2589 in the name of the direct-support organization must revert to  
2590 the department if the direct-support organization is no longer  
2591 approved by the department to operate in the best interests of  
2592 the state.



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2593           (i) The department may adopt rules under s. 120.54 to  
2594 govern the use of administrative services, property, or  
2595 facilities of the department or office by the direct-support  
2596 organization.

2597           (j) The department may not permit the use of any  
2598 administrative services, property, or facilities of the state by  
2599 a direct-support organization if that organization does not  
2600 provide equal membership and employment opportunities to all  
2601 persons regardless of race, color, religion, gender, age, or  
2602 national origin.

2603           (k) This subsection is repealed October 1, 2027, unless  
2604 reviewed and saved from repeal by the Legislature.

2605           (16) The department shall adopt rules necessary to  
2606 implement this section.

2607           Section 13. Section 893.0551, Florida Statutes, is amended  
2608 to read:

2609           893.0551 Public records exemption for the prescription drug  
2610 monitoring program.—

2611           (1) For purposes of this section, the terms used in this  
2612 section have the same meanings as provided in s. 893.055.

2613           (2) The following information of a patient or patient's  
2614 agent, a health care practitioner, a dispenser, an employee of  
2615 the practitioner who is acting on behalf of and at the direction  
2616 of the practitioner, a pharmacist, or a pharmacy that is  
2617 contained in records held by the department under s. 893.055 is  
2618 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
2619 of the State Constitution:

2620           (a) Name.

2621           (b) Address.



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2622 (c) Telephone number.  
2623 (d) Insurance plan number.  
2624 (e) Government-issued identification number.  
2625 (f) Provider number.  
2626 (g) Drug Enforcement Administration number.  
2627 (h) Any other unique identifying information or number.  
2628 (3) The department shall disclose such ~~confidential and~~  
2629 ~~exempt~~ information to the following persons or entities upon  
2630 request and after using a verification process to ensure the  
2631 legitimacy of the request as provided in s. 893.055:  
2632 (a) A health care practitioner, or his or her designee, who  
2633 certifies that the information is necessary to provide medical  
2634 treatment to a current patient in accordance with ss. 893.04,  
2635 893.05, and 893.055.  
2636 (b) An employee of the United States Department of Veterans  
2637 Affairs, the United States Department of Defense, or the Indian  
2638 Health Service who provides health care services pursuant to  
2639 such employment and who has the authority to prescribe  
2640 controlled substances shall have access to the information in  
2641 the program's system upon verification of such employment.  
2642 (c) The program manager and designated support staff for  
2643 administration of the program, and to provide relevant  
2644 information to the prescriber, dispenser, and appropriate law  
2645 enforcement agencies, in accordance with s. 893.055.  
2646 (d) The department and its relevant health care regulatory  
2647 boards for investigations involving licensees authorized to  
2648 prescribe or dispense controlled substances. The department or  
2649 health care regulatory board may request information from the  
2650 program but may not have direct access to its system. The



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2651 department may provide to a law enforcement agency pursuant to  
2652 ss. 456.066 and 456.073 only information that is relevant to the  
2653 specific controlled substances investigation that prompted the  
2654 request for the information.

2655 (e)(a) The Attorney General or his or her designee when  
2656 working on Medicaid fraud cases involving prescribed controlled  
2657 substances ~~prescription drugs~~ or when the Attorney General has  
2658 initiated a review of specific identifiers of Medicaid fraud or  
2659 specific identifiers that warrant a Medicaid investigation  
2660 regarding prescribed controlled substances ~~prescription drugs~~.  
2661 The Attorney General's Medicaid fraud investigators may not have  
2662 direct access to the department's system ~~database~~. The Attorney  
2663 General or his or her designee may disclose to a criminal  
2664 justice agency, as defined in s. 119.011, only the ~~confidential~~  
2665 ~~and exempt~~ information received from the department that is  
2666 relevant to an identified active investigation that prompted the  
2667 request for the information.

2668 ~~(b) The department's relevant health care regulatory boards~~  
2669 ~~responsible for the licensure, regulation, or discipline of a~~  
2670 ~~practitioner, pharmacist, or other person who is authorized to~~  
2671 ~~prescribe, administer, or dispense controlled substances and who~~  
2672 ~~is involved in a specific controlled substances investigation~~  
2673 ~~for prescription drugs involving a designated person. The health~~  
2674 ~~care regulatory boards may request information from the~~  
2675 ~~department but may not have direct access to its database. The~~  
2676 ~~health care regulatory boards may provide to a law enforcement~~  
2677 ~~agency pursuant to ss. 456.066 and 456.073 only information that~~  
2678 ~~is relevant to the specific controlled substances investigation~~  
2679 ~~that prompted the request for the information.~~



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2680            ~~(f)(e)~~ A law enforcement agency that has initiated an  
2681 active investigation involving a specific violation of law  
2682 regarding prescription drug abuse or diversion of prescribed  
2683 controlled substances and that has entered into a user agreement  
2684 with the department. A law enforcement agency may request  
2685 information from the department but may not have direct access  
2686 to its system database. The law enforcement agency may disclose  
2687 to a criminal justice agency, as defined in s. 119.011, only  
2688 ~~confidential and exempt~~ information received from the department  
2689 that is relevant to an identified active investigation that  
2690 prompted the request for such information.

2691            (g) A district medical examiner or associate medical  
2692 examiner, as described in s. 406.06, pursuant to his or her  
2693 official duties, as required by s. 406.11, to determine the  
2694 cause of death of an individual. Such medical examiners may  
2695 request information from the department but may not have direct  
2696 access to the system

2697            ~~(d) A health care practitioner, or his or her designee, who~~  
2698 ~~certifies that the information is necessary to provide medical~~  
2699 ~~treatment to a current patient in accordance with ss. 893.05 and~~  
2700 ~~893.055.~~

2701            ~~(e) A pharmacist, or his or her designee, who certifies~~  
2702 ~~that the requested information will be used to dispense~~  
2703 ~~controlled substances to a current patient in accordance with~~  
2704 ~~ss. 893.04 and 893.055.~~

2705            ~~(f) A patient or the legal guardian or designated health~~  
2706 ~~care surrogate for an incapacitated patient, if applicable,~~  
2707 ~~making a request as provided in s. 893.055(7)(c)4.~~

2708            ~~(g) The patient's pharmacy, prescriber, or dispenser, or~~



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2709 ~~the designee of the pharmacy, prescriber, or dispenser, who~~  
2710 ~~certifies that the information is necessary to provide medical~~  
2711 ~~treatment to his or her current patient in accordance with s.~~  
2712 ~~893.055.~~

2713 (h) An impaired practitioner consultant who has been  
2714 authorized in writing by a participant in, or by a referral to,  
2715 the impaired practitioner program to access and review  
2716 information as provided in s. 893.055(5)(e) ~~893.055(7)(e)~~5.

2717 (i) A patient or the legal guardian or designated health  
2718 care surrogate for an incapacitated patient, if applicable,  
2719 making a request as provided in s. 893.055(5)(f).

2720 (4) If the department determines consistent with its rules  
2721 that a pattern of controlled substance abuse exists, the  
2722 department may disclose such confidential and exempt information  
2723 to the applicable law enforcement agency in accordance with s.  
2724 893.055. The law enforcement agency may disclose to a criminal  
2725 justice agency, as defined in s. 119.011, only ~~confidential and~~  
2726 ~~exempt~~ information received from the department that is relevant  
2727 to an identified active investigation that is specific to a  
2728 violation of s. 893.13(7)(a)8., s. 893.13(8)(a), or s.  
2729 893.13(8)(b).

2730 (5) Before disclosing ~~confidential and exempt~~ information  
2731 to a criminal justice agency or a law enforcement agency  
2732 pursuant to this section, the disclosing person or entity must  
2733 take steps to ensure the continued confidentiality of all  
2734 ~~confidential and exempt~~ information. At a minimum, these steps  
2735 must include redacting any nonrelevant information.

2736 (6) An agency or person who obtains any ~~confidential and~~  
2737 ~~exempt~~ information pursuant to this section must maintain the



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2738 confidential and exempt status of that information and may not  
2739 disclose such information unless authorized by law. Information  
2740 shared with a state attorney pursuant to paragraph (3) (f) ~~(3) (a)~~  
2741 or paragraph (3) (h) ~~(3) (e)~~ may be released only in response to a  
2742 discovery demand if such information is directly related to the  
2743 criminal case for which the information was requested. Unrelated  
2744 information may be released only upon an order of a court of  
2745 competent jurisdiction.

2746 (7) A person who willfully and knowingly violates this  
2747 section commits a felony of the third degree, punishable as  
2748 provided in s. 775.082, s. 775.083, or s. 775.084.

