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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/06/2018 05:31 PM

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Senator Benacquisto moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (c) of subsection (2) of section
409.967, Florida Statutes, is amended to read:

409.967 Managed care plan accountability.—

(2) The agency shall establish such contract requirements
as are necessary for the operation of the statewide managed care
program. In addition to any other provisions the agency may deem
necessary, the contract must require:



305924

12 (c) *Access.*—

13 1. The agency shall establish specific standards for the
14 number, type, and regional distribution of providers in managed
15 care plan networks to ensure access to care for both adults and
16 children. Each plan must maintain a regionwide network of
17 providers in sufficient numbers to meet the access standards for
18 specific medical services for all recipients enrolled in the
19 plan. The exclusive use of mail-order pharmacies may not be
20 sufficient to meet network access standards. Consistent with the
21 standards established by the agency, provider networks may
22 include providers located outside the region. A plan may
23 contract with a new hospital facility before the date the
24 hospital becomes operational if the hospital has commenced
25 construction, will be licensed and operational by January 1,
26 2013, and a final order has issued in any civil or
27 administrative challenge. Each plan shall establish and maintain
28 an accurate and complete electronic database of contracted
29 providers, including information about licensure or
30 registration, locations and hours of operation, specialty
31 credentials and other certifications, specific performance
32 indicators, and such other information as the agency deems
33 necessary. The database must be available online to both the
34 agency and the public and have the capability to compare the
35 availability of providers to network adequacy standards and to
36 accept and display feedback from each provider's patients. Each
37 plan shall submit quarterly reports to the agency identifying
38 the number of enrollees assigned to each primary care provider.

39 2. Each managed care plan must publish any prescribed drug
40 formulary or preferred drug list on the plan's website in a



305924

41 manner that is accessible to and searchable by enrollees and
42 providers. The plan must update the list within 24 hours after
43 making a change. Each plan must ensure that the prior
44 authorization process for prescribed drugs is readily accessible
45 to health care providers, including posting appropriate contact
46 information on its website and providing timely responses to
47 providers. For Medicaid recipients diagnosed with hemophilia who
48 have been prescribed anti-hemophilic-factor replacement
49 products, the agency shall provide for those products and
50 hemophilia overlay services through the agency's hemophilia
51 disease management program.

52 3. Managed care plans, and their fiscal agents or
53 intermediaries, must accept prior authorization requests for any
54 service electronically.

55 4. Managed care plans, and their fiscal agents or
56 intermediaries, may not implement, manage, or require a prior
57 authorization process or step therapy procedures and may not
58 impose any other conditions on recipients as a prerequisite to
59 receiving medication-assisted treatment (MAT) services, as
60 defined in s. 397.311, to treat substance abuse disorders.

61 5. Managed care plans serving children in the care and
62 custody of the Department of Children and Families must maintain
63 complete medical, dental, and behavioral health encounter
64 information and participate in making such information available
65 to the department or the applicable contracted community-based
66 care lead agency for use in providing comprehensive and
67 coordinated case management. The agency and the department shall
68 establish an interagency agreement to provide guidance for the
69 format, confidentiality, recipient, scope, and method of



305924

70 information to be made available and the deadlines for
71 submission of the data. The scope of information available to
72 the department shall be the data that managed care plans are
73 required to submit to the agency. The agency shall determine the
74 plan's compliance with standards for access to medical, dental,
75 and behavioral health services; the use of medications; and
76 followup on all medically necessary services recommended as a
77 result of early and periodic screening, diagnosis, and
78 treatment.

79 Section 2. Section 456.0301, Florida Statutes, is created
80 to read:

81 456.0301 Requirement for instruction on controlled
82 substance prescribing.-

83 (1) (a) The appropriate board shall require each person
84 registered with the United States Drug Enforcement
85 Administration and authorized to prescribe controlled substances
86 pursuant to 21 U.S.C. s. 822 to complete a board-approved 2-hour
87 continuing education course on prescribing controlled substances
88 offered by a statewide professional association of physicians in
89 this state that is accredited to provide educational activities
90 designated for the American Medical Association Physician's
91 Recognition Award Category 1 Credit or the American Osteopathic
92 Category 1-A continuing medical education credit as part of
93 biennial license renewal. The course must include information on
94 the current standards for prescribing controlled substances,
95 particularly opiates; alternatives to these standards;
96 nonpharmacological therapies; prescribing emergency opioid
97 antagonists; and the risks of opioid addiction following all
98 stages of treatment in the management of acute pain. The course



305924

99 may be offered in a distance learning format and must be
100 included within the number of continuing education hours
101 required by law. The department may not renew the license of any
102 prescriber registered with the United States Drug Enforcement
103 Administration to prescribe controlled substances who has failed
104 to complete the course. The course must be completed by January
105 31, 2019, and at each subsequent renewal. This paragraph does
106 not apply to a licensee who is required by his or her applicable
107 practice act to complete a minimum of 2 hours of continuing
108 education on the safe and effective prescribing of controlled
109 substances.

110 (b) Each practitioner required to complete the course
111 required in paragraph (a) shall submit confirmation of having
112 completed such course when applying for biennial license
113 renewal.

114 (c) Each licensing board that requires a licensee to
115 complete an educational course pursuant to this subsection must
116 include the hours required for completion of the course in the
117 total hours of continuing education required by law for such
118 profession unless the continuing education requirements for such
119 profession consist of fewer than 30 hours biennially.

120 (2) Each board may adopt rules to administer this section.

121 Section 3. Paragraph (gg) of subsection (1) of section
122 456.072, Florida Statutes, is amended to read:

123 456.072 Grounds for discipline; penalties; enforcement.—

124 (1) The following acts shall constitute grounds for which
125 the disciplinary actions specified in subsection (2) may be
126 taken:

127 (gg) Engaging in a pattern of practice when prescribing



305924

128 medicinal drugs or controlled substances which demonstrates a
129 lack of reasonable skill or safety to patients, a violation of
130 ~~any provision of this chapter~~ or ss. 893.055 and 893.0551, a
131 violation of the applicable practice act, or a violation of any
132 rules adopted under this chapter or the applicable practice act
133 of the prescribing practitioner. Notwithstanding s. 456.073(13),
134 the department may initiate an investigation and establish such
135 a pattern from billing records, data, or any other information
136 obtained by the department.

137 Section 4. Paragraphs (a) through (g) of subsection (1) of
138 section 456.44, Florida Statutes, are redesignated as paragraphs
139 (b) through (h), respectively, a new paragraph (a) is added to
140 that subsection, subsection (3) of that section is amended, and
141 subsections (4), (5), and (6) are added to that section, to
142 read:

143 456.44 Controlled substance prescribing.—

144 (1) DEFINITIONS.—As used in this section, the term:

145 (a) "Acute pain" means the normal, predicted,
146 physiological, and time-limited response to an adverse chemical,
147 thermal, or mechanical stimulus associated with surgery, trauma,
148 or acute illness. The term does not include pain related to:

149 1. Cancer.

150 2. A terminal condition. For purposes of this subparagraph,
151 the term "terminal condition" means a progressive disease or
152 medical or surgical condition that causes significant functional
153 impairment, is not considered by a treating physician to be
154 reversible without the administration of life-sustaining
155 procedures, and will result in death within 1 year after
156 diagnosis if the condition runs its normal course.



305924

157 3. Palliative care to provide relief of symptoms related to
158 an incurable, progressive illness or injury.

159 4. A traumatic injury with an Injury Severity Score of 9 or
160 greater.

161 (3) STANDARDS OF PRACTICE FOR TREATMENT OF CHRONIC
162 NONMALIGNANT PAIN.—The standards of practice in this section do
163 not supersede the level of care, skill, and treatment recognized
164 in general law related to health care licensure.

