

HB 1167

2012

1 A bill to be entitled
2 An act relating to the prescription drug monitoring
3 program; amending s. 893.055, F.S.; providing that
4 when a controlled substance listed as a Schedule II
5 substance is dispensed or released, in addition to
6 other identification procedures, a fingerprint may be
7 collected; providing exceptions; conforming
8 provisions; providing an effective date.

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

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12 Section 1. Subsection (14) of section 893.055, Florida
13 Statutes, is amended to read:

14 893.055 Prescription drug monitoring program.—

15 (14) (a) A pharmacist, pharmacy, or dispensing health care
16 practitioner or his or her agent, before releasing a controlled
17 substance to any person not known to such dispenser, shall
18 require the person purchasing, receiving, or otherwise acquiring
19 the controlled substance to present valid photographic
20 identification or other verification of his or her identity to
21 the dispenser. If the person does not have proper
22 identification, the dispenser may verify the validity of the
23 prescription and the identity of the patient with the prescriber
24 or his or her authorized agent. Verification of health plan
25 eligibility through a real-time inquiry or adjudication system
26 will be considered to be proper identification. ~~This subsection~~
27 ~~does not apply in an institutional setting or to a long-term~~
28 ~~care facility, including, but not limited to, an assisted living~~

HB 1167

2012

29 ~~facility or a hospital to which patients are admitted.~~ As used
30 in this paragraph subsection, the term "proper identification"
31 means an identification that is issued by a state or the Federal
32 Government containing the person's photograph, printed name, and
33 signature or a document considered acceptable under 8 C.F.R. s.
34 274a.2(b)(1)(v)(A) and (B).

35 (b) When a controlled substance listed as a Schedule II
36 substance under s. 893.03 is dispensed or released, in addition
37 to the identification procedures in paragraph (a), the
38 pharmacist, pharmacy, or dispensing health care practitioner or
39 his or her agent may obtain from the person receiving the
40 controlled substance a right thumbprint or a fingerprint from
41 another digit if the person has no right thumb.

42 (c) This subsection does not apply in an institutional
43 setting or to a long-term care facility, including, but not
44 limited to, an assisted living facility or hospital to which
45 patients are admitted.

46 Section 2. This act shall take effect July 1, 2012.