



761094

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2015	.	
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The Committee on Appropriations (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Emergency Treatment and Recovery Act."

Section 2. Section 381.887, Florida Statutes, is created to read:

381.887 Emergency treatment for suspected opioid overdose.—

(1) As used in this section, the term:



11 (a) "Administer" or "administration" means to introduce an
12 emergency opioid antagonist into the body of a person.

13 (b) "Authorized health care practitioner" means a licensed
14 practitioner authorized by the laws of the state to prescribe
15 drugs.

16 (c) "Caregiver" means a family member, friend, or person in
17 a position to have recurring contact with a person at risk of
18 experiencing an opioid overdose.

19 (d) "Emergency opioid antagonist" means naloxone
20 hydrochloride or any similarly acting drug that blocks the
21 effects of opioids administered from outside the body and that
22 is approved by the United States Food and Drug Administration
23 for the treatment of an opioid overdose.

24 (e) "Patient" means a person at risk of experiencing an
25 opioid overdose.

26 (2) The purpose of this section is to provide for the
27 prescription of an emergency opioid antagonist to patients and
28 caregivers and to encourage the prescription of emergency opioid
29 antagonists by authorized health care practitioners.

30 (3) An authorized health care practitioner may prescribe an
31 emergency opioid antagonist to a patient or caregiver for use in
32 accordance with this section, and pharmacists may dispense an
33 emergency opioid antagonist pursuant to a prescription issued in
34 the name of the patient or caregiver, appropriately labeled with
35 instructions for use. Such patient or caregiver is authorized to
36 store and possess approved emergency opioid antagonists and, in
37 an emergency situation when a physician is not immediately
38 available, administer the emergency opioid antagonist to a
39 person believed in good faith to be experiencing an opioid



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40 overdose, regardless of whether that person has a prescription
41 for an emergency opioid antagonist.

42 (4) Emergency responders, including, but not limited to,
43 law enforcement officers, paramedics, and emergency medical
44 technicians, are authorized to possess, store, and administer
45 emergency opioid antagonists as clinically indicated.

46 (5) A person, including, but not limited to, an authorized
47 health care practitioner, a dispensing health care practitioner,
48 or a pharmacist, who possesses, administers, prescribes,
49 dispenses, or stores an approved emergency opioid antagonist in
50 compliance with this section and s. 768.13 is afforded the civil
51 liability immunity protections provided under s. 768.13.

52 (6) (a) An authorized health care practitioner, acting in
53 good faith, is not subject to discipline or other adverse action
54 under any professional licensure statute or rule and is immune
55 from any civil or criminal liability as a result of prescribing
56 an opioid antagonist in accordance with this section.

57 (b) A dispensing health care practitioner or pharmacist,
58 acting in good faith, is not subject to discipline or other
59 adverse action under any professional licensure statute or rule
60 and is immune from any civil or criminal liability as a result
61 of dispensing an opioid antagonist in accordance with this
62 section.

63 (7) This section does not limit any existing immunities for
64 emergency responders or others provided under this chapter or
65 any other applicable provision of law.

66 Section 3. This act shall take effect upon becoming a law.

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



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69 And the title is amended as follows:

70 Delete everything before the enacting clause
71 and insert:

72 A bill to be entitled

73 An act relating to emergency treatment for opioid
74 overdose; providing a short title; creating s.
75 381.887, F.S.; providing definitions; providing
76 purpose; authorizing certain health care practitioners
77 to prescribe an emergency opioid antagonist to a
78 patient or caregiver under certain conditions;
79 authorizing pharmacists to dispense an emergency
80 opioid antagonist under certain circumstances;
81 authorizing storage, possession, and administration of
82 an emergency opioid antagonist by such patient or
83 caregiver and certain emergency responders; providing
84 immunity from liability; providing immunity from
85 professional sanction or disciplinary action for
86 certain health care practitioners and pharmacists,
87 under certain circumstances; providing applicability;
88 providing an effective date.