165 (a) A complete medical history and a physical examination
166 must be conducted before beginning any treatment and must be
167 documented in the medical record. The exact components of the
168 physical examination shall be left to the judgment of the
169 registrant who is expected to perform a physical examination
170 proportionate to the diagnosis that justifies a treatment. The
171 medical record must, at a minimum, document the nature and
172 intensity of the pain, current and past treatments for pain,
173 underlying or coexisting diseases or conditions, the effect of
174 the pain on physical and psychological function, a review of
175 previous medical records, previous diagnostic studies, and
176 history of alcohol and substance abuse. The medical record shall
177 also document the presence of one or more recognized medical
178 indications for the use of a controlled substance. Each
179 registrant must develop a written plan for assessing each
180 patient's risk of aberrant drug-related behavior, which may
181 include patient drug testing. Registrants must assess each
182 patient's risk for aberrant drug-related behavior and monitor
183 that risk on an ongoing basis in accordance with the plan.

184 (b) Each registrant must develop a written individualized
185 treatment plan for each patient. The treatment plan shall state



305924

186 objectives that will be used to determine treatment success,
187 such as pain relief and improved physical and psychosocial
188 function, and shall indicate if any further diagnostic
189 evaluations or other treatments are planned. After treatment
190 begins, the registrant shall adjust drug therapy to the
191 individual medical needs of each patient. Other treatment
192 modalities, including a rehabilitation program, shall be
193 considered depending on the etiology of the pain and the extent
194 to which the pain is associated with physical and psychosocial
195 impairment. The interdisciplinary nature of the treatment plan
196 shall be documented.

197 (c) The registrant shall discuss the risks and benefits of
198 the use of controlled substances, including the risks of abuse
199 and addiction, as well as physical dependence and its
200 consequences, with the patient, persons designated by the
201 patient, or the patient's surrogate or guardian if the patient
202 is incompetent. The registrant shall use a written controlled
203 substance agreement between the registrant and the patient
204 outlining the patient's responsibilities, including, but not
205 limited to:

206 1. Number and frequency of controlled substance
207 prescriptions and refills.

208 2. Patient compliance and reasons for which drug therapy
209 may be discontinued, such as a violation of the agreement.

210 3. An agreement that controlled substances for the
211 treatment of chronic nonmalignant pain shall be prescribed by a
212 single treating registrant unless otherwise authorized by the
213 treating registrant and documented in the medical record.

214 (d) The patient shall be seen by the registrant at regular



305924

215 intervals, not to exceed 3 months, to assess the efficacy of
216 treatment, ensure that controlled substance therapy remains
217 indicated, evaluate the patient's progress toward treatment
218 objectives, consider adverse drug effects, and review the
219 etiology of the pain. Continuation or modification of therapy
220 shall depend on the registrant's evaluation of the patient's
221 progress. If treatment goals are not being achieved, despite
222 medication adjustments, the registrant shall reevaluate the
223 appropriateness of continued treatment. The registrant shall
224 monitor patient compliance in medication usage, related
225 treatment plans, controlled substance agreements, and
226 indications of substance abuse or diversion at a minimum of 3-
227 month intervals.

228 (e) The registrant shall refer the patient as necessary for
229 additional evaluation and treatment in order to achieve
230 treatment objectives. Special attention shall be given to those
231 patients who are at risk for misusing their medications and
232 those whose living arrangements pose a risk for medication
233 misuse or diversion. The management of pain in patients with a
234 history of substance abuse or with a comorbid psychiatric
235 disorder requires extra care, monitoring, and documentation and
236 requires consultation with or referral to an addiction medicine
237 specialist or a psychiatrist.

238 (f) A registrant must maintain accurate, current, and
239 complete records that are accessible and readily available for
240 review and comply with the requirements of this section, the
241 applicable practice act, and applicable board rules. The medical
242 records must include, but are not limited to:

243 1. The complete medical history and a physical examination,



305924

244 including history of drug abuse or dependence.
245 2. Diagnostic, therapeutic, and laboratory results.
246 3. Evaluations and consultations.
247 4. Treatment objectives.
248 5. Discussion of risks and benefits.
249 6. Treatments.
250 7. Medications, including date, type, dosage, and quantity
251 prescribed.
252 8. Instructions and agreements.
253 9. Periodic reviews.
254 10. Results of any drug testing.
255 11. A photocopy of the patient's government-issued photo
256 identification.
257 12. If a written prescription for a controlled substance is
258 given to the patient, a duplicate of the prescription.
259 13. The registrant's full name presented in a legible
260 manner.
261 (g) A registrant shall immediately refer patients with
262 signs or symptoms of substance abuse to a board-certified pain
263 management physician, an addiction medicine specialist, or a
264 mental health addiction facility as it pertains to drug abuse or
265 addiction unless the registrant is a physician who is board-
266 certified or board-eligible in pain management. Throughout the
267 period of time before receiving the consultant's report, a
268 prescribing registrant shall clearly and completely document
269 medical justification for continued treatment with controlled
270 substances and those steps taken to ensure medically appropriate
271 use of controlled substances by the patient. Upon receipt of the
272 consultant's written report, the prescribing registrant shall



305924

273 incorporate the consultant's recommendations for continuing,
274 modifying, or discontinuing controlled substance therapy. The
275 resulting changes in treatment shall be specifically documented
276 in the patient's medical record. Evidence or behavioral
277 indications of diversion shall be followed by discontinuation of
278 controlled substance therapy, and the patient shall be
279 discharged, and all results of testing and actions taken by the
280 registrant shall be documented in the patient's medical record.

281
282 This subsection does not apply to a board-eligible or board-
283 certified anesthesiologist, physiatrist, rheumatologist, or
284 neurologist, or to a board-certified physician who has surgical
285 privileges at a hospital or ambulatory surgery center and
286 primarily provides surgical services. This subsection does not
287 apply to a board-eligible or board-certified medical specialist
288 who has also completed a fellowship in pain medicine approved by
289 the Accreditation Council for Graduate Medical Education or the
290 American Osteopathic Association, or who is board eligible or
291 board certified in pain medicine by the American Board of Pain
292 Medicine, the American Board of Interventional Pain Physicians,
293 the American Association of Physician Specialists, or a board
294 approved by the American Board of Medical Specialties or the
295 American Osteopathic Association and performs interventional
296 pain procedures of the type routinely billed using surgical
297 codes. This subsection does not apply to a registrant who
298 prescribes medically necessary controlled substances for a
299 patient during an inpatient stay in a hospital licensed under
300 chapter 395.

301 (4) STANDARDS OF PRACTICE FOR TREATMENT OF ACUTE PAIN.—The



305924

302 applicable boards shall adopt rules establishing guidelines for
303 prescribing controlled substances for acute pain, including
304 evaluation of the patient, creation and maintenance of a
305 treatment plan, obtaining informed consent and agreement for
306 treatment, periodic review of the treatment plan, consultation,
307 medical record review, and compliance with controlled substance
308 laws and regulations. Failure of a prescriber to follow such
309 guidelines constitutes grounds for disciplinary action pursuant
310 to s. 456.072(1)(gg), punishable as provided in s. 456.072(2).

311 (5) PRESCRIPTION SUPPLY.—

312 (a) For the treatment of acute pain, a prescription for an
313 opioid drug listed as a Schedule II controlled substance in s.
314 893.03 or 21 U.S.C. s. 812 may not exceed a 3-day supply, except
315 that up to a 7-day supply may be prescribed if:

316 1. The prescriber, in his or her professional judgment,
317 believes that more than a 3-day supply of such an opioid is
318 medically necessary to treat the patient's pain as an acute
319 medical condition;

320 2. The prescriber indicates "MEDICALLY NECESSARY FOR ACUTE
321 PAIN" on the prescription; and

322 3. The prescriber adequately documents in the patient's
323 medical records the acute medical condition and lack of
324 alternative treatment options that justify deviation from the 3-
325 day supply limit established in this subsection.

326 (b) For the treatment of pain other than acute pain, a
327 prescriber must indicate "FOR NONACUTE PAIN" on a prescription
328 for an opioid drug listed as a Schedule II controlled substance
329 in s. 893.03 or 21 U.S.C. s. 812.