2749 Section 14. Paragraphs (a), (c), (d), (e), (f), and (h) of  
2750 subsection (1), subsection (2), paragraphs (a) and (b) of  
2751 subsection (4), and subsections (5) and (7) of section 893.13,  
2752 Florida Statutes, are amended to read:

2753 893.13 Prohibited acts; penalties.—

2754 (1) (a) Except as authorized by this chapter and chapter  
2755 499, a person may not sell, manufacture, or deliver, or possess  
2756 with intent to sell, manufacture, or deliver, a controlled  
2757 substance. A person who violates this provision with respect to:

2758 1. A controlled substance named or described in s.

2759 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5.

2760 ~~(2) (c) 4.~~ commits a felony of the second degree, punishable as  
2761 provided in s. 775.082, s. 775.083, or s. 775.084.

2762 2. A controlled substance named or described in s.

2763 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., ~~(2) (c) 5.,~~ (2) (c) 6.,

2764 (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) commits a

2765 felony of the third degree, punishable as provided in s.

2766 775.082, s. 775.083, or s. 775.084.





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2767 3. A controlled substance named or described in s.  
2768 893.03(5) commits a misdemeanor of the first degree, punishable  
2769 as provided in s. 775.082 or s. 775.083.

2770 (c) Except as authorized by this chapter, a person may not  
2771 sell, manufacture, or deliver, or possess with intent to sell,  
2772 manufacture, or deliver, a controlled substance in, on, or  
2773 within 1,000 feet of the real property comprising a child care  
2774 facility as defined in s. 402.302 or a public or private  
2775 elementary, middle, or secondary school between the hours of 6  
2776 a.m. and 12 midnight, or at any time in, on, or within 1,000  
2777 feet of real property comprising a state, county, or municipal  
2778 park, a community center, or a publicly owned recreational  
2779 facility. As used in this paragraph, the term "community center"  
2780 means a facility operated by a nonprofit community-based  
2781 organization for the provision of recreational, social, or  
2782 educational services to the public. A person who violates this  
2783 paragraph with respect to:

2784 1. A controlled substance named or described in s.  
2785 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2786 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as  
2787 provided in s. 775.082, s. 775.083, or s. 775.084. The defendant  
2788 must be sentenced to a minimum term of imprisonment of 3  
2789 calendar years unless the offense was committed within 1,000  
2790 feet of the real property comprising a child care facility as  
2791 defined in s. 402.302.

2792 2. A controlled substance named or described in s.  
2793 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,  
2794 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2795 felony of the second degree, punishable as provided in s.



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2796 775.082, s. 775.083, or s. 775.084.

2797 3. Any other controlled substance, except as lawfully sold,  
2798 manufactured, or delivered, must be sentenced to pay a \$500 fine  
2799 and to serve 100 hours of public service in addition to any  
2800 other penalty prescribed by law.

2801  
2802 This paragraph does not apply to a child care facility unless  
2803 the owner or operator of the facility posts a sign that is not  
2804 less than 2 square feet in size with a word legend identifying  
2805 the facility as a licensed child care facility and that is  
2806 posted on the property of the child care facility in a  
2807 conspicuous place where the sign is reasonably visible to the  
2808 public.

2809 (d) Except as authorized by this chapter, a person may not  
2810 sell, manufacture, or deliver, or possess with intent to sell,  
2811 manufacture, or deliver, a controlled substance in, on, or  
2812 within 1,000 feet of the real property comprising a public or  
2813 private college, university, or other postsecondary educational  
2814 institution. A person who violates this paragraph with respect  
2815 to:

2816 1. A controlled substance named or described in s.  
2817 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2818 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as  
2819 provided in s. 775.082, s. 775.083, or s. 775.084.

2820 2. A controlled substance named or described in s.  
2821 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,  
2822 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2823 felony of the second degree, punishable as provided in s.  
2824 775.082, s. 775.083, or s. 775.084.



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2825           3. Any other controlled substance, except as lawfully sold,  
2826 manufactured, or delivered, must be sentenced to pay a \$500 fine  
2827 and to serve 100 hours of public service in addition to any  
2828 other penalty prescribed by law.

2829           (e) Except as authorized by this chapter, a person may not  
2830 sell, manufacture, or deliver, or possess with intent to sell,  
2831 manufacture, or deliver, a controlled substance not authorized  
2832 by law in, on, or within 1,000 feet of a physical place for  
2833 worship at which a church or religious organization regularly  
2834 conducts religious services or within 1,000 feet of a  
2835 convenience business as defined in s. 812.171. A person who  
2836 violates this paragraph with respect to:

2837           1. A controlled substance named or described in s.  
2838 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2839 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as  
2840 provided in s. 775.082, s. 775.083, or s. 775.084.

2841           2. A controlled substance named or described in s.  
2842 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,  
2843 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2844 felony of the second degree, punishable as provided in s.  
2845 775.082, s. 775.083, or s. 775.084.

2846           3. Any other controlled substance, except as lawfully sold,  
2847 manufactured, or delivered, must be sentenced to pay a \$500 fine  
2848 and to serve 100 hours of public service in addition to any  
2849 other penalty prescribed by law.

2850           (f) Except as authorized by this chapter, a person may not  
2851 sell, manufacture, or deliver, or possess with intent to sell,  
2852 manufacture, or deliver, a controlled substance in, on, or  
2853 within 1,000 feet of the real property comprising a public



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2854 housing facility at any time. As used in this section, the term  
2855 "real property comprising a public housing facility" means real  
2856 property, as defined in s. 421.03(12), of a public corporation  
2857 created as a housing authority pursuant to part I of chapter  
2858 421. A person who violates this paragraph with respect to:

2859 1. A controlled substance named or described in s.  
2860 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2861 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as  
2862 provided in s. 775.082, s. 775.083, or s. 775.084.

2863 2. A controlled substance named or described in s.  
2864 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,  
2865 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2866 felony of the second degree, punishable as provided in s.  
2867 775.082, s. 775.083, or s. 775.084.

2868 3. Any other controlled substance, except as lawfully sold,  
2869 manufactured, or delivered, must be sentenced to pay a \$500 fine  
2870 and to serve 100 hours of public service in addition to any  
2871 other penalty prescribed by law.

2872 (h) Except as authorized by this chapter, a person may not  
2873 sell, manufacture, or deliver, or possess with intent to sell,  
2874 manufacture, or deliver, a controlled substance in, on, or  
2875 within 1,000 feet of the real property comprising an assisted  
2876 living facility, as that term is used in chapter 429. A person  
2877 who violates this paragraph with respect to:

2878 1. A controlled substance named or described in s.  
2879 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2880 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as  
2881 provided in s. 775.082, s. 775.083, or s. 775.084.

2882 2. A controlled substance named or described in s.



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2883 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~ (2)(c)6.,  
2884 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2885 felony of the second degree, punishable as provided in s.  
2886 775.082, s. 775.083, or s. 775.084.

2887 3. Any other controlled substance, except as lawfully sold,  
2888 manufactured, or delivered, must be sentenced to pay a \$500 fine  
2889 and to serve 100 hours of public service in addition to any  
2890 other penalty prescribed by law.

2891 (2)(a) Except as authorized by this chapter and chapter  
2892 499, a person may not purchase, or possess with intent to  
2893 purchase, a controlled substance. A person who violates this  
2894 provision with respect to:

2895 1. A controlled substance named or described in s.  
2896 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2897 ~~(2)(c)4.~~ commits a felony of the second degree, punishable as  
2898 provided in s. 775.082, s. 775.083, or s. 775.084.

2899 2. A controlled substance named or described in s.  
2900 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~ (2)(c)6.,  
2901 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2902 felony of the third degree, punishable as provided in s.  
2903 775.082, s. 775.083, or s. 775.084.

2904 3. A controlled substance named or described in s.  
2905 893.03(5) commits a misdemeanor of the first degree, punishable  
2906 as provided in s. 775.082 or s. 775.083.

2907 (b) Except as provided in this chapter, a person may not  
2908 purchase more than 10 grams of any substance named or described  
2909 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any  
2910 mixture containing any such substance. A person who violates  
2911 this paragraph commits a felony of the first degree, punishable



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2912 as provided in s. 775.082, s. 775.083, or s. 775.084.

2913 (4) Except as authorized by this chapter, a person 18 years  
2914 of age or older may not deliver any controlled substance to a  
2915 person younger than 18 years of age, use or hire a person  
2916 younger than 18 years of age as an agent or employee in the sale  
2917 or delivery of such a substance, or use such person to assist in  
2918 avoiding detection or apprehension for a violation of this  
2919 chapter. A person who violates this subsection with respect to:

2920 (a) A controlled substance named or described in s.  
2921 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2922 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as  
2923 provided in s. 775.082, s. 775.083, or s. 775.084.

2924 (b) A controlled substance named or described in s.  
2925 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,  
2926 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2927 felony of the second degree, punishable as provided in s.  
2928 775.082, s. 775.083, or s. 775.084.

