

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/HB 249 — Drug Overdoses

by Health and Human Services Committee; Health Quality Subcommittee; and Reps. Rommel, Lee and others (CS/CS/CS/SB 588 by Rules Committee; Criminal Justice Committee; Health Policy Committee; and Senator Passidomo)

The bill requires hospitals with emergency departments to develop best practice policies that focus upon the prevention of unintentional drug overdoses. The bill defines “overdose” and provides parameters for the contents of a hospital’s overdose prevention policy.

The bill authorizes the voluntary reporting of a suspected or actual overdose of a controlled substance to the Department of Health (DOH) by basic and advanced life support service providers that treat and release, or transport, a person in response to an emergency call. If a report is made, it must contain specified demographic information, whether an emergency opioid antagonist was administered, whether the overdose was fatal or non-fatal, and the suspected controlled substances involved, if permitted by the reporting mechanism. Reporters must use best efforts to make the report within 120 hours.

The DOH must make the data received available to law enforcement, public health, fire rescue, and EMS agencies in each county within 120 hours after receipt. The DOH must provide quarterly, summarized reports, to the Statewide Drug Policy Advisory Council, the Department of Children and Families, and the Florida Fusion Center, which may be used to maximize the utilization of funding programs for licensed basic and advanced life support service providers, and to disseminate available federal, state and, private funds for local substance abuse treatment services.

The bill provides that no new cause of action is created by requiring hospitals with emergency departments to develop policies to promote the prevention of unintentional overdoses. A reporter is also exempt from civil or criminal liability for reporting, if the report is made in good faith. The bill provides that failing to make a report is not grounds for licensure discipline.

If approved by the Governor, these provisions take effect October 1, 2017.

Vote: Senate 37-0; House 117-0