

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health Quality
2 Subcommittee

3 Representative Rommel offered the following:

4
5
6
7
8
9
10
11
12
13
14
15
16

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. (1) The Legislature finds that substance abuse and drug overdose is a major health problem that affects the lives of many people, multiple service systems, and leads to such profoundly disturbing consequences as permanent injury or death. Heroin, opiates, illegal drug, and accidental overdoses are a crisis and stress the financial, health care, and public safety resources because there exist no central databases that can quickly help address this problem. Quick data collection will allow all agencies to focus on specific age groups, areas, criminal behavior, and needed public education and prevention

Amendment No.

17 with the maximum utilization of resources. Further, it is the
18 intent of the Legislature to require the collaboration of local,
19 regional, and state agencies, service systems, and program
20 offices to address the needs of the public; to establish a
21 comprehensive system addressing the problems associated with
22 drug overdoses; and to reduce duplicative requirements across
23 local, county, state, and health care agencies.

24 (2) It is the goal of the Legislature in this act to:

25 (a) Discourage substance abuse and accidental or
26 intentional overdoses by quickly identifying the type of drug
27 involved, whether prescription or illegal, the age of the
28 individual involved, and the areas where drug overdoses pose a
29 potential risk to the public, schools, workplaces, and
30 communities.

31 (b) Provide a central data point so that data can be
32 shared between the health care community and municipal, county,
33 and state agencies to quickly identify needs and provide short
34 and long term solutions while protecting and respecting the
35 rights of individuals.

36 (3) It is the intent of the Legislature in this act to
37 maximize:

38 (a) The efficiency of financial, public education, health
39 professional, and public safety resources so that these
40 resources may be concentrated on areas and groups in need.

Amendment No.

41 (b) The utilization of funding programs for the
42 dissemination of available federal, state, and private funds
43 through contractual agreements with licensed basic life support
44 service providers, advanced life support service providers,
45 community-based organizations, or units of state or local
46 government that deliver local substance abuse services in
47 accordance with the intent of this section and s. 397.321(4),
48 Florida Statutes.

49 Section 2. Section 401.25, Florida Statutes, is created to
50 read:

51 401.253 Mandatory reporting of controlled substance
52 overdoses.—

53 (1)(a) The basic life support service or advanced life
54 support service which treats and releases, or transports to a
55 medical facility, in response to an emergency call for a
56 suspected or actual overdose of a controlled substance shall
57 report such incident within 120 hours to the department,
58 utilizing the Emergency Medical Service Tracking and Reporting
59 System, or other appropriate method, including, but not limited
60 to, ESSENCE, the Washington/Baltimore High Intensity Drug
61 Trafficking Overdose Detection Mapping Application Program, or
62 other program identified by the department in rule.

63 (b) The data collected by the Department of Health shall
64 be made available within 120 hours to law enforcement, public
65 health, fire rescue, and EMS agencies in each county.

Amendment No.

66 (c) For purposes of this section, the term "overdose"
67 means a condition, including, but not limited to, extreme
68 physical illness, decreased level of consciousness, respiratory
69 depression, coma, or death resulting from the consumption or use
70 of any controlled substance that requires medical attention,
71 assistance or treatment, and clinical suspicion for drug
72 overdose, such as respiratory depression, unconsciousness, or
73 altered mental status, without other conditions to explain the
74 clinical condition.

75 (2) A person who reports an overdose of a controlled
76 substance under this section shall include in the report:

77 (a) The date and time of overdose.

78 (b) The gender and approximate age of the person receiving
79 attention or treatment.

80 (c) The suspected controlled substances involved in the
81 overdose.

82 (d) The approximate address of where the person was picked
83 up or where the overdose took place.

84 (e) Whether Narcan, naloxone, or similar anti-overdose
85 treatment was administered.

86 (f) Whether the overdose was fatal or non-fatal.

87 (3) A person who reports information to or from the
88 department pursuant to this section in good faith is not subject
89 to civil or criminal liability for making the report.

Amendment No.

90 (4) The Department of Health shall produce a quarterly
 91 report to the Statewide Drug Policy Advisory Council, the
 92 Department of Children and Families, and the Florida FUSION
 93 Center summarizing the raw data received pursuant to this
 94 section. Such reports shall also be made immediately available
 95 to the county-level agencies described in paragraph (1)(b). The
 96 Statewide Drug Policy Advisory Council, the Department of
 97 Children and Families, and the Department of Health may use
 98 these reports to maximize the utilization of funding programs
 99 for licensed basic life support service providers or advanced
 100 life support service providers, and for the dissemination of
 101 available federal, state, and private funds for local substance
 102 abuse services in accordance with s. 397.321(4).

103 Section 3. This act shall take effect October 1, 2017.

104
 105 -----
 106 **T I T L E A M E N D M E N T**

107 Remove everything before the enacting clause and insert:
 108 An act relating to drug overdoses; providing legislative
 109 findings and intent; creating s. 401.253, F.S.; requiring
 110 certain persons to report controlled substance overdoses;
 111 defining the term "overdose"; providing requirements for such
 112 reports; providing immunity for persons who make such reports in
 113 good faith; requiring sharing of data with specified entities;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 249 (2017)

Amendment No.

114 providing for use of such data; requiring maintenance of records
115 for a specified period; providing an effective date.