2929  
2930 Imposition of sentence may not be suspended or deferred, and the  
2931 person so convicted may not be placed on probation.

2932 (5) A person may not bring into this state any controlled  
2933 substance unless the possession of such controlled substance is  
2934 authorized by this chapter or unless such person is licensed to  
2935 do so by the appropriate federal agency. A person who violates  
2936 this provision with respect to:

2937 (a) A controlled substance named or described in s.  
2938 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.  
2939 ~~(2)(c)4.~~ commits a felony of the second degree, punishable as  
2940 provided in s. 775.082, s. 775.083, or s. 775.084.



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2941 (b) A controlled substance named or described in s.  
2942 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~, (2)(c)6.,  
2943 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a  
2944 felony of the third degree, punishable as provided in s.  
2945 775.082, s. 775.083, or s. 775.084.

2946 (c) A controlled substance named or described in s.  
2947 893.03(5) commits a misdemeanor of the first degree, punishable  
2948 as provided in s. 775.082 or s. 775.083.

2949 (7)

2950 (e) A person or health care practitioner who violates the  
2951 provisions of subparagraph (a)13. or paragraph (b) commits a  
2952 felony of the second ~~third~~ degree, punishable as provided in s.  
2953 775.082, s. 775.083, or s. 775.084, if any controlled substance  
2954 that is the subject of the offense is listed in Schedule II,  
2955 Schedule III, or Schedule IV.

2956 Section 15. Section 893.147, Florida Statutes, is amended,  
2957 to read:

2958 893.147 Use, possession, manufacture, delivery,  
2959 transportation, advertisement, or retail sale of drug  
2960 paraphernalia, specified machines, and materials.-

2961 (1) USE OR POSSESSION OF DRUG PARAPHERNALIA.-It is unlawful  
2962 for any person to use, or to possess with intent to use, drug  
2963 paraphernalia:

2964 (a) To plant, propagate, cultivate, grow, harvest,  
2965 manufacture, compound, convert, produce, process, prepare, test,  
2966 analyze, pack, repack, store, contain, or conceal a controlled  
2967 substance in violation of this chapter; or

2968 (b) To inject, ingest, inhale, or otherwise introduce into  
2969 the human body a controlled substance in violation of this



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2970 chapter.

2971

2972 Any person who violates this subsection is guilty of a  
2973 misdemeanor of the first degree, punishable as provided in s.  
2974 775.082 or s. 775.083.

2975 (2) MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA.—It is  
2976 unlawful for any person to deliver, possess with intent to  
2977 deliver, or manufacture with intent to deliver drug  
2978 paraphernalia, knowing, or under circumstances where one  
2979 reasonably should know, that it will be used:

2980 (a) To plant, propagate, cultivate, grow, harvest,  
2981 manufacture, compound, convert, produce, process, prepare, test,  
2982 analyze, pack, repack, store, contain, or conceal a controlled  
2983 substance in violation of this act; or

2984 (b) To inject, ingest, inhale, or otherwise introduce into  
2985 the human body a controlled substance in violation of this act.

2986

2987 Any person who violates this subsection is guilty of a felony of  
2988 the third degree, punishable as provided in s. 775.082, s.  
2989 775.083, or s. 775.084.

2990 (3) DELIVERY OF DRUG PARAPHERNALIA TO A MINOR.—

2991 (a) Any person 18 years of age or over who violates  
2992 subsection (2) by delivering drug paraphernalia to a person  
2993 under 18 years of age is guilty of a felony of the second  
2994 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
2995 775.084.

2996 (b) It is unlawful for any person to sell or otherwise  
2997 deliver hypodermic syringes, needles, or other objects which may  
2998 be used, are intended for use, or are designed for use in





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2999 parenterally injecting substances into the human body to any  
3000 person under 18 years of age, except that hypodermic syringes,  
3001 needles, or other such objects may be lawfully dispensed to a  
3002 person under 18 years of age by a licensed practitioner, parent,  
3003 or legal guardian or by a pharmacist pursuant to a valid  
3004 prescription for same. Any person who violates the provisions of  
3005 this paragraph is guilty of a misdemeanor of the first degree,  
3006 punishable as provided in s. 775.082 or s. 775.083.

3007 (4) TRANSPORTATION OF DRUG PARAPHERNALIA.—It is unlawful to  
3008 use, possess with the intent to use, or manufacture with the  
3009 intent to use drug paraphernalia, knowing or under circumstances  
3010 in which one reasonably should know that it will be used to  
3011 transport:

- 3012 (a) A controlled substance in violation of this chapter; or
- 3013 (b) Contraband as defined in s. 932.701(2)(a)1.

3014  
3015 Any person who violates this subsection commits a felony of the  
3016 third degree, punishable as provided in s. 775.082, s. 775.083,  
3017 or s. 775.084.

3018 (5) ADVERTISEMENT OF DRUG PARAPHERNALIA.—It is unlawful for  
3019 any person to place in any newspaper, magazine, handbill, or  
3020 other publication any advertisement, knowing, or under  
3021 circumstances where one reasonably should know, that the purpose  
3022 of the advertisement, in whole or in part, is to promote the  
3023 sale of objects designed or intended for use as drug  
3024 paraphernalia. Any person who violates this subsection is guilty  
3025 of a misdemeanor of the first degree, punishable as provided in  
3026 s. 775.082 or s. 775.083.

3027 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—



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3028 (a) It is unlawful for a person to knowingly and willfully  
3029 sell or offer for sale at retail any drug paraphernalia  
3030 described in s. 893.145(12)(a)-(c) or (g)-(m), other than a pipe  
3031 that is primarily made of briar, meerschaum, clay, or corn cob.

3032 (b) A person who violates paragraph (a) commits a  
3033 misdemeanor of the first degree, punishable as provided in s.  
3034 775.082 or s. 775.083, and, upon a second or subsequent  
3035 violation, commits a felony of the third degree, punishable as  
3036 provided in s. 775.082, s. 775.083, or s. 775.084.

3037 (7) TABLETING MACHINES, ENCAPSULATING MACHINES, AND  
3038 CONTROLLED SUBSTANCE COUNTERFEITING MATERIALS.-

3039 (a) Except as provided in paragraph (b), it is unlawful for  
3040 any person to possess, purchase, deliver, sell, or possess with  
3041 intent to sell or deliver a tableting machine, an encapsulating  
3042 machine, or controlled substance counterfeiting materials  
3043 knowing, intending, or having reasonable cause to believe that  
3044 it will be used to manufacture a controlled substance or  
3045 counterfeit controlled substance.

3046 (b)1. A regulated person may possess, purchase, deliver,  
3047 sell, or possess with intent to deliver or sell a tableting  
3048 machine or encapsulating machine as part of a regulated  
3049 transaction with a regular customer or regular importer if he or  
3050 she is in compliance with 21 U.S.C. s. 830. For purposes of this  
3051 paragraph, the terms "regulated person," "regulated  
3052 transaction," "regular customer," and "regular importer" have  
3053 the same meanings as provided in 21 U.S.C. s. 802.

3054 2. A person registered under 21 U.S.C. s. 822 may possess,  
3055 purchase, deliver, sell, or possess with intent to deliver or  
3056 sell a tableting machine or encapsulating machine to manufacture



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3057 a controlled substance pursuant to such registration.

3058 3. A person who holds an active, unencumbered license or a  
3059 permit under s. 381.986 or chapter 465 may possess, purchase,  
3060 deliver, sell, or possess with intent to sell or deliver a  
3061 tableting machine or encapsulating machine to manufacture a  
3062 controlled substance, if such person is performing functions in  
3063 compliance with or under the authority of that license or  
3064 permit.

3065 (c) For purposes of this subsection, the term:

3066 1. "Controlled substance" has the same meaning as provided  
3067 in s. 893.02(4).

3068 2. "Controlled substance counterfeiting material" means a  
3069 punch, die, plate, stone, or other item designed to print,  
3070 imprint, or reproduce the trademark, trade name, or other  
3071 identifying mark, imprint, or device of another or any likeness  
3072 of any of the foregoing upon a drug or container or labeling  
3073 thereof so as to render such drug a counterfeit controlled  
3074 substance.

3075 3. "Counterfeit controlled substance" has the same meaning  
3076 as provided in s. 831.31(2).

3077 4. "Encapsulating machine" means manual, semiautomatic, or  
3078 fully automatic equipment that can be used to fill shells or  
3079 capsules with powdered or granular solids or semisolid material  
3080 to produce coherent solid tablets.

3081 5. "Tableting machine" means manual, semiautomatic, or  
3082 fully automatic equipment that can be used to compact or mold  
3083 powdered or granular solids or semisolid material to produce  
3084 coherent solid tablets.

