

THE FLORIDA SENATE
2020 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/HB 177 — Prescription Drug Donation Repository Program

by Health Care Appropriations Subcommittee and Rep. Yarborough and others (CS/SB 58 by Health Policy Committee; and Senators Book, Harrell, Stewart, and Cruz)

The bill creates the Prescription Drug Donation Repository Program (program) within the Department of Health (DOH) to facilitate the donation and distribution of prescription drugs and supplies to eligible patients in the state. The program:

- Enables Florida residents with valid prescriptions who are indigent, uninsured, or underinsured to receive donated prescription drugs and supplies under the program;
- Specifies a list of entities that may donate prescription drugs or medical devices to the program if the entities meet certain criteria, including nursing homes, hospices, hospitals, pharmacies, drug manufacturers or wholesale distributors, medical device manufacturers or suppliers, and prescribers who receive drugs or supplies directly from a manufacturer, distributor, or pharmacy;
- Requires donated prescription drugs to be approved for medical use in the U.S., be in unopened, tamper-evident packaging, and have an expiration date that is more than three months after the date of donation. Prescription drugs eligible under the program do not include controlled substances, cancer drugs, or drugs with an approved USDA risk evaluation and mitigation strategy that includes elements to assure safe use;
- Limits dispensing of prescription drugs under the program to persons who are licensed, registered, or otherwise permitted by state law;
- Authorizes health care practitioners' offices, pharmacies, hospitals, and nursing home facilities with closed drug delivery systems, and certain free clinics or nonprofit health clinics, to participate in the program as repositories. A repository may accept and dispense eligible donations to eligible patients under the program;
- Provides inspection, inventory, storage, dispensing, recordkeeping, and reporting requirements for repositories;
- Requires the DOH to maintain and publish on its website registries of all participating facilities and available donated drugs and supplies; and
- Requires the DOH to adopt rules necessary to implement the program.

The bill authorizes the Governor to waive the patient eligibility requirements of the program during a declared state of emergency.

If approved by the Governor, these provisions take effect July 1, 2020.

Vote: Senate 38-0; House 118-0