330 (6) EMERGENCY OPIOID ANTAGONIST.—For the treatment of pain



305924

331 related to a traumatic injury with an Injury Severity Score of 9
332 or greater, a prescriber who prescribes a Schedule II controlled
333 substance listed in s. 893.03 or 21 U.S.C. s. 812 must
334 concurrently prescribe an emergency opioid antagonist, as
335 defined in s. 381.887(1).

336 Section 5. Effective January 1, 2019, present subsections
337 (2) through (5) of section 458.3265, Florida Statutes, are
338 renumbered as subsections (3) through (6), respectively,
339 paragraphs (a) and (g) of subsection (1), paragraph (a) of
340 present subsection (2), paragraph (a) of present subsection (3),
341 and paragraph (a) of present subsection (4) of that section are
342 amended, and a new subsection (2) is added to that section, to
343 read:

344 458.3265 Pain-management clinics.—

345 (1) REGISTRATION.—

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

347 a. "Board eligible" means successful completion of an
348 anesthesia, physical medicine and rehabilitation, rheumatology,
349 or neurology residency program approved by the Accreditation
350 Council for Graduate Medical Education or the American
351 Osteopathic Association for a period of 6 years from successful
352 completion of such residency program.

353 b. "Chronic nonmalignant pain" means pain unrelated to
354 cancer which persists beyond the usual course of disease or the
355 injury that is the cause of the pain or more than 90 days after
356 surgery.

357 c. "Pain-management clinic" or "clinic" means any publicly
358 or privately owned facility:

359 (I) That advertises in any medium for any type of pain-



305924

360 management services; or

361 (II) Where in any month a majority of patients are
362 prescribed opioids, benzodiazepines, barbiturates, or
363 carisoprodol for the treatment of chronic nonmalignant pain.

364 2. Each pain-management clinic must register with the
365 department or hold a valid certificate of exemption pursuant to
366 subsection (2).

367 3. The following clinics are exempt from the registration
368 requirement of paragraphs (c)-(m) and must apply to the
369 department for a certificate of exemption unless:

370 a. A ~~The~~ clinic ~~is~~ licensed as a facility pursuant to
371 chapter 395;

372 b. A clinic in which the majority of the physicians who
373 provide services in the clinic primarily provide surgical
374 services;

375 c. A ~~The~~ clinic ~~is~~ owned by a publicly held corporation
376 whose shares are traded on a national exchange or on the over-
377 the-counter market and whose total assets at the end of the
378 corporation's most recent fiscal quarter exceeded \$50 million;

379 d. A ~~The~~ clinic ~~is~~ affiliated with an accredited medical
380 school at which training is provided for medical students,
381 residents, or fellows;

382 e. A ~~The~~ clinic that does not prescribe controlled
383 substances for the treatment of pain;

384 f. A ~~The~~ clinic ~~is~~ owned by a corporate entity exempt from
385 federal taxation under 26 U.S.C. s. 501(c)(3);

386 g. A ~~The~~ clinic ~~is~~ wholly owned and operated by one or more
387 board-eligible or board-certified anesthesiologists,
388 physiatrists, rheumatologists, or neurologists; or



305924

389 h. A ~~The~~ clinic ~~is~~ wholly owned and operated by a physician
390 multispecialty practice where one or more board-eligible or
391 board-certified medical specialists, who have also completed
392 fellowships in pain medicine approved by the Accreditation
393 Council for Graduate Medical Education or who are also board-
394 certified in pain medicine by the American Board of Pain
395 Medicine or a board approved by the American Board of Medical
396 Specialties, the American Association of Physician Specialists,
397 or the American Osteopathic Association, perform interventional
398 pain procedures of the type routinely billed using surgical
399 codes.

400 (g) The department may revoke the clinic's certificate of
401 registration and prohibit all physicians associated with that
402 pain-management clinic from practicing at that clinic location
403 based upon an annual inspection and evaluation of the factors
404 described in subsection (4) ~~(3)~~.

405 (2) CERTIFICATE OF EXEMPTION.-

406 (a) A pain management clinic claiming an exemption from the
407 registration requirements of subsection (1) must apply for a
408 certificate of exemption on a form adopted in rule by the
409 department. The form must require the applicant to provide:

410 1. The name or names under which the applicant does
411 business.

412 2. The address at which the pain management clinic is
413 located.

414 3. The specific exemption the applicant is claiming with
415 supporting documentation.

416 4. Any other information deemed necessary by the
417 department.



305924

418 (b) The department must approve or deny the certificate
419 within 30 days after the receipt of a complete application.

420 (c) The certificate of exemption must be renewed
421 biennially, except that the department may issue the initial
422 certificates of exemption for up to 3 years in order to stagger
423 renewal dates.

424 (d) A certificateholder must prominently display the
425 certificate of exemption and make it available to the department
426 or the board upon request.

427 (e) A new certificate of exemption is required for a change
428 of address and is not transferable. A certificate of exemption
429 is valid only for the applicant, qualifying owners, licenses,
430 registrations, certifications, and services provided under a
431 specific statutory exemption and is valid only to the specific
432 exemption claimed and granted.

433 (f) A certificateholder must notify the department at least
434 60 days before any anticipated relocation or name change of the
435 pain management clinic or a change of ownership.

436 (g) If a pain management clinic no longer qualifies for a
437 certificate of exemption, the certificateholder must notify the
438 department within 3 days after becoming aware that the clinic no
439 longer qualifies for a certificate of exemption and register as
440 a pain management clinic under subsection (1) or cease
441 operations.

442 (3)-(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities
443 apply to any physician who provides professional services in a
444 pain-management clinic that is required to be registered in
445 subsection (1).

446 (a) A physician may not practice medicine in a pain-



305924

447 management clinic, as described in subsection (5) ~~(4)~~, if the
448 pain-management clinic is not registered with the department as
449 required by this section. Any physician who qualifies to
450 practice medicine in a pain-management clinic pursuant to rules
451 adopted by the Board of Medicine as of July 1, 2012, may
452 continue to practice medicine in a pain-management clinic as
453 long as the physician continues to meet the qualifications set
454 forth in the board rules. A physician who violates this
455 paragraph is subject to disciplinary action by his or her
456 appropriate medical regulatory board.

457 (4) ~~(3)~~ INSPECTION.—

458 (a) The department shall inspect the pain-management clinic
459 annually, including a review of the patient records, to ensure
460 that it complies with this section and the rules of the Board of
461 Medicine adopted pursuant to subsection (5) ~~(4)~~ unless the
462 clinic is accredited by a nationally recognized accrediting
463 agency approved by the Board of Medicine.

464 (5) ~~(4)~~ RULEMAKING.—

465 (a) The department shall adopt rules necessary to
466 administer the registration, exemption, and inspection of pain-
467 management clinics which establish the specific requirements,
468 procedures, forms, and fees.

469 Section 6. Effective January 1, 2019, present subsections
470 (2) through (5) of section 459.0137, Florida Statutes, are
471 renumbered as subsections (3) through (6), respectively,
472 paragraphs (a) and (g) of subsection (1), paragraph (a) of
473 present subsection (2), paragraph (a) of present subsection (3),
474 and paragraph (a) of present subsection (4) of that section are
475 amended, and a new subsection (2) is added to that section, to



305924

476 read:

477 459.0137 Pain-management clinics.—

478 (1) REGISTRATION.—

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

480 a. "Board eligible" means successful completion of an
481 anesthesia, physical medicine and rehabilitation, rheumatology,
482 or neurology residency program approved by the Accreditation
483 Council for Graduate Medical Education or the American
484 Osteopathic Association for a period of 6 years from successful
485 completion of such residency program.

486 b. "Chronic nonmalignant pain" means pain unrelated to
487 cancer which persists beyond the usual course of disease or the
488 injury that is the cause of the pain or more than 90 days after
489 surgery.

490 c. "Pain-management clinic" or "clinic" means any publicly
491 or privately owned facility:

492 (I) That advertises in any medium for any type of pain-
493 management services; or

494 (II) Where in any month a majority of patients are
495 prescribed opioids, benzodiazepines, barbiturates, or
496 carisoprodol for the treatment of chronic nonmalignant pain.