3085 (d)1. Except as provided in subparagraph 2., a person who



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3086 violates this subsection commits a felony of the third degree,  
3087 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3088 2. Any person who violates this subsection knowing,  
3089 intending, or having reasonable cause to believe that such  
3090 action will result in the unlawful manufacture of a controlled  
3091 substance or counterfeit controlled substance that contains:

3092 a. A substance controlled under s. 893.03(1);

3093 b. Cocaine, as described in s. 893.03(2)(a)4.;

3094 c. Opium or any synthetic or natural salt, compound,  
3095 derivative, or preparation of opium;

3096 d. Methadone;

3097 e. Alfentanil, as described in s. 893.03(2)(b)1.;

3098 f. Carfentanil, as described in s. 893.03(2)(b)6.;

3099 g. Fentanyl, as described in s. 893.03(2)(b)9.;

3100 h. Sufentanil, as described in s. 893.03(2)(b)30.; or

3101 i. A controlled substance analog, as described in s.

3102 893.0356, of any substance specified in sub-subparagraphs a.-h.,

3103  
3104 commits a felony of the second degree, punishable as provided in  
3105 s. 775.082, s. 775.083, or s. 775.084.

3106 Section 16. Effective January 1, 2019, paragraphs (pp) and  
3107 (qq) of subsection (1) of section 458.331, Florida Statutes, are  
3108 amended to read:

3109 458.331 Grounds for disciplinary action; action by the  
3110 board and department.-

3111 (1) The following acts constitute grounds for denial of a  
3112 license or disciplinary action, as specified in s. 456.072(2):

3113 (pp) Applicable to a licensee who serves as the designated  
3114 physician of a pain-management clinic as defined in s. 458.3265



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3115 or s. 459.0137:

3116 1. Registering a pain-management clinic through  
3117 misrepresentation or fraud;

3118 2. Procuring, or attempting to procure, the registration of  
3119 a pain-management clinic for any other person by making or  
3120 causing to be made, any false representation;

3121 3. Failing to comply with any requirement of chapter 499,  
3122 the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the  
3123 Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq.,  
3124 the Drug Abuse Prevention and Control Act; or chapter 893, the  
3125 Florida Comprehensive Drug Abuse Prevention and Control Act;

3126 4. Being convicted or found guilty of, regardless of  
3127 adjudication to, a felony or any other crime involving moral  
3128 turpitude, fraud, dishonesty, or deceit in any jurisdiction of  
3129 the courts of this state, of any other state, or of the United  
3130 States;

3131 5. Being convicted of, or disciplined by a regulatory  
3132 agency of the Federal Government or a regulatory agency of  
3133 another state for, any offense that would constitute a violation  
3134 of this chapter;

3135 6. Being convicted of, or entering a plea of guilty or nolo  
3136 contendere to, regardless of adjudication, a crime in any  
3137 jurisdiction of the courts of this state, of any other state, or  
3138 of the United States which relates to the practice of, or the  
3139 ability to practice, a licensed health care profession;

3140 7. Being convicted of, or entering a plea of guilty or nolo  
3141 contendere to, regardless of adjudication, a crime in any  
3142 jurisdiction of the courts of this state, of any other state, or  
3143 of the United States which relates to health care fraud;



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3144           8. Dispensing any medicinal drug based upon a communication  
3145 that purports to be a prescription as defined in s. 465.003(14)  
3146 or s. 893.02 if the dispensing practitioner knows or has reason  
3147 to believe that the purported prescription is not based upon a  
3148 valid practitioner-patient relationship; or

3149           9. Failing to timely notify the board of the date of his or  
3150 her termination from a pain-management clinic as required by s.  
3151 458.3265(3) ~~458.3265(2)~~.

3152           (qq) Failing to timely notify the department of the theft  
3153 of prescription blanks from a pain-management clinic or a breach  
3154 of other methods for prescribing within 24 hours as required by  
3155 s. 458.3265(3) ~~458.3265(2)~~.

3156           Section 17. Effective January 1, 2019, paragraphs (rr) and  
3157 (ss) of subsection (1) of section 459.015, Florida Statutes, are  
3158 amended to read:

3159           459.015 Grounds for disciplinary action; action by the  
3160 board and department.—

3161           (1) The following acts constitute grounds for denial of a  
3162 license or disciplinary action, as specified in s. 456.072(2):

3163           (rr) Applicable to a licensee who serves as the designated  
3164 physician of a pain-management clinic as defined in s. 458.3265  
3165 or s. 459.0137:

3166           1. Registering a pain-management clinic through  
3167 misrepresentation or fraud;

3168           2. Procuring, or attempting to procure, the registration of  
3169 a pain-management clinic for any other person by making or  
3170 causing to be made, any false representation;

3171           3. Failing to comply with any requirement of chapter 499,  
3172 the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the



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3173 Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq.,  
3174 the Drug Abuse Prevention and Control Act; or chapter 893, the  
3175 Florida Comprehensive Drug Abuse Prevention and Control Act;

3176 4. Being convicted or found guilty of, regardless of  
3177 adjudication to, a felony or any other crime involving moral  
3178 turpitude, fraud, dishonesty, or deceit in any jurisdiction of  
3179 the courts of this state, of any other state, or of the United  
3180 States;

3181 5. Being convicted of, or disciplined by a regulatory  
3182 agency of the Federal Government or a regulatory agency of  
3183 another state for, any offense that would constitute a violation  
3184 of this chapter;

3185 6. Being convicted of, or entering a plea of guilty or nolo  
3186 contendere to, regardless of adjudication, a crime in any  
3187 jurisdiction of the courts of this state, of any other state, or  
3188 of the United States which relates to the practice of, or the  
3189 ability to practice, a licensed health care profession;

3190 7. Being convicted of, or entering a plea of guilty or nolo  
3191 contendere to, regardless of adjudication, a crime in any  
3192 jurisdiction of the courts of this state, of any other state, or  
3193 of the United States which relates to health care fraud;

3194 8. Dispensing any medicinal drug based upon a communication  
3195 that purports to be a prescription as defined in s. 465.003(14)  
3196 or s. 893.02 if the dispensing practitioner knows or has reason  
3197 to believe that the purported prescription is not based upon a  
3198 valid practitioner-patient relationship; or

3199 9. Failing to timely notify the board of the date of his or  
3200 her termination from a pain-management clinic as required by s.  
3201 459.0137(3) ~~459.0137(2)~~.



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3202 (ss) Failing to timely notify the department of the theft  
3203 of prescription blanks from a pain-management clinic or a breach  
3204 of other methods for prescribing within 24 hours as required by  
3205 s. 459.0137(3) ~~459.0137(2)~~.

3206 Section 18. Paragraph (b) of subsection (4) of section  
3207 463.0055, Florida Statutes, is amended to read:

3208 463.0055 Administration and prescription of ocular  
3209 pharmaceutical agents.—

3210 (4) A certified optometrist shall be issued a prescriber  
3211 number by the board. Any prescription written by a certified  
3212 optometrist for an ocular pharmaceutical agent pursuant to this  
3213 section shall have the prescriber number printed thereon. A  
3214 certified optometrist may not administer or prescribe:

3215 (b) A controlled substance for the treatment of chronic  
3216 nonmalignant pain as defined in s. 456.44(1)(f) ~~456.44(1)(e)~~.

3217 Section 19. Paragraph (a) of subsection (1) of section  
3218 782.04, Florida Statutes, is amended to read:

3219 782.04 Murder.—

3220 (1) (a) The unlawful killing of a human being:

3221 1. When perpetrated from a premeditated design to effect  
3222 the death of the person killed or any human being;

3223 2. When committed by a person engaged in the perpetration  
3224 of, or in the attempt to perpetrate, any:

3225 a. Trafficking offense prohibited by s. 893.135(1),

3226 b. Arson,

3227 c. Sexual battery,

3228 d. Robbery,

3229 e. Burglary,

3230 f. Kidnapping,





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- 3231 g. Escape,  
3232 h. Aggravated child abuse,  
3233 i. Aggravated abuse of an elderly person or disabled adult,  
3234 j. Aircraft piracy,  
3235 k. Unlawful throwing, placing, or discharging of a  
3236 destructive device or bomb,  
3237 l. Carjacking,  
3238 m. Home-invasion robbery,  
3239 n. Aggravated stalking,  
3240 o. Murder of another human being,  
3241 p. Resisting an officer with violence to his or her person,  
3242 q. Aggravated fleeing or eluding with serious bodily injury  
3243 or death,  
3244 r. Felony that is an act of terrorism or is in furtherance  
3245 of an act of terrorism, including a felony under s. 775.30, s.  
3246 775.32, s. 775.33, s. 775.34, or s. 775.35, or  
3247 s. Human trafficking; or  
3248 3. Which resulted from the unlawful distribution by a  
3249 person 18 years of age or older of any of the following  
3250 substances, or mixture containing any of the following  
3251 substances, when such substance or mixture is proven to be the  
3252 proximate cause of the death of the user:  
3253 a. A substance controlled under s. 893.03(1);  
3254 b. Cocaine, as described in s. 893.03(2)(a)4.;  
3255 c. Opium or any synthetic or natural salt, compound,  
3256 derivative, or preparation of opium;  
3257 d. Methadone;  
3258 e. Alfentanil, as described in s. 893.03(2)(b)1.;  
3259 f. Carfentanil, as described in s. 893.03(2)(b)6.;



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3260 g. Fentanyl, as described in s. 893.03(2)(b)9.;

3261 h. Sufentanil, as described in s. 893.03(2)(b)30.

