

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/HB 751 — Emergency Treatment for Opioid Overdose

by Civil Justice Subcommittee; and Reps. Gonzalez, Stevenson, and others (CS/CS/SB 758 by Appropriations Committee; Health Policy Committee; and Senator Evers)

The bill establishes the “Emergency Treatment and Recovery Act” (Act). The Act encourages the prescription of opioid antagonists by authorized health care practitioners for the emergency treatment of known or suspected opioid overdoses when a health care practitioner is not available.

The bill authorizes health care practitioners to prescribe and dispense opioid antagonists to patients, caregivers, and first responders. A caregiver is defined as a family member, friend, or a person in a position to have recurring contact with a person at risk of experiencing an opioid overdose.

Pharmacists are authorized to dispense an appropriately labeled opioid antagonist based on a prescription that has been issued in the name of a patient or caregiver. The patient or caregiver may store and possess a dispensed opioid antagonist for later administration, when a physician is not available, to a person he or she believes in good faith to be experiencing an opioid overdose, regardless of whether that person has a prescription for an opioid antagonist.

Emergency responders, including but not limited to, law enforcement officers, paramedics, and emergency medical technicians are authorized to possess, store, and administer emergency opioid antagonists as clinically indicated.

Civil liability protection is extended to any person, including health care practitioners, pharmacists, and first responders who possess, administer, or store an approved opioid antagonist in accordance with the Act. A health care practitioner acting in good faith and exercising reasonable care is not subject to discipline under the applicable professional licensure statute and is also immune from civil or criminal liability for prescribing or dispensing an opioid antagonist in accordance with the Act.

This Act does not create a duty or standard of care for a person to prescribe or administer an opioid antagonist.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 118-1