497 2. Each pain-management clinic must register with the
498 department or hold a valid certificate of exemption pursuant to
499 subsection (2).

500 3. The following clinics are exempt from the registration
501 requirement of paragraphs (c)-(m) and must apply to the
502 department for a certificate of exemption unless:

503 a. A ~~That~~ clinic ~~is~~ licensed as a facility pursuant to
504 chapter 395;



305924

- 505 b. A clinic in which the majority of the physicians who
506 provide services in the clinic primarily provide surgical
507 services;
- 508 c. A ~~The clinic is~~ owned by a publicly held corporation
509 whose shares are traded on a national exchange or on the over-
510 the-counter market and whose total assets at the end of the
511 corporation's most recent fiscal quarter exceeded \$50 million;
- 512 d. A ~~The clinic is~~ affiliated with an accredited medical
513 school at which training is provided for medical students,
514 residents, or fellows;
- 515 e. A ~~The clinic that~~ does not prescribe controlled
516 substances for the treatment of pain;
- 517 f. A ~~The clinic is~~ owned by a corporate entity exempt from
518 federal taxation under 26 U.S.C. s. 501(c)(3);
- 519 g. A ~~The clinic is~~ wholly owned and operated by one or more
520 board-eligible or board-certified anesthesiologists,
521 physiatrists, rheumatologists, or neurologists; or
- 522 h. A ~~The clinic is~~ wholly owned and operated by a physician
523 multispecialty practice where one or more board-eligible or
524 board-certified medical specialists, who have also completed
525 fellowships in pain medicine approved by the Accreditation
526 Council for Graduate Medical Education or the American
527 Osteopathic Association or who are also board-certified in pain
528 medicine by the American Board of Pain Medicine or a board
529 approved by the American Board of Medical Specialties, the
530 American Association of Physician Specialists, or the American
531 Osteopathic Association, perform interventional pain procedures
532 of the type routinely billed using surgical codes.
- 533 (g) The department may revoke the clinic's certificate of



305924

534 registration and prohibit all physicians associated with that
535 pain-management clinic from practicing at that clinic location
536 based upon an annual inspection and evaluation of the factors
537 described in subsection (4) ~~(3)~~.

538 (2) CERTIFICATE OF EXEMPTION.-

539 (a) A pain management clinic claiming an exemption from the
540 registration requirements of subsection (1) must apply for a
541 certificate of exemption on a form adopted in rule by the
542 department. The form must require the applicant to provide:

543 1. The name or names under which the applicant does
544 business.

545 2. The address at which the pain management clinic is
546 located.

547 3. The specific exemption the applicant is claiming with
548 supporting documentation.

549 4. Any other information deemed necessary by the
550 department.

551 (b) The department must approve or deny the certificate
552 within 30 days after the receipt of a complete application.

553 (c) The certificate of exemption must be renewed
554 biennially, except that the department may issue the initial
555 certificates of exemption for up to 3 years in order to stagger
556 renewal dates.

557 (d) A certificateholder must prominently display the
558 certificate of exemption and make it available to the department
559 or the board upon request.

560 (e) A new certificate of exemption is required for a change
561 of address and is not transferable. A certificate of exemption
562 is valid only for the applicant, qualifying owners, licenses,



305924

563 registrations, certifications, and services provided under a
564 specific statutory exemption and is valid only to the specific
565 exemption claimed and granted.

566 (f) A certificateholder must notify the department at least
567 60 days before any anticipated relocation or name change of the
568 pain management clinic or a change of ownership.

569 (g) If a pain management clinic no longer qualifies for a
570 certificate of exemption, the certificateholder must notify the
571 department within 3 days after becoming aware that the clinic no
572 longer qualifies for a certificate of exemption and register as
573 a pain management clinic under subsection (1) or cease
574 operations.

575 (3) ~~(2)~~ PHYSICIAN RESPONSIBILITIES.—These responsibilities
576 apply to any osteopathic physician who provides professional
577 services in a pain-management clinic that is required to be
578 registered in subsection (1).

579 (a) An osteopathic physician may not practice medicine in a
580 pain-management clinic, as described in subsection (5) ~~(4)~~, if
581 the pain-management clinic is not registered with the department
582 as required by this section. Any physician who qualifies to
583 practice medicine in a pain-management clinic pursuant to rules
584 adopted by the Board of Osteopathic Medicine as of July 1, 2012,
585 may continue to practice medicine in a pain-management clinic as
586 long as the physician continues to meet the qualifications set
587 forth in the board rules. An osteopathic physician who violates
588 this paragraph is subject to disciplinary action by his or her
589 appropriate medical regulatory board.

590 (4) ~~(3)~~ INSPECTION.—

591 (a) The department shall inspect the pain-management clinic



305924

592 annually, including a review of the patient records, to ensure
593 that it complies with this section and the rules of the Board of
594 Osteopathic Medicine adopted pursuant to subsection (5) ~~(4)~~
595 unless the clinic is accredited by a nationally recognized
596 accrediting agency approved by the Board of Osteopathic
597 Medicine.

598 (5) ~~(4)~~ RULEMAKING.—

599 (a) The department shall adopt rules necessary to
600 administer the registration, exemption, and inspection of pain-
601 management clinics which establish the specific requirements,
602 procedures, forms, and fees.

603 Section 7. Section 465.0155, Florida Statutes, is amended
604 to read:

605 465.0155 Standards of practice.—

606 (1) Consistent with the provisions of this act, the board
607 shall adopt by rule standards of practice relating to the
608 practice of pharmacy which shall be binding on every state
609 agency and shall be applied by such agencies when enforcing or
610 implementing any authority granted by any applicable statute,
611 rule, or regulation, whether federal or state.

612 (2) (a) Before dispensing a controlled substance to a person
613 not known to the pharmacist, the pharmacist must require the
614 person purchasing, receiving, or otherwise acquiring the
615 controlled substance to present valid photographic
616 identification or other verification of his or her identity. If
617 the person does not have proper identification, the pharmacist
618 may verify the validity of the prescription and the identity of
619 the patient with the prescriber or his or her authorized agent.
620 Verification of health plan eligibility through a real-time



305924

621 inquiry or adjudication system is considered to be proper
622 identification.

623 (b) This subsection does not apply in an institutional
624 setting or to a long-term care facility, including, but not
625 limited to, an assisted living facility or a hospital to which
626 patients are admitted.

627 (c) As used in this subsection, the term "proper
628 identification" means an identification that is issued by a
629 state or the Federal Government containing the person's
630 photograph, printed name, and signature or a document considered
631 acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).

632 Section 8. Paragraph (b) of subsection (1) of section
633 465.0276, Florida Statutes, is amended, and paragraph (d) is
634 added to subsection (2) of that section, to read:

635 465.0276 Dispensing practitioner.—

636 (1)

637 (b) A practitioner registered under this section may not
638 dispense a controlled substance listed in Schedule II or
639 Schedule III as provided in s. 893.03. This paragraph does not
640 apply to:

641 1. The dispensing of complimentary packages of medicinal
642 drugs which are labeled as a drug sample or complimentary drug
643 as defined in s. 499.028 to the practitioner's own patients in
644 the regular course of her or his practice without the payment of
645 a fee or remuneration of any kind, whether direct or indirect,
646 as provided in subsection (4).

647 2. The dispensing of controlled substances in the health
648 care system of the Department of Corrections.

649 3. The dispensing of a controlled substance listed in



305924

650 Schedule II or Schedule III in connection with the performance
651 of a surgical procedure.

652 a. For an opioid drug listed as a Schedule II controlled
653 substance in s. 893.03 or 21 U.S.C. s. 812:

654 (I) For the treatment of acute pain, the amount dispensed
655 pursuant to this subparagraph may not exceed a 3-day supply, or
656 a 7-day supply if the criteria in s. 456.44(5) (a) are met.

657 (II) For the treatment of pain other than acute pain, a
658 practitioner must indicate "FOR NONACUTE PAIN" on a
659 prescription.