3262 ~~893.03(2)(b)29.~~; or

3263 i. A controlled substance analog, as described in s.

3264 893.0356, of any substance specified in sub-subparagraphs a.-h.,

3265

3266 is murder in the first degree and constitutes a capital felony,

3267 punishable as provided in s. 775.082.

3268 Section 20. Paragraphs (c) and (f) of subsection (1) of

3269 section 893.135, Florida Statutes, are amended to read:

3270 893.135 Trafficking; mandatory sentences; suspension or

3271 reduction of sentences; conspiracy to engage in trafficking.—

3272 (1) Except as authorized in this chapter or in chapter 499

3273 and notwithstanding the provisions of s. 893.13:

3274 (c)1. A person who knowingly sells, purchases,

3275 manufactures, delivers, or brings into this state, or who is

3276 knowingly in actual or constructive possession of, 4 grams or

3277 more of any morphine, opium, hydromorphone, or any salt,

3278 derivative, isomer, or salt of an isomer thereof, including

3279 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or

3280 (3)(c)4., or 4 grams or more of any mixture containing any such

3281 substance, but less than 30 kilograms of such substance or

3282 mixture, commits a felony of the first degree, which felony

3283 shall be known as "trafficking in illegal drugs," punishable as

3284 provided in s. 775.082, s. 775.083, or s. 775.084. If the

3285 quantity involved:

3286 a. Is 4 grams or more, but less than 14 grams, such person

3287 shall be sentenced to a mandatory minimum term of imprisonment

3288 of 3 years and shall be ordered to pay a fine of \$50,000.



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3289           b. Is 14 grams or more, but less than 28 grams, such person  
3290 shall be sentenced to a mandatory minimum term of imprisonment  
3291 of 15 years and shall be ordered to pay a fine of \$100,000.

3292           c. Is 28 grams or more, but less than 30 kilograms, such  
3293 person shall be sentenced to a mandatory minimum term of  
3294 imprisonment of 25 years and shall be ordered to pay a fine of  
3295 \$500,000.

3296           2. A person who knowingly sells, purchases, manufactures,  
3297 delivers, or brings into this state, or who is knowingly in  
3298 actual or constructive possession of, 14 grams or more of  
3299 hydrocodone, as described in s. 893.03(2)(a)1.k.

3300 ~~893.03(2)(a)1.j.~~, codeine, as described in s. 893.03(2)(a)1.g.,  
3301 or any salt thereof, or 14 grams or more of any mixture  
3302 containing any such substance, commits a felony of the first  
3303 degree, which felony shall be known as "trafficking in  
3304 hydrocodone," punishable as provided in s. 775.082, s. 775.083,  
3305 or s. 775.084. If the quantity involved:

3306           a. Is 14 grams or more, but less than 28 grams, such person  
3307 shall be sentenced to a mandatory minimum term of imprisonment  
3308 of 3 years and shall be ordered to pay a fine of \$50,000.

3309           b. Is 28 grams or more, but less than 50 grams, such person  
3310 shall be sentenced to a mandatory minimum term of imprisonment  
3311 of 7 years and shall be ordered to pay a fine of \$100,000.

3312           c. Is 50 grams or more, but less than 200 grams, such  
3313 person shall be sentenced to a mandatory minimum term of  
3314 imprisonment of 15 years and shall be ordered to pay a fine of  
3315 \$500,000.

3316           d. Is 200 grams or more, but less than 30 kilograms, such  
3317 person shall be sentenced to a mandatory minimum term of



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3318 imprisonment of 25 years and shall be ordered to pay a fine of  
3319 \$750,000.

3320         3. A person who knowingly sells, purchases, manufactures,  
3321 delivers, or brings into this state, or who is knowingly in  
3322 actual or constructive possession of, 7 grams or more of  
3323 oxycodone, as described in s. 893.03(2)(a)1.g. ~~893.03(2)(a)1.e.~~,  
3324 or any salt thereof, or 7 grams or more of any mixture  
3325 containing any such substance, commits a felony of the first  
3326 degree, which felony shall be known as "trafficking in  
3327 oxycodone," punishable as provided in s. 775.082, s. 775.083, or  
3328 s. 775.084. If the quantity involved:

3329             a. Is 7 grams or more, but less than 14 grams, such person  
3330 shall be sentenced to a mandatory minimum term of imprisonment  
3331 of 3 years and shall be ordered to pay a fine of \$50,000.

3332             b. Is 14 grams or more, but less than 25 grams, such person  
3333 shall be sentenced to a mandatory minimum term of imprisonment  
3334 of 7 years and shall be ordered to pay a fine of \$100,000.

3335             c. Is 25 grams or more, but less than 100 grams, such  
3336 person shall be sentenced to a mandatory minimum term of  
3337 imprisonment of 15 years and shall be ordered to pay a fine of  
3338 \$500,000.

3339             d. Is 100 grams or more, but less than 30 kilograms, such  
3340 person shall be sentenced to a mandatory minimum term of  
3341 imprisonment of 25 years and shall be ordered to pay a fine of  
3342 \$750,000.

3343         4.a. A person who knowingly sells, purchases, manufactures,  
3344 delivers, or brings into this state, or who is knowingly in  
3345 actual or constructive possession of, 4 grams or more of:

3346             (I) Alfentanil, as described in s. 893.03(2)(b)1.;



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3347 (II) Carfentanil, as described in s. 893.03(2)(b)6.;

3348 (III) Fentanyl, as described in s. 893.03(2)(b)9.;

3349 (IV) Sufentanil, as described in s. 893.03(2)(b)30.

3350 ~~893.03(2)(b)29.~~;

3351 (V) A fentanyl derivative, as described in s.

3352 893.03(1)(a)62.;

3353 (VI) A controlled substance analog, as described in s.

3354 893.0356, of any substance described in sub-sub-subparagraphs

3355 (I)-(V); or

3356 (VII) A mixture containing any substance described in sub-

3357 sub-subparagraphs (I)-(VI),

3358

3359 commits a felony of the first degree, which felony shall be

3360 known as "trafficking in fentanyl," punishable as provided in s.

3361 775.082, s. 775.083, or s. 775.084.

3362 b. If the quantity involved under sub-subparagraph a.:

3363 (I) Is 4 grams or more, but less than 14 grams, such person

3364 shall be sentenced to a mandatory minimum term of imprisonment

3365 of 3 years, and shall be ordered to pay a fine of \$50,000.

3366 (II) Is 14 grams or more, but less than 28 grams, such

3367 person shall be sentenced to a mandatory minimum term of

3368 imprisonment of 15 years, and shall be ordered to pay a fine of

3369 \$100,000.

3370 (III) Is 28 grams or more, such person shall be sentenced

3371 to a mandatory minimum term of imprisonment of 25 years, and

3372 shall be ordered to pay a fine of \$500,000.

3373 5. A person who knowingly sells, purchases, manufactures,

3374 delivers, or brings into this state, or who is knowingly in

3375 actual or constructive possession of, 30 kilograms or more of



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3376 any morphine, opium, oxycodone, hydrocodone, codeine,  
3377 hydromorphone, or any salt, derivative, isomer, or salt of an  
3378 isomer thereof, including heroin, as described in s.  
3379 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or  
3380 more of any mixture containing any such substance, commits the  
3381 first degree felony of trafficking in illegal drugs. A person  
3382 who has been convicted of the first degree felony of trafficking  
3383 in illegal drugs under this subparagraph shall be punished by  
3384 life imprisonment and is ineligible for any form of  
3385 discretionary early release except pardon or executive clemency  
3386 or conditional medical release under s. 947.149. However, if the  
3387 court determines that, in addition to committing any act  
3388 specified in this paragraph:

3389       a. The person intentionally killed an individual or  
3390 counseled, commanded, induced, procured, or caused the  
3391 intentional killing of an individual and such killing was the  
3392 result; or

3393       b. The person's conduct in committing that act led to a  
3394 natural, though not inevitable, lethal result,  
3395  
3396 such person commits the capital felony of trafficking in illegal  
3397 drugs, punishable as provided in ss. 775.082 and 921.142. A  
3398 person sentenced for a capital felony under this paragraph shall  
3399 also be sentenced to pay the maximum fine provided under  
3400 subparagraph 1.

