



314864

LEGISLATIVE ACTION

Senate	.	House
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Senator Grimsley moved the following:

Senate Amendment (with title amendment)

Between lines 3831 and 3832

insert:

Section 86. Paragraph (b) of subsection (2), subsection (10), and paragraph (c) of subsection (11) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(2)

(b) The department, ~~when the direct support organization receives at least \$20,000 in nonstate moneys or the state receives at least \$20,000 in federal grants for the prescription drug monitoring program,~~ shall adopt rules as necessary



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14 concerning the reporting, accessing the database, evaluation,
15 management, development, implementation, operation, security,
16 and storage of information within the system, including rules
17 for when patient advisory reports are provided to pharmacies and
18 prescribers. The patient advisory report shall be provided in
19 accordance with s. 893.13(7)(a)8. The department shall work with
20 the professional health care licensure boards, such as the Board
21 of Medicine, the Board of Osteopathic Medicine, and the Board of
22 Pharmacy; other appropriate organizations, such as the Florida
23 Pharmacy Association, the Florida Medical Association, the
24 Florida Retail Federation, and the Florida Osteopathic Medical
25 Association, including those relating to pain management; and
26 the Attorney General, the Department of Law Enforcement, and the
27 Agency for Health Care Administration to develop rules
28 appropriate for the prescription drug monitoring program.

29 (10) All costs incurred by the department in administering
30 the prescription drug monitoring program shall be funded through
31 state funds, federal grants, or private funding applied for or
32 received by the state. The department may not commit funds for
33 the monitoring program without ensuring funding is available.
34 ~~The prescription drug monitoring program and the implementation~~
35 ~~thereof are contingent upon receipt of the nonstate funding.~~ The
36 department and state government shall cooperate with the direct-
37 support organization established pursuant to subsection (11) in
38 seeking state funds, federal grant funds, other nonstate grant
39 funds, gifts, donations, or other private moneys for the
40 department if so long as the costs of doing so are not
41 considered material. Nonmaterial costs for this purpose include,
42 but are not limited to, the costs of mailing and personnel



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43 assigned to research or apply for a grant. Notwithstanding the
44 exemptions to competitive-solicitation requirements under s.
45 287.057(3)(f), the department shall comply with the competitive-
46 solicitation requirements under s. 287.057 for the procurement
47 of any goods or services required by this section. ~~Funds~~
48 ~~provided, directly or indirectly, by prescription drug~~
49 ~~manufacturers may not be used to implement the program.~~

50 (11) The department may establish a direct-support
51 organization that has a board consisting of at least five
52 members to provide assistance, funding, and promotional support
53 for the activities authorized for the prescription drug
54 monitoring program.

55 (c) The State Surgeon General shall appoint a board of
56 directors for the direct-support organization. Members of the
57 board shall serve at the pleasure of the State Surgeon General.
58 The State Surgeon General shall provide guidance to members of
59 the board to ensure that moneys received by the direct-support
60 organization are not received from inappropriate sources.
61 Inappropriate sources include, but are not limited to, donors,
62 grantors, persons, ~~or~~ organizations, or pharmaceutical
63 companies, that may monetarily or substantively benefit from the
64 purchase of goods or services by the department in furtherance
65 of the prescription drug monitoring program.

66
67 ===== T I T L E A M E N D M E N T =====

68 And the title is amended as follows:

69 Delete line 354

70 and insert:

71 conform to changes made by the act; amending s.



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72 893.055, F.S.; deleting obsolete provisions; deleting
73 a provision that prohibits funds from prescription
74 drug manufacturers to be used to implement the
75 prescription drug monitoring program; authorizing the
76 prescription drug monitoring program to be funded by
77 state funds; revising the sources of money which are
78 inappropriate for the direct-support organization of
79 the prescription drug monitoring program to receive;
80 creating s.