660 (III) For the treatment of pain related to a traumatic
661 injury with an Injury Severity Score of 9 or greater, a
662 practitioner must concurrently prescribe an emergency opioid
663 antagonist, as defined in s. 381.887(1).

664 b. For a controlled substance listed in Schedule III, the
665 amount dispensed pursuant to ~~this~~ the subparagraph may not
666 exceed a 14-day supply.

667 c. The exception in this subparagraph ~~exception~~ does not
668 allow for the dispensing of a controlled substance listed in
669 Schedule II or Schedule III more than 14 days after the
670 performance of the surgical procedure.

671 d. For purposes of this subparagraph, the term "surgical
672 procedure" means any procedure in any setting which involves, or
673 reasonably should involve:

674 (I) ~~a.~~ Perioperative medication and sedation that allows the
675 patient to tolerate unpleasant procedures while maintaining
676 adequate cardiorespiratory function and the ability to respond
677 purposefully to verbal or tactile stimulation and makes intra-
678 and postoperative monitoring necessary; or



305924

679 (II)~~b~~. The use of general anesthesia or major conduction
680 anesthesia and preoperative sedation.

681 4. The dispensing of a controlled substance listed in
682 Schedule II or Schedule III pursuant to an approved clinical
683 trial. For purposes of this subparagraph, the term "approved
684 clinical trial" means a clinical research study or clinical
685 investigation that, in whole or in part, is state or federally
686 funded or is conducted under an investigational new drug
687 application that is reviewed by the United States Food and Drug
688 Administration.

689 5. The dispensing of methadone in a facility licensed under
690 s. 397.427 where medication-assisted treatment for opiate
691 addiction is provided.

692 6. The dispensing of a controlled substance listed in
693 Schedule II or Schedule III to a patient of a facility licensed
694 under part IV of chapter 400.

695 7. The dispensing of controlled substances listed in
696 Schedule II or Schedule III which have been approved by the
697 United States Food and Drug Administration for the purpose of
698 treating opiate addictions, including, but not limited to,
699 buprenorphine and buprenorphine combination products, by a
700 practitioner authorized under 21 U.S.C. s. 823, as amended, to
701 the practitioner's own patients for the medication-assisted
702 treatment of opiate addiction.

703 (2) A practitioner who dispenses medicinal drugs for human
704 consumption for fee or remuneration of any kind, whether direct
705 or indirect, must:

706 (d)1. Before dispensing a controlled substance to a person
707 not known to the dispenser, require the person purchasing,



305924

708 receiving, or otherwise acquiring the controlled substance to
709 present valid photographic identification or other verification
710 of his or her identity. If the person does not have proper
711 identification, the dispenser may verify the validity of the
712 prescription and the identity of the patient with the prescriber
713 or his or her authorized agent. Verification of health plan
714 eligibility through a real-time inquiry or adjudication system
715 is considered to be proper identification.

716 2. This paragraph does not apply in an institutional
717 setting or to a long-term care facility, including, but not
718 limited to, an assisted living facility or a hospital to which
719 patients are admitted.

720 3. As used in this paragraph, the term "proper
721 identification" means an identification that is issued by a
722 state or the Federal Government containing the person's
723 photograph, printed name, and signature or a document considered
724 acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).

725 Section 9. Subsection (5) is added to section 627.42392,
726 Florida Statutes, to read:

727 627.42392 Prior authorization.—

728 (5) A health insurer may not require a prior authorization
729 process or step therapy procedure or impose any other conditions
730 on insureds as a prerequisite to receiving medication-assisted
731 treatment (MAT) services, as defined in s. 397.311, to treat
732 substance abuse disorders.

733 Section 10. Paragraph (c) of subsection (1) and subsections
734 (2) through (5) of section 893.03, Florida Statutes, are amended
735 to read:

736 893.03 Standards and schedules.—The substances enumerated



305924

737 in this section are controlled by this chapter. The controlled
738 substances listed or to be listed in Schedules I, II, III, IV,
739 and V are included by whatever official, common, usual,
740 chemical, trade name, or class designated. The provisions of
741 this section shall not be construed to include within any of the
742 schedules contained in this section any excluded drugs listed
743 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
744 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
745 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
746 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
747 Anabolic Steroid Products."

748 (1) SCHEDULE I.—A substance in Schedule I has a high
749 potential for abuse and has no currently accepted medical use in
750 treatment in the United States and in its use under medical
751 supervision does not meet accepted safety standards. The
752 following substances are controlled in Schedule I:

753 (c) Unless specifically excepted or unless listed in
754 another schedule, any material, compound, mixture, or
755 preparation that contains any quantity of the following
756 hallucinogenic substances or that contains any of their salts,
757 isomers, including optical, positional, or geometric isomers,
758 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
759 salts of isomers, homologues, nitrogen-heterocyclic analogs,
760 esters, or ethers, if the existence of such salts, isomers, and
761 salts of isomers is possible within the specific chemical
762 designation or class description:

- 763 1. Alpha-Ethyltryptamine.
- 764 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-
765 oxazoline).



305924

- 766 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).
- 767 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 768 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 769 6. Bufotenine.
- 770 7. Cannabis.
- 771 8. Cathinone.
- 772 9. DET (Diethyltryptamine).
- 773 10. 2,5-Dimethoxyamphetamine.
- 774 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
- 775 12. DMT (Dimethyltryptamine).
- 776 13. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
- 777 of phencyclidine).
- 778 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
- 779 15. N-Ethylamphetamine.
- 780 16. Fenethylamine.
- 781 17. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 782 18. Ibogaine.
- 783 19. LSD (Lysergic acid diethylamide).
- 784 20. Mescaline.
- 785 21. Methcathinone.
- 786 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 787 23. PMA (4-Methoxyamphetamine).
- 788 24. PMMA (4-Methoxymethamphetamine).
- 789 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 790 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 791 27. MDA (3,4-Methylenedioxyamphetamine).
- 792 28. JB-336 (N-Methyl-3-piperidyl benzilate).
- 793 29. N,N-Dimethylamphetamine.
- 794 30. Parahexyl.



305924

- 795 31. Peyote.
- 796 32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
797 analog of phencyclidine).
- 798 33. Psilocybin.
- 799 34. Psilocyn.
- 800 35. *Salvia divinorum*, except for any drug product approved
801 by the United States Food and Drug Administration which contains
802 *Salvia divinorum* or its isomers, esters, ethers, salts, and
803 salts of isomers, esters, and ethers, if the existence of such
804 isomers, esters, ethers, and salts is possible within the
805 specific chemical designation.
- 806 36. Salvinorin A, except for any drug product approved by
807 the United States Food and Drug Administration which contains
808 Salvinorin A or its isomers, esters, ethers, salts, and salts of
809 isomers, esters, and ethers, if the existence of such isomers,
810 esters, ethers, and salts is possible within the specific
811 chemical designation.
- 812 37. Xylazine.
- 813 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)
814 (Thiophene analog of phencyclidine).
- 815 39. 3,4,5-Trimethoxyamphetamine.
- 816 40. Methydone (3,4-Methylenedioxy methcathinone).
- 817 41. MDPV (3,4-Methylenedioxy pyrovalerone).
- 818 42. Methylmethcathinone.
- 819 43. Methoxymethcathinone.
- 820 44. Fluoromethcathinone.
- 821 45. Methylethcathinone.
- 822 46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
823 yl)phenol) and its dimethyloctyl (C8) homologue.



305924

- 824 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-
825 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol].
826 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
827 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
828 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
829 naphthoyl)indole).
830 51. BZP (Benzylpiperazine).
831 52. Fluorophenylpiperazine.
832 53. Methylphenylpiperazine.
833 54. Chlorophenylpiperazine.
834 55. Methoxyphenylpiperazine.
835 56. DBZP (1,4-Dibenzylpiperazine).
836 57. TFMPP (Trifluoromethylphenylpiperazine).
837 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
838 Methylenedioxy-N-methylbutanamine).
839 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
840 60. 5-Hydroxy-N-methyltryptamine.
841 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
842 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
843 63. Methyltryptamine.
844 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
845 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
846 66. Tyramine (4-Hydroxyphenethylamine).
847 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
848 68. DiPT (N,N-Diisopropyltryptamine).
849 69. DPT (N,N-Dipropyltryptamine).
850 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
851 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
852 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).