3401       6. A person who knowingly brings into this state 60  
3402 kilograms or more of any morphine, opium, oxycodone,  
3403 hydrocodone, codeine, hydromorphone, or any salt, derivative,  
3404 isomer, or salt of an isomer thereof, including heroin, as



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3405 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or  
3406 60 kilograms or more of any mixture containing any such  
3407 substance, and who knows that the probable result of such  
3408 importation would be the death of a person, commits capital  
3409 importation of illegal drugs, a capital felony punishable as  
3410 provided in ss. 775.082 and 921.142. A person sentenced for a  
3411 capital felony under this paragraph shall also be sentenced to  
3412 pay the maximum fine provided under subparagraph 1.

3413 (f)1. Any person who knowingly sells, purchases,  
3414 manufactures, delivers, or brings into this state, or who is  
3415 knowingly in actual or constructive possession of, 14 grams or  
3416 more of amphetamine, as described in s. 893.03(2)(c)2., or  
3417 methamphetamine, as described in s. 893.03(2)(c)5.  
3418 ~~893.03(2)(c)4.~~, or of any mixture containing amphetamine or  
3419 methamphetamine, or phenylacetone, phenylacetic acid,  
3420 pseudoephedrine, or ephedrine in conjunction with other  
3421 chemicals and equipment utilized in the manufacture of  
3422 amphetamine or methamphetamine, commits a felony of the first  
3423 degree, which felony shall be known as "trafficking in  
3424 amphetamine," punishable as provided in s. 775.082, s. 775.083,  
3425 or s. 775.084. If the quantity involved:

3426 a. Is 14 grams or more, but less than 28 grams, such person  
3427 shall be sentenced to a mandatory minimum term of imprisonment  
3428 of 3 years, and the defendant shall be ordered to pay a fine of  
3429 \$50,000.

3430 b. Is 28 grams or more, but less than 200 grams, such  
3431 person shall be sentenced to a mandatory minimum term of  
3432 imprisonment of 7 years, and the defendant shall be ordered to  
3433 pay a fine of \$100,000.



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3434 c. Is 200 grams or more, such person shall be sentenced to  
3435 a mandatory minimum term of imprisonment of 15 calendar years  
3436 and pay a fine of \$250,000.

3437 2. Any person who knowingly manufactures or brings into  
3438 this state 400 grams or more of amphetamine, as described in s.  
3439 893.03(2)(c)2., or methamphetamine, as described in s.  
3440 893.03(2)(c)5. ~~893.03(2)(e)4.~~, or of any mixture containing  
3441 amphetamine or methamphetamine, or phenylacetone, phenylacetic  
3442 acid, pseudoephedrine, or ephedrine in conjunction with other  
3443 chemicals and equipment used in the manufacture of amphetamine  
3444 or methamphetamine, and who knows that the probable result of  
3445 such manufacture or importation would be the death of any person  
3446 commits capital manufacture or importation of amphetamine, a  
3447 capital felony punishable as provided in ss. 775.082 and  
3448 921.142. Any person sentenced for a capital felony under this  
3449 paragraph shall also be sentenced to pay the maximum fine  
3450 provided under subparagraph 1.

3451 Section 21. Paragraphs (b) through (e) and (g) of  
3452 subsection (3) of section 921.0022, Florida Statutes, are  
3453 amended to read:

3454 921.0022 Criminal Punishment Code; offense severity ranking  
3455 chart.—

3456 (3) OFFENSE SEVERITY RANKING CHART

3457 (b) LEVEL 2

3458

3459

Florida Statute	Felony Degree	Description
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3460





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3461	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
3462	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
3463	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
3464	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
3465	590.28 (1)	3rd	Intentional burning of lands.
3466	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.



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3467	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
3468	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
3469	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
3470	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
3471	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
3472	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
3473	817.234(1)(a)2.	3rd	False statement in support of



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			insurance claim.
3474	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
3475	817.52(3)	3rd	Failure to redeliver hired vehicle.
3476	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
3477	817.60(5)	3rd	Dealing in credit cards of another.
3478	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
3479	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
3480	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
3481	831.01	3rd	Forgery.



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3482	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
3483	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
3484	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
3485	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
3486	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
3487	832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
3488	843.08	3rd	False personation.
3489	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., <del>(2)(e)5.</del> , (2)(c)6., (2)(c)7., (2)(c)8.,



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(2)(c)9., (2)(c)10., (3), or  
(4) drugs other than cannabis.

3490

893.147(2) 3rd Manufacture or delivery of drug  
paraphernalia.

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3495 (c) LEVEL 3

3496

3497

Florida Statute	Felony Degree	Description
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3498

119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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3499

316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
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3500

316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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3501

316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
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3502



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3503	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
3504	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
3505	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
3506	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
3507	327.35(2)(b)	3rd	Felony BUI.
3508	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
3509	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the



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3510

379.2431                      3rd      Inland Protection Trust Fund.  
(1) (e) 5.                      Taking, disturbing, mutilating,  
destroying, causing to be  
destroyed, transferring,  
selling, offering to sell,  
molesting, or harassing marine  
turtles, marine turtle eggs, or  
marine turtle nests in  
violation of the Marine Turtle  
Protection Act.

3511

379.2431                      3rd      Possessing any marine turtle  
(1) (e) 6.                      species or hatchling, or parts  
thereof, or the nest of any  
marine turtle species described  
in the Marine Turtle Protection  
Act.

3512

379.2431                      3rd      Soliciting to commit or  
(1) (e) 7.                      conspiring to commit a  
violation of the Marine Turtle  
Protection Act.

3513

400.9935 (4) (a)              3rd      Operating a clinic, or offering  
or (b)                              services requiring licensure,  
without a license.

3514

400.9935 (4) (e)              3rd      Filing a false license



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3515			application or other required information or failing to report information.
3516	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
3517	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
3518	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
3519	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
3520	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
3521	697.08	3rd	Equity skimming.
	790.15(3)	3rd	Person directs another to discharge firearm from a





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3522			vehicle.
	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
3523			
	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
3524			
	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
3525			
	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
3526			
	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
3527			
	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
3528			
	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.



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3529	817.233	3rd	Burning to defraud insurer.
3530	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
3531	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
3532	817.236	3rd	Filing a false motor vehicle insurance application.
3533	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
3534	817.413 (2)	3rd	Sale of used goods as new.
3535	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
3536	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.



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3537	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
3538	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
3539	843.19	3rd	Injure, disable, or kill police dog or horse.
3540	860.15 (3)	3rd	Overcharging for repairs and parts.
3541	870.01 (2)	3rd	Riot; inciting or encouraging.
3542	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., <del>(2) (c) 5.</del> , (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or (4) drugs).
3543	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., <del>(2) (c) 5.</del> , (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or



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3544

893.13(1)(f)2.

2nd

(4) drugs within 1,000 feet of university.

Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~, (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.

3545

893.13(4)(c)

3rd

Use or hire of minor; deliver to minor other controlled substances.

3546

893.13(6)(a)

3rd

Possession of any controlled substance other than felony possession of cannabis.

3547

893.13(7)(a)8.

3rd

Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

3548

893.13(7)(a)9.

3rd

Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

3549



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- 3550 893.13(7)(a)10. 3rd Affix false or forged label to package of controlled substance.
- 3551 893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.
- 3552 893.13(8)(a)1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
- 3553 893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
- 3554 893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.



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3555 893.13(8)(a)4. 3rd Write a prescription for a  
controlled substance for a  
patient, other person, or an  
animal if the sole purpose of  
writing the prescription is a  
monetary benefit for the  
practitioner.

3556 918.13(1)(a) 3rd Alter, destroy, or conceal  
investigation evidence.

3557 944.47 3rd Introduce contraband to  
(1)(a)1. & 2. correctional facility.

3558 944.47(1)(c) 2nd Possess contraband while upon  
the grounds of a correctional  
institution.

3559 985.721 3rd Escapes from a juvenile  
3560 facility (secure detention or  
3561 residential commitment  
3562 facility).

3563 (d) LEVEL 4

3564



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	Florida Statute	Felony Degree	Description
3565	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
3566	499.0051 (1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
3567	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
3568	517.07 (1)	3rd	Failure to register securities.
3569	517.12 (1)	3rd	Failure of dealer, associated person, or



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			issuer of securities to register.
3570	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
3571	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
3572	784.075	3rd	Battery on detention or commitment facility staff.
3573	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
3574	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
3575	784.081 (3)	3rd	Battery on specified official or employee.
3576	784.082 (3)	3rd	Battery by detained person on visitor or





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3577			other detainee.
	784.083 (3)	3rd	Battery on code inspector.
3578			
	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
3579			
	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
3580			
	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
3581			
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.



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3582	787.07	3rd	Human smuggling.
3583	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
3584	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
3585	790.115 (2) (c)	3rd	Possessing firearm on school property.
3586	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
3587	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
3588	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance;



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3589			unarmed; no assault or battery.
3590	810.06	3rd	Burglary; possession of tools.
3591	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
3592	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
3593	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
3594	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
3595	817.505 (4) (a)	3rd	Patient brokering.
	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding



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3596			s. 893.03(5) drugs.
	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
3597			
	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
3598			
	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
3599			
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
3600			
	837.02 (1)	3rd	Perjury in official proceedings.
3601			
	837.021 (1)	3rd	Make contradictory statements in official proceedings.
3602			
	838.022	3rd	Official misconduct.



