

CS/CS/HB 831

2013

1 A bill to be entitled
2 An act relating to controlled substance prescription;
3 amending s. 893.055, F.S.; reducing the number of days
4 within which a dispenser must report to the Department
5 of Health that a controlled substance has been
6 dispensed; removing a prohibition against certain
7 funding by prescription drug manufacturers; providing
8 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. Subsections (4) and (10) of section 893.055,
13 Florida Statutes, are amended to read:

14 893.055 Prescription drug monitoring program.—

15 (4) Each time a controlled substance is dispensed to an
16 individual, the controlled substance shall be reported to the
17 department through the system as soon thereafter as possible,
18 but not more than 2 7 days after the date the controlled
19 substance is dispensed unless an extension is approved by the
20 department for cause as determined by rule. A dispenser must
21 meet the reporting requirements of this section by providing the
22 required information concerning each controlled substance that
23 it dispensed in a department-approved, secure methodology and
24 format. Such approved formats may include, but are not limited
25 to, submission via the Internet, on a disc, or by use of regular
26 mail.

27 (10) All costs incurred by the department in administering
28 the prescription drug monitoring program shall be funded through

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29 federal grants or private funding applied for or received by the
30 state. The department may not commit funds for the monitoring
31 program without ensuring funding is available. The prescription
32 drug monitoring program and the implementation thereof are
33 contingent upon receipt of the nonstate funding. The department
34 and state government shall cooperate with the direct-support
35 organization established pursuant to subsection (11) in seeking
36 federal grant funds, other nonstate grant funds, gifts,
37 donations, or other private moneys for the department so long as
38 the costs of doing so are not considered material. Nonmaterial
39 costs for this purpose include, but are not limited to, the
40 costs of mailing and personnel assigned to research or apply for
41 a grant. Notwithstanding the exemptions to competitive-
42 solicitation requirements under s. 287.057(3)(f), the department
43 shall comply with the competitive-solicitation requirements
44 under s. 287.057 for the procurement of any goods or services
45 required by this section. ~~Funds provided, directly or~~
46 ~~indirectly, by prescription drug manufacturers may not be used~~
47 ~~to implement the program.~~

48 Section 2. This act shall take effect July 1, 2013.