305924

- 853 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 854 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 855 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 856 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 857 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 858 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 859 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 860 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 861 81. Butylone (3,4-Methylenedioxy-alpha-
- 862 methylaminobutyrophenone).
- 863 82. Ethcathinone.
- 864 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 865 84. Naphyrone (Naphthylpyrovalerone).
- 866 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone).
- 867 86. 3,4-Methylenedioxy-N,N-diethylcathinone.
- 868 87. 3,4-Methylenedioxy-propiofenone.
- 869 88. 3,4-Methylenedioxy-alpha-bromopropiofenone.
- 870 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 871 90. 3,4-Methylenedioxy-N-acetylcathinone.
- 872 91. 3,4-Methylenedioxy-N-acetylmethcathinone.
- 873 92. 3,4-Methylenedioxy-N-acetylethcathinone.
- 874 93. Bromomethcathinone.
- 875 94. Buphedrone (alpha-Methylamino-butyrophenone).
- 876 95. Eutylone (3,4-Methylenedioxy-alpha-
- 877 ethylaminobutyrophenone).
- 878 96. Dimethylcathinone.
- 879 97. Dimethylmethcathinone.
- 880 98. Pentylone (3,4-Methylenedioxy-alpha-
- 881 methylaminovalerophenone).



305924

- 882 99. MDPPP (3,4-Methylenedioxy-alpha-
883 pyrrolidinopropiophenone).
884 100. MDPBP (3,4-Methylenedioxy-alpha-
885 pyrrolidinobutyrophenone).
886 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
887 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone).
888 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
889 (Benocyclidine).
890 104. F-MABP (Fluoromethylaminobutyrophenone).
891 105. MeO-PBP (Methoxypyrrolidinobutyrophenone).
892 106. Et-PBP (Ethylpyrrolidinobutyrophenone).
893 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
894 108. Me-EABP (Methylethylaminobutyrophenone).
895 109. Etizolam.
896 110. PPP (Pyrrolidinopropiophenone).
897 111. PBP (Pyrrolidinobutyrophenone).
898 112. PVP (Pyrrolidinovalerophenone) or
899 (Pyrrolidinopentiophenone).
900 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone).
901 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
902 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
903 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
904 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
905 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
906 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
907 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
908 121. JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
909 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
910 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).



305924

- 911 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl) indole).
912 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl) indole).
913 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl) indole).
914 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl) indole).
915 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl) indole).
916 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl) indole).
917 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl) indole).
918 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
919 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
920 ol).
921 131. HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-methyloctan-
922 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
923 methanol).
924 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
925 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
926 1,4-dione).
927 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl) naphthalene).
928 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
929 undecanamide).
930 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
931 undecanamide).
932 136. CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-(2-
933 methyloctan-2-yl)phenol).
934 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl) indole).
935 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl) indole).
936 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl) indole).
937 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
938 methoxyphenylacetyl) indole).
939 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-



305924

940 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
941 naphthalenylmethanone).
942 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
943 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
944 naphthalenylmethanone).
945 143. Pentedrone (alpha-Methylaminovalerophenone).
946 144. Fluoroamphetamine.
947 145. Fluoromethamphetamine.
948 146. Methoxetamine.
949 147. Methiopropamine.
950 148. Methylbuphedrone (Methyl-alpha-
951 methylaminobutyrophenone).
952 149. APB ((2-Aminopropyl)benzofuran).
953 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
954 151. UR-144 (1-Pentyl-3-(2,2,3,3-
955 tetramethylcyclopropanoyl)indole).
956 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
957 tetramethylcyclopropanoyl)indole).
958 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
959 tetramethylcyclopropanoyl)indole).
960 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
961 155. AM-2233 (1-[(N-Methyl-2-piperidiny)methyl]-3-(2-
962 iodobenzoyl)indole).
963 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
964 carboxamide).
965 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
966 cyclohexylcarbamate).
967 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
968 cyclohexyl ester).



305924

- 969 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
970 benzoxazin-4-one).
- 971 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 972 161. 2C-H (2,5-Dimethoxyphenethylamine).
- 973 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 974 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 975 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
976 methoxybenzyl)]phenethylamine).
- 977 165. MDMA (3,4-Methylenedioxymethamphetamine).
- 978 166. PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate).
- 979 167. Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl)indole-3-
980 carboxylate).
- 981 168. BB-22 (8-Quinolinyll 1-(cyclohexylmethyl)indole-3-
982 carboxylate).
- 983 169. Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
984 3-carboxamide).
- 985 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
986 pentylindazole-3-carboxamide).
- 987 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
988 (4-fluorobenzyl)indazole-3-carboxamide).
- 989 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
990 1-pentylindazole-3-carboxamide).
- 991 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
992 yl)-1-(fluoropentyl)indole-3-carboxamide).
- 993 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
994 methoxybenzyl)]phenethylamine).
- 995 175. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
996 methoxybenzyl)]phenethylamine).
- 997 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-



305924

998 (cyclohexylmethyl)indazole-3-carboxamide).

999 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-

1000 carboxylate).

1001 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-

1002 3-carboxamide).

1003 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-

1004 (fluoropentyl)indazole-3-carboxamide).

1005 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole).

1006 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-

1007 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).

1008 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-

1009 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-

1010 hexahydrobenzo[c]chromen-1-ol).

1011 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-

1012 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-

1013 hexahydrobenzo[c]chromen-1-ol).

1014 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-

1015 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9

1016 diol).

1017 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-

1018 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-

1019 tetrahydro-6aH-benzo[c]chromen-1-ol).

1020 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-

1021 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).

1022 187. MAPB ((2-Methylaminopropyl)benzofuran).

1023 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).

1024 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).

1025 190. Synthetic Cannabinoids.-Unless specifically excepted

1026 or unless listed in another schedule or contained within a



305924

1027 pharmaceutical product approved by the United States Food and
1028 Drug Administration, any material, compound, mixture, or
1029 preparation that contains any quantity of a synthetic
1030 cannabinoid found to be in any of the following chemical class
1031 descriptions, or homologues, nitrogen-heterocyclic analogs,
1032 isomers (including optical, positional, or geometric), esters,
1033 ethers, salts, and salts of homologues, nitrogen-heterocyclic
1034 analogs, isomers, esters, or ethers, whenever the existence of
1035 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
1036 ethers, salts, and salts of isomers, esters, or ethers is
1037 possible within the specific chemical class or designation.

1038 Since nomenclature of these synthetically produced cannabinoids
1039 is not internationally standardized and may continually evolve,
1040 these structures or the compounds of these structures shall be
1041 included under this subparagraph, regardless of their specific
1042 numerical designation of atomic positions covered, if it can be
1043 determined through a recognized method of scientific testing or
1044 analysis that the substance contains properties that fit within
1045 one or more of the following categories:

1046 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols
1047 naturally contained in a plant of the genus *Cannabis*, the
1048 synthetic equivalents of the substances contained in the plant
1049 or in the resinous extracts of the genus *Cannabis*, or synthetic
1050 substances, derivatives, and their isomers with similar chemical
1051 structure and pharmacological activity, including, but not
1052 limited to, Delta 9 tetrahydrocannabinols and their optical
1053 isomers, Delta 8 tetrahydrocannabinols and their optical
1054 isomers, Delta 6a,10a tetrahydrocannabinols and their optical
1055 isomers, or any compound containing a tetrahydrobenzo[c]chromene



305924

1056 structure with substitution at either or both the 3-position or
1057 9-position, with or without substitution at the 1-position with
1058 hydroxyl or alkoxy groups, including, but not limited to:

1059 (I) Tetrahydrocannabinol.

1060 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
1061 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
1062 ol).

1063 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
1064 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
1065 ol).

1066 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
1067 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1068 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
1069 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1070 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
1071 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1072 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-(2,3-
1073 dimethylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1074 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
1075 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

1076 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
1077 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

1078 (X) Parahexyl.