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3603	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
3604	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Families.
3605	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
3606	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
3607	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
3608	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less



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3609	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
3610	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> <del>(2) (c) 4.</del> drugs).
3611	914.14 (2)	3rd	Witnesses accepting bribes.
3612	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
3613	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
3614	918.12	3rd	Tampering with jurors.
3615	934.215	3rd	Use of two-way communications device to facilitate commission of



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a crime.

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(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.

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379.365(2)(c)1.           3rd    Violation of rules relating to:  
willful molestation of stone  
crab traps, lines, or buoys;  
illegal bartering, trading, or  
sale, conspiring or aiding in  
such barter, trade, or sale, or  
supplying, agreeing to supply,  
aiding in supplying, or giving  
away stone crab trap tags or  
certificates; making, altering,  
forging, counterfeiting, or  
reproducing stone crab trap  
tags; possession of forged,  
counterfeit, or imitation stone  
crab trap tags; and engaging in  
the commercial harvest of stone  
crabs while license is  
suspended or revoked.

3630

379.367(4)               3rd    Willful molestation of a  
commercial harvester's spiny  
lobster trap, line, or buoy.

3631

379.407(5)(b)3.       3rd    Possession of 100 or more  
undersized spiny lobsters.

3632

381.0041(11)(b)       3rd    Donate blood, plasma, or organs  
knowing HIV positive.





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3633	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
3634	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
3635	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
3636	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
3637	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
3638	790.01 (2)	3rd	Carrying a concealed firearm.
3639	790.162	2nd	Threat to throw or discharge destructive device.
3640	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass



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			destruction, or use of firearms in violent manner.
3641	790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
3642	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
3643	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
3644	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
3645	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
3646	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
3647	812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.



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3648	812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
3649	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
3650	812.131(2)(b)	3rd	Robbery by sudden snatching.
3651	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
3652	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
3653	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
3654	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
3655	817.568(2)(b)	2nd	Fraudulent use of personal identification information;



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			value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
3656	817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
3657	817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
3658	825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
3659	827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
3660	827.071(5)	3rd	Possess, control, or intentionally view any photographic material, motion



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3661			picture, etc., which includes sexual conduct by a child.
	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
3662			
	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
3663			
	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
3664			
	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
3665			
	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
3666			
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
3667			



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- 3668 874.05 (2) (a) 2nd Encouraging or recruiting person under 13 years of age to join a criminal gang.
- 3669 893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. ~~(2) (c) 4.~~ drugs).
- 3670 893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., ~~(2) (c) 5.~~ (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
- 3670 893.13 (1) (d) 1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. ~~(2) (c) 4.~~ drugs) within 1,000 feet of university.



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3671

893.13(1)(e)2.            2nd    Sell, manufacture, or deliver  
cannabis or other drug  
prohibited under s.  
893.03(1)(c), (2)(c)1.,  
(2)(c)2., (2)(c)3., ~~(2)(c)5.~~,  
(2)(c)6., (2)(c)7., (2)(c)8.,  
(2)(c)9., (2)(c)10., (3), or  
(4) within 1,000 feet of  
property used for religious  
services or a specified  
business site.

3672

893.13(1)(f)1.           1st    Sell, manufacture, or deliver  
cocaine (or other s.  
893.03(1)(a), (1)(b), (1)(d),  
or (2)(a), (2)(b), or (2)(c)5.  
~~(2)(c)4.~~ drugs) within 1,000  
feet of public housing  
facility.

3673

893.13(4)(b)            2nd    Use or hire of minor; deliver  
to minor other controlled  
substance.

3674

893.1351(1)            3rd    Ownership, lease, or rental for  
trafficking in or manufacturing  
of controlled substance.

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(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.





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3686	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
3687	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
3688	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
3689	456.065 (2)	3rd	Practicing a health care profession without a license.
3690	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
3691	458.327 (1)	3rd	Practicing medicine without a license.
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.



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3692	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
3693	461.012 (1)	3rd	Practicing podiatric medicine without a license.
3694	462.17	3rd	Practicing naturopathy without a license.
3695	463.015 (1)	3rd	Practicing optometry without a license.
3696	464.016 (1)	3rd	Practicing nursing without a license.
3697	465.015 (2)	3rd	Practicing pharmacy without a license.
3698	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
3699	467.201	3rd	Practicing midwifery without a license.
3700	468.366	3rd	Delivering respiratory



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3701			care services without a license.
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
3702			
	483.901 (7)	3rd	Practicing medical physics without a license.
3703			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
3704			
	484.053	3rd	Dispensing hearing aids without a license.
3705			
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
3706			
	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money



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3707	560.125 (5) (a)	3rd	services business. Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
3708	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
3709	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
3710	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
3711	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.



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3712	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
3713	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
3714	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
3715	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
3716	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
3717			



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3718	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
3719	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
3720	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
3721	784.048 (7)	3rd	Aggravated stalking; violation of court order.
3722	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
3723	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
3724	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
3725	784.081 (1)	1st	Aggravated battery on specified official or employee.



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3726	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
3727	784.083 (1)	1st	Aggravated battery on code inspector.
3728	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
3729	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
3730	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
3731	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax



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3732			bomb.
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
3733			
	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
3734			
	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
3735			
	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
3736			
	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a





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3737	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
3738	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
3739	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
3740	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
3741	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction



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3742			for specified sex offense.
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
3743			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
3744			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
3745			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
3746			
	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
3747			
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.



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3748	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
3749	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
3750	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
3751	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
3752	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
3753	812.131 (2) (a)	2nd	Robbery by sudden snatching.
3754	812.133 (2) (b)	1st	Carjacking; no firearm,



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3755			deadly weapon, or other weapon.
	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
3756			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
3757			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
3758			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
3759			
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
3760			
	817.535 (2) (a)	3rd	Filing false lien or other



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3761			unauthorized document.
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
3762			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
3763			
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
3764			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
3765			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
3766			



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3767	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
3768	838.015	2nd	Bribery.
3769	838.016	2nd	Unlawful compensation or reward for official behavior.
3770	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
3771	838.22	2nd	Bid tampering.
3772	843.0855 (2)	3rd	Impersonation of a public officer or employee.
3773	843.0855 (3)	3rd	Unlawful simulation of legal process.
3774	843.0855 (4)	3rd	Intimidation of a public officer or employee.
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.



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3775	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
3776	872.06	2nd	Abuse of a dead human body.
3777	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
3778	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
3779	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or <u>(2)(c)5.</u> <del>(2)(c)4.</del> ) within 1,000 feet of a child care facility, school, or state, county, or



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3780	893.13 (1) (e) 1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> <del>(2) (c) 4.</del> , within 1,000 feet of property used for religious services or a specified business site.
3781	893.13 (4) (a)	1st	Use or hire of minor; deliver to minor other controlled substance.
3782	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
3783	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
3784	893.135	1st	Trafficking in illegal





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3785	(1) (c) 1.a.		drugs, more than 4 grams, less than 14 grams.
	893.135	1st	Trafficking in
	(1) (c) 2.a.		hydrocodone, 14 grams or more, less than 28 grams.
3786			
	893.135	1st	Trafficking in
	(1) (c) 2.b.		hydrocodone, 28 grams or more, less than 50 grams.
3787			
	893.135	1st	Trafficking in oxycodone,
	(1) (c) 3.a.		7 grams or more, less than 14 grams.
3788			
	893.135	1st	Trafficking in oxycodone,
	(1) (c) 3.b.		14 grams or more, less than 25 grams.
3789			
	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14 grams.
3790			
	893.135	1st	Trafficking in
	(1) (d) 1.a.		phencyclidine, 28 grams or more, less than 200 grams.
3791			
	893.135 (1) (e) 1.	1st	Trafficking in
			methaqualone, 200 grams or



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			more, less than 5 kilograms.
3792	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
3793	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
3794	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
3795	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
3796	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
3797	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.



