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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/09/2010	.	
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The Committee on Health Regulation (Bennett) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 303 and 304  
insert:

(8) After the prescription drug monitoring system has been operational for 18 months, the State Surgeon General shall enter into reciprocal agreements for the sharing of prescription drug monitoring information with any other state or states that have compatible prescription drug monitoring programs. If the State Surgeon General evaluates the prescription drug monitoring program of another state as authorized in this subsection, priority shall be given to a state that is contiguous with the



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13 borders of this state.

14 (a) In determining compatibility, the State Surgeon General  
15 shall consider:

16 1. The essential purposes of the program and the success of  
17 the program in fulfilling those purposes.

18 2. The safeguards for privacy of patient records and the  
19 success of the program in protecting patient privacy.

20 3. The persons authorized to view the data collected by the  
21 program.

22 4. The schedules of the controlled substances monitored.

23 5. The data required to be submitted on each prescription.

24 6. Any implementation criteria deemed essential for a  
25 thorough comparison.

26 (b) The State Surgeon General shall review any agreement on  
27 an annual basis to determine its continued compatibility with  
28 the prescription drug monitoring program in this state.

29 (c) Any agreement between the State Surgeon General and  
30 another state shall prohibit the sharing of information about a  
31 resident of this state or a practitioner, pharmacist, or other  
32 prescriber for any purposes not otherwise authorized by this  
33 section or s. 893.0551.

34 Section 2. Present subsections (4) through (6) of section  
35 893.0551, Florida Statutes, are redesignated as subsections (5)  
36 through (7), respectively, a new subsection (4) is added to that  
37 section, to read:

38 (4) The department may disclose confidential and exempt  
39 information contained in records held by the department under s.  
40 893.055, if the State Surgeon General has entered into a  
41 reciprocal agreement for the sharing of prescription drug



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42 monitoring information with any other state that has compatible  
43 prescription drug monitoring programs, under s. 893.055(8).

44  
45 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

46 And the directory clause is amended as follows:

47 Delete lines 43 - 44

48 and insert:

49 Section 1. Present subsections (8) through (16) of section  
50 893.055, Florida Statutes, are redesignated as subsections (9)  
51 through (17), respectively, a new subsection (8) is added to  
52 that section, and present subsections (2), (3), (5), and (7) of  
53 that section are amended, to read:

54  
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete line 39

58 and insert:

59 program database; authorizing the State Surgeon  
60 General to enter into agreements with other states to  
61 exchange prescription drug monitoring information  
62 after a specified conditions are met; providing  
63 factors for considering such agreements; limiting the  
64 purposes for which information may be shared under  
65 such agreements; amending s. 893.0551, F.S.; authoring  
66 the disclosure of information in the prescription drug  
67 monitoring program under certain conditions; providing  
68 an effective date.