1079 b. Naphthoylindoles, Naphthoylindazoles,
1080 Naphthoylcarbazoles, Naphthylmethylindoles,
1081 Naphthylmethylindazoles, and Naphthylmethylcarbazoles.—Any
1082 compound containing a naphthoylindole, naphthoylindazole,
1083 naphthoylcarbazole, naphthylmethylindole,
1084 naphthylmethylindazole, or naphthylmethylcarbazole structure,



305924

1085 with or without substitution on the indole, indazole, or
1086 carbazole ring to any extent, whether or not substituted on the
1087 naphthyl ring to any extent, including, but not limited to:
1088 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
1089 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
1090 naphthoyl)indole).
1091 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
1092 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
1093 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
1094 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
1095 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
1096 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
1097 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
1098 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
1099 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
1100 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
1101 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
1102 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
1103 naphthoyl)indole).
1104 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
1105 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
1106 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
1107 naphthoyl)indole).
1108 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl)indole).
1109 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
1110 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).
1111 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).
1112 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
1113 naphthylmethyl]indole).



305924

- 1114 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-
1115 naphthoyl)indole).
- 1116 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-
1117 naphthoyl)indole).
- 1118 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
1119 naphthoyl)indole).
- 1120 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
- 1121 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).
- 1122 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 1123 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).
- 1124 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).
- 1125 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
1126 naphthoyl)indole).
- 1127 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
1128 naphthoyl)indole).
- 1129 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
1130 naphthoyl)indole).
- 1131 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
1132 naphthoyl)indole).
- 1133 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
1134 naphthoyl)indole).
- 1135 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
- 1136 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
1137 naphthoyl)indazole).
- 1138 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
1139 naphthoyl)indole).
- 1140 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
1141 naphthoyl)indole).
- 1142 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).



305924

1143 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-
1144 naphthoyl)carbazole).

1145 c. Naphthoylpyrroles.—Any compound containing a
1146 naphthoylpyrrole structure, with or without substitution on the
1147 pyrrole ring to any extent, whether or not substituted on the
1148 naphthyl ring to any extent, including, but not limited to:

1149 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).

1150 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl)pyrrole).

1151 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl)pyrrole).

1152 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl)pyrrole).

1153 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl)pyrrole).

1154 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-
1155 naphthoyl)pyrrole).

1156 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
1157 naphthoyl)pyrrole).

1158 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
1159 naphthoyl)pyrrole).

1160 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
1161 naphthoyl)pyrrole).

1162 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
1163 naphthoyl)pyrrole).

1164 d. Naphthylmethylenindenes.—Any compound containing a
1165 naphthylmethylenindene structure, with or without substitution
1166 at the 3-position of the indene ring to any extent, whether or
1167 not substituted on the naphthyl ring to any extent, including,
1168 but not limited to, JWH-176 (3-Pentyl-1-
1169 (naphthylmethylene)indene).

1170 e. Phenylacetylindoles and Phenylacetylindazoles.—Any
1171 compound containing a phenylacetylindole or phenylacetylindazole



305924

1172 structure, with or without substitution on the indole or
1173 indazole ring to any extent, whether or not substituted on the
1174 phenyl ring to any extent, including, but not limited to:

- 1175 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).
- 1176 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 1177 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
- 1178 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
- 1179 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
- 1180 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 1181 (VII) Cannabipiperidiethanone.
- 1182 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-

1183 methoxyphenylacetyl)indole).

1184 f. Cyclohexylphenols.—Any compound containing a
1185 cyclohexylphenol structure, with or without substitution at the
1186 5-position of the phenolic ring to any extent, whether or not
1187 substituted on the cyclohexyl ring to any extent, including, but
1188 not limited to:

- 1189 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
1190 yl)phenol).
- 1191 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
1192 homologue).
- 1193 (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-
1194 methyloctan-2-yl)phenol).

1195 g. Benzoylindoles and Benzoylindazoles.—Any compound
1196 containing a benzoylindole or benzoylindazole structure, with or
1197 without substitution on the indole or indazole ring to any
1198 extent, whether or not substituted on the phenyl ring to any
1199 extent, including, but not limited to:

- 1200 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).



305924

- 1201 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).
1202 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
1203 iodo-5-nitrobenzoyl)indole).
1204 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-(4-
1205 methoxybenzoyl)indole).
1206 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
1207 iodobenzoyl)indole).
1208 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).
1209 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-
1210 methoxybenzoyl)indole).
1211 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-
1212 3-(4-methoxybenzoyl)indole).
1213 h. Tetramethylcyclopropanoylindoles and
1214 Tetramethylcyclopropanoylindazoles.—Any compound containing a
1215 tetramethylcyclopropanoylindole or
1216 tetramethylcyclopropanoylindazole structure, with or without
1217 substitution on the indole or indazole ring to any extent,
1218 whether or not substituted on the tetramethylcyclopropyl group
1219 to any extent, including, but not limited to:
1220 (I) UR-144 (1-Pentyl-3-(2,2,3,3-
1221 tetramethylcyclopropanoyl)indole).
1222 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
1223 tetramethylcyclopropanoyl)indole).
1224 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
1225 tetramethylcyclopropanoyl)indole).
1226 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-
1227 tetramethylcyclopropanoyl)indole).
1228 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-
1229 tetramethylcyclopropanoyl)indole).



305924

- 1230 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
1231 tetramethylcyclopropanoyl)indole).
- 1232 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
1233 tetramethylcyclopropanoyl)indole).
- 1234 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-
1235 tetramethylcyclopropanoyl)indazole).
- 1236 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
1237 tetramethylcyclopropanoyl)indole).
- 1238 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-
1239 tetramethylcyclopropanoyl)indole).
- 1240 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
1241 carboxamides, and Adamantylindazole carboxamides.—Any compound
1242 containing an adamantoyl indole, adamantoyl indazole, adamantyl
1243 indole carboxamide, or adamantyl indazole carboxamide structure,
1244 with or without substitution on the indole or indazole ring to
1245 any extent, whether or not substituted on the adamantyl ring to
1246 any extent, including, but not limited to:
- 1247 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 1248 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
1249 3-carboxamide).
- 1250 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
1251 carboxamide).
- 1252 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-
1253 adamantoyl)indole).
- 1254 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).
- 1255 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).
- 1256 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
1257 adamantoyl)indole).
- 1258 j. Quinolinyllindolecarboxylates,



305924

1259 Quinolinyllindazolecarboxylates, Quinolinyllindolecarboxamides,
1260 and Quinolinyllindazolecarboxamides.—Any compound containing a
1261 quinolinyllindole carboxylate, quinolinyllindazole carboxylate,
1262 isoquinolinyllindole carboxylate, isoquinolinyllindazole
1263 carboxylate, quinolinyllindole carboxamide, quinolinyllindazole
1264 carboxamide, isoquinolinyllindole carboxamide, or
1265 isoquinolinyllindazole carboxamide structure, with or without
1266 substitution on the indole or indazole ring to any extent,
1267 whether or not substituted on the quinoline or isoquinoline ring
1268 to any extent, including, but not limited to:

1269 (I) PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate).

1270 (II) Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl)indole-3-
1271 carboxylate).

1272 (III) BB-22 (8-Quinolinyll 1-(cyclohexylmethyl)indole-3-
1273 carboxylate).

1274 (IV) FUB-PB-22 (8-Quinolinyll 1-(4-fluorobenzyl)indole-3-
1275 carboxylate).

1276 (V) NPB-22 (8-Quinolinyll 1-pentylindazole-3-carboxylate).

1277 (VI) Fluoro NPB-22 (8-Quinolinyll 1-(fluoropentyl)indazole-
1278 3-carboxylate).

1279 (VII) FUB-NPB-22 (8-Quinolinyll 1-(4-fluorobenzyl)indazole-
1280 3-carboxylate).

1281 (VIII) THJ (8-Quinolinyll 1-pentylindazole-3-carboxamide).

1282 (IX) Fluoro THJ (8-Quinolinyll 1-(fluoropentyl)indazole-3-
1283 carboxamide).