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3798	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
3799	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
3800	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
3801	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
3802	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
3803	943.0435 (4) (c)	2nd	Sexual offender vacating



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3804	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
3805	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
3806	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3807	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
3808	944.607 (9)	3rd	Sexual offender; failure to comply with reporting



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3809			requirements.
	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
3810			
	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3811			
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
3812			
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
3813			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3814			





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3838           3. \$2,360,000 for naltrexone extended-release injectable.  
3839           (2) The recurring sum of \$6 million from the General  
3840 Revenue Fund is appropriated to the Office of the State Courts  
3841 Administrator for treatment of substance abuse disorders in  
3842 individuals involved in the criminal justice system, individuals  
3843 who have a high likelihood of becoming involved in the criminal  
3844 justice system, or individuals who are in court-ordered,  
3845 community-based drug treatment. The Office of the State Courts  
3846 Administrator shall use the funds to contract with a nonprofit  
3847 entity for the purpose of distributing the medication. The  
3848 Office of the State Courts Administrator shall make available  
3849 the following drugs:  
3850           (a) \$600,000 for methadone;  
3851           (b) \$2.4 million for buprenorphine; and  
3852           (c) \$3 million for naltrexone extended-release injectable.  
3853           (3) The recurring sum of \$5 million from the General  
3854 Revenue Fund is appropriated to the Department of Health for the  
3855 purchase of naloxone to be made available to emergency  
3856 responders.  
3857           (4) The sums of \$873,089 in recurring funds and \$117,700 in  
3858 nonrecurring funds are appropriated from the Medical Quality  
3859 Assurance Trust Fund to the Department of Health for  
3860 improvements to the Prescription Drug Monitoring Program system.  
3861           Section 23. Except as otherwise expressly provided in this  
3862 act, this act shall take effect July 1, 2018.

3864 ===== T I T L E   A M E N D M E N T =====

3865 And the title is amended as follows:

3866           Delete everything before the enacting clause



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3867 and insert:

3868                   A bill to be entitled  
3869           An act relating to controlled substances; amending s.  
3870           409.967, F.S.; prohibiting managed care plans and  
3871           their fiscal agents or intermediaries from imposing  
3872           certain requirements or conditions on recipients as a  
3873           prerequisite to receiving medication-assisted  
3874           treatment (MAT) services to treat substance abuse  
3875           disorders; creating s. 456.0301, F.S.; requiring  
3876           certain boards to require certain registered  
3877           practitioners to complete a specified board-approved  
3878           continuing education course to obtain authorization to  
3879           prescribe controlled substances as part of biennial  
3880           license renewal and before a specified date; providing  
3881           course requirements; providing that the course may be  
3882           offered in a distance learning format and requiring  
3883           that it be included within required continuing  
3884           education hours; prohibiting the Department of Health  
3885           from renewing the license of a prescriber under  
3886           specified circumstances; specifying a deadline for  
3887           course completion; providing an exception from the  
3888           course requirements for certain licensees; requiring  
3889           such licensees to submit confirmation of course  
3890           completion; authorizing certain boards to adopt rules;  
3891           amending s. 456.072, F.S.; authorizing disciplinary  
3892           action against practitioners for violating specified  
3893           provisions relating to controlled substances; amending  
3894           s. 456.44, F.S.; defining the term "acute pain";  
3895           requiring the applicable boards to adopt rules





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3896 establishing certain guidelines for prescribing  
3897 controlled substances for acute pain; providing that  
3898 the failure of a prescriber to follow specified  
3899 guidelines is grounds for disciplinary action;  
3900 limiting opioid drug prescriptions for the treatment  
3901 of acute pain to a specified period under certain  
3902 circumstances; authorizing such prescriptions for an  
3903 extended period if specified requirements are met;  
3904 requiring a prescriber who prescribes an opioid drug  
3905 for the treatment of pain other than acute pain to  
3906 include a specific indication on the prescription;  
3907 requiring a prescriber who prescribes an opioid drug  
3908 for the treatment of pain related to a traumatic  
3909 injury with a specified Injury Severity Score to  
3910 concurrently prescribe an emergency opioid antagonist;  
3911 amending ss. 458.3265 and 459.0137, F.S.; requiring  
3912 pain management clinics to register with the  
3913 department or hold a valid certificate of exemption;  
3914 requiring certain clinics to apply to the department  
3915 for a certificate of exemption; providing requirements  
3916 for such certificates; requiring the department to  
3917 adopt rules necessary to administer such exemptions;  
3918 amending s. 465.0155, F.S.; providing requirements for  
3919 pharmacists for the dispensing of controlled  
3920 substances to persons not known to them; defining the  
3921 term "proper identification"; amending s. 465.0276,  
3922 F.S.; prohibiting the dispensing of certain controlled  
3923 substances in an amount that exceeds a 3-day supply  
3924 unless certain criteria are met; providing an



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3925 exception for the dispensing of certain controlled  
3926 substances by a practitioner to the practitioner's own  
3927 patients for the medication-assisted treatment of  
3928 opiate addiction; providing requirements for  
3929 practitioners for the dispensing of controlled  
3930 substances to persons not known to them; defining the  
3931 term "proper identification"; amending s. 627.42392,  
3932 F.S.; prohibiting a health insurer from imposing  
3933 certain requirements or conditions on insureds as a  
3934 prerequisite to receiving MAT services to treat  
3935 substance abuse disorders; amending s. 893.03, F.S.;  
3936 correcting a cross-reference; conforming the state  
3937 controlled substances schedule to the federal  
3938 controlled substances schedule; amending s. 893.04,  
3939 F.S.; authorizing a pharmacist to dispense controlled  
3940 substances upon receipt of an electronic prescription  
3941 if certain conditions are met; amending s. 893.055,  
3942 F.S.; revising and providing definitions; revising  
3943 requirements for the prescription drug monitoring  
3944 program; authorizing rulemaking; requiring dispensers  
3945 to report information to the department for each  
3946 controlled substance dispensed; providing  
3947 applicability; requiring the department to maintain an  
3948 electronic system for certain purposes which meets  
3949 specified requirements; requiring certain information  
3950 to be reported to the system by a specified time;  
3951 specifying direct access to system information;  
3952 authorizing the department to enter into reciprocal  
3953 agreements or contracts to share prescription drug



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3954 monitoring information with certain entities;  
3955 providing requirements for such agreements;  
3956 authorizing the department to enter into agreements or  
3957 contracts for secure connections with practitioner  
3958 electronic systems; requiring specified persons to  
3959 consult the system for certain purposes within a  
3960 specified time; providing exceptions to the duty of  
3961 specified persons to consult the system under certain  
3962 circumstances; requiring the department to issue  
3963 citations to prescribers or dispensers who fail to  
3964 meet specified requirements relating to consulting the  
3965 system; requiring the department refer such  
3966 noncompliance to the appropriate board; prohibiting a  
3967 person from failing to report the dispensing of a  
3968 controlled substance when required to do so;  
3969 specifying penalties; authorizing the department to  
3970 enter into agreements or contracts for specified  
3971 purposes; providing for the release of information  
3972 obtained by the system; allowing specified persons to  
3973 have direct access to information for the purpose of  
3974 reviewing the controlled drug prescription history of  
3975 a patient; providing prescriber or dispenser immunity  
3976 from liability for review of patient history when  
3977 acting in good faith; providing construction;  
3978 prohibiting the department from specified uses of  
3979 funds; requiring the department to conduct or  
3980 participate in studies for specified purposes;  
3981 requiring an annual report to be submitted to the  
3982 Governor and Legislature by a specified date;



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3983 providing report requirements; authorizing the  
3984 department to establish a certain direct-support  
3985 organization for specified purposes; defining the term  
3986 "direct-support organization"; requiring a direct-  
3987 support organization to operate under written contract  
3988 with the department; providing contract requirements;  
3989 requiring the direct-support organization to obtain  
3990 written approval from the department for specified  
3991 purposes; providing for an independent annual  
3992 financial audit by the direct-support organization;  
3993 providing that copies of such audit be provided to  
3994 specified entities; authorizing the department to  
3995 adopt certain rules relating to resources used by the  
3996 direct-support organization; providing for future  
3997 repeal of provisions relating to the direct-support  
3998 organization; requiring the department to adopt rules  
3999 to implement the system; amending s. 893.0551, F.S.;  
4000 revising provisions concerning the release of  
4001 information held by the prescription drug monitoring  
4002 program; amending s. 893.13, F.S.; correcting cross-  
4003 references; increasing the severity of a felony for a  
4004 health care practitioner who provides or a person who  
4005 obtains certain controlled substances that are not  
4006 medically necessary under certain circumstances;  
4007 amending s. 893.147, F.S.; prohibiting any person from  
4008 possessing, purchasing, delivering, selling, or  
4009 possessing with intent to sell or deliver a tableting  
4010 machine, an encapsulating machine, or controlled  
4011 substance counterfeiting materials with knowledge,



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4012 intent, or reasonable cause to believe that it will be  
4013 used to manufacture a controlled substance or  
4014 counterfeit controlled substance; providing an  
4015 exception for persons who meet certain criteria;  
4016 defining terms; providing criminal penalties for  
4017 persons who violate specified provisions relating to  
4018 tableting machines, encapsulating machines, and  
4019 controlled substance counterfeiting materials;  
4020 amending ss. 458.331, 459.015, 463.0055, 782.04,  
4021 893.135, and 921.0022, F.S.; correcting cross-  
4022 references; conforming provisions to changes made by  
4023 the act; providing appropriations; providing effective  
4024 dates.