

ENROLLED

HB 743

2020 Legislature

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An act relating to nonopioid alternatives; amending s. 456.44, F.S.; revising a requirement for certain health care practitioners to inform a patient or the patient's representative of nonopioid alternatives before prescribing or ordering an opioid drug; providing an effective date.

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

Section 1. Paragraph (c) of subsection (7) of section 456.44, Florida Statutes, is amended to read:

456.44 Controlled substance prescribing.—

(7) NONOPIOID ALTERNATIVES.—

(c) Except when in the provision of a patient is receiving care in a hospital critical care unit or emergency department or a patient is receiving hospice services under s. 400.6095 services and care, as defined in s. 395.002, before providing care requiring the administration of anesthesia involving the use of an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812, or prescribing or ordering or prescribing, ordering, dispensing, or administering an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812 for the treatment of pain, a health care practitioner who prescribes or orders an opioid

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26 | ~~drug, excluding those licensed under chapter 465,~~ must:

27 | 1. Inform the patient or the patient's representative of
 28 | available nonopioid alternatives for the treatment of pain,
 29 | which may include nonopioid medicinal drugs or drug products,
 30 | interventional procedures or treatments, acupuncture,
 31 | chiropractic treatments, massage therapy, physical therapy,
 32 | occupational therapy, or any other appropriate therapy as
 33 | determined by the health care practitioner.

34 | 2. Discuss with the patient or the patient's
 35 | representative the advantages and disadvantages of the use of
 36 | nonopioid alternatives, including whether the patient is at a
 37 | high risk of, or has a history of, controlled substance abuse or
 38 | misuse and the patient's personal preferences.

39 | 3. Provide the patient or the patient's representative
 40 | with a printed copy of the educational pamphlet described in
 41 | paragraph (b).

42 | 4. Document the nonopioid alternatives considered in the
 43 | patient's record.

44 | Section 2. This act shall take effect July 1, 2020.