1284 k. Naphthylindolecarboxylates and
1285 Naphthylindazolecarboxylates.—Any compound containing a
1286 naphthylindole carboxylate or naphthylindazole carboxylate
1287 structure, with or without substitution on the indole or



305924

1288 indazole ring to any extent, whether or not substituted on the
1289 naphthyl ring to any extent, including, but not limited to:

1290 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-
1291 carboxylate).

1292 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-
1293 carboxylate).

1294 (III) Fluoro SDB-005 (1-Naphthalenyl 1-
1295 (fluoropentyl)indazole-3-carboxylate).

1296 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-
1297 carboxylate).

1298 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-
1299 carboxylate).

1300 1. Naphthylindole carboxamides and Naphthylindazole
1301 carboxamides.—Any compound containing a naphthylindole
1302 carboxamide or naphthylindazole carboxamide structure, with or
1303 without substitution on the indole or indazole ring to any
1304 extent, whether or not substituted on the naphthyl ring to any
1305 extent, including, but not limited to:

1306 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

1307 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
1308 3-carboxamide).

1309 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-
1310 (chloropentyl)indole-3-carboxamide).

1311 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
1312 carboxamide).

1313 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-
1314 (fluoropentyl)indazole-3-carboxamide).

1315 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
1316 indazole carboxamides, Alkylcarbonyl indole carboxylates, and



305924

1317 Alkylcarbonyl indazole carboxylates.—Any compound containing an
1318 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,
1319 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-
1320 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
1321 indole carboxamide, indazole carboxamide, indole carboxylate, or
1322 indazole carboxylate, with or without substitution on the indole
1323 or indazole ring to any extent, whether or not substituted on
1324 the alkylcarbonyl group to any extent, including, but not
1325 limited to:

1326 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
1327 pentylindole-3-carboxamide).

1328 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1329 yl)-1-(fluoropentyl)indole-3-carboxamide).

1330 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1331 (fluoropentyl)indole-3-carboxamide).

1332 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1333 pentylindazole-3-carboxamide).

1334 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
1335 1-(fluoropentyl)indazole-3-carboxamide).

1336 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
1337 1-pentylindazole-3-carboxamide).

1338 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
1339 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

1340 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1341 (4-fluorobenzyl)indazole-3-carboxamide).

1342 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1343 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1344 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1345 (cyclohexylmethyl)indazole-3-carboxamide).



305924

1346 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
1347 (cyclohexylmethyl)indazole-3-carboxamide).

1348 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1349 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

1350 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
1351 pentylindazole-3-carboxamide).

1352 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
1353 (fluoropentyl)indazole-3-carboxamide).

1354 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
1355 fluorobenzyl)indazole-3-carboxamide).

1356 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
1357 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

1358 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
1359 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1360 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
1361 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).

1362 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
1363 fluoropentyl)indole-3-carboxamide).

1364 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
1365 fluoropentyl)indazole-3-carboxamide).

1366 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
1367 (cyclohexylmethyl)indazole-3-carboxamide).

1368 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
1369 fluorobenzyl)indazole-3-carboxamide).

1370 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
1371 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).

1372 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-
1373 Any compound containing a N-(2-phenylpropan-2-yl) indole
1374 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide



305924

1375 structure, with or without substitution on the indole or
1376 indazole ring to any extent, whether or not substituted on the
1377 phenyl ring of the cumyl group to any extent, including, but not
1378 limited to:

1379 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-
1380 carboxamide).

1381 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-
1382 (fluoropentyl)indole-3-carboxamide).

1383 o. Other Synthetic Cannabinoids.—Any material, compound,
1384 mixture, or preparation that contains any quantity of a
1385 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

1386 (I) With or without modification or replacement of a
1387 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage
1388 between either two core rings, or linkage between a core ring
1389 and group structure, with or without the addition of a carbon or
1390 replacement of a carbon;

1391 (II) With or without replacement of a core ring or group
1392 structure, whether or not substituted on the ring or group
1393 structures to any extent; and

1394 (III) Is a cannabinoid receptor agonist, unless
1395 specifically excepted or unless listed in another schedule or
1396 contained within a pharmaceutical product approved by the United
1397 States Food and Drug Administration.

1398 191. Substituted Cathinones.—Unless specifically excepted,
1399 listed in another schedule, or contained within a pharmaceutical
1400 product approved by the United States Food and Drug
1401 Administration, any material, compound, mixture, or preparation,
1402 including its salts, isomers, esters, or ethers, and salts of
1403 isomers, esters, or ethers, whenever the existence of such salts



305924

1404 is possible within any of the following specific chemical
1405 designations:

1406 a. Any compound containing a 2-amino-1-phenyl-1-propanone
1407 structure;

1408 b. Any compound containing a 2-amino-1-naphthyl-1-propanone
1409 structure; or

1410 c. Any compound containing a 2-amino-1-thiophenyl-1-
1411 propanone structure,

1412

1413 whether or not the compound is further modified:

1414 (I) With or without substitution on the ring system to any
1415 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
1416 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
1417 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
1418 substituents;

1419 (II) With or without substitution at the 3-propanone
1420 position with an alkyl substituent or removal of the methyl
1421 group at the 3-propanone position;

1422 (III) With or without substitution at the 2-amino nitrogen
1423 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1424 not further substituted in the ring system; or

1425 (IV) With or without inclusion of the 2-amino nitrogen atom
1426 in a cyclic structure, including, but not limited to:

1427 (A) Methcathinone.

1428 (B) Ethcathinone.

1429 (C) Methydone (3,4-Methylenedioxy-methcathinone).

1430 (D) 2,3-Methylenedioxy-methcathinone.

1431 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).

1432 (F) Methylmethcathinone.



305924

- 1433 (G) Methoxymethcathinone.
- 1434 (H) Fluoromethcathinone.
- 1435 (I) Methylethcathinone.
- 1436 (J) Butylone (3,4-Methylenedioxy-alpha-
- 1437 methylaminobutyrophenone).
- 1438 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1439 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1440 (M) Naphyrone (Naphthylpyrovalerone).
- 1441 (N) Bromomethcathinone.
- 1442 (O) Buphedrone (alpha-Methylaminobutyrophenone).
- 1443 (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1444 ethylaminobutyrophenone).
- 1445 (Q) Dimethylcathinone.
- 1446 (R) Dimethylmethcathinone.
- 1447 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1448 methylaminovalerophenone).
- 1449 (T) Pentedrone (alpha-Methylaminovalerophenone).
- 1450 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1451 pyrrolidinopropiophenone).
- 1452 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1453 pyrrolidinobutyrophenone).
- 1454 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1455 (X) PPP (Pyrrolidinopropiophenone).
- 1456 (Y) PVP (Pyrrolidinovalerophenone) or
- 1457 (Pyrrolidinopentiophenone).
- 1458 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1459 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1460 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1461 (CC) Me-EABP (Methylethylaminobutyrophenone).



305924

- 1462 (DD) PBP (Pyrrolidinobutyrophenone).
1463 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
1464 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
1465 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
1466 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
1467 dimethylcathinone).
1468 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
1469 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
1470 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
1471 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
1472 (MM) Methylbuphedrone (Methyl-alpha-
1473 methylaminobutyrophenone).
1474 (NN) Methyl-alpha-methylaminohexanophenone.
1475 (OO) N-Ethyl-N-methylcathinone.
1476 (PP) PHP (Pyrrolidinohexanophenone).
1477 (QQ) PV8 (Pyrrolidinoheptanophenone).
1478 (RR) Chloromethcathinone.
1479 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
1480 192. Substituted Phenethylamines.—Unless specifically
1481 excepted or unless listed in another schedule, or contained
1482 within a pharmaceutical product approved by the United States
1483 Food and Drug Administration, any material, compound, mixture,
1484 or preparation, including its salts, isomers, esters, or ethers,
1485 and salts of isomers, esters, or ethers, whenever the existence
1486 of such salts is possible within any of the following specific
1487 chemical designations, any compound containing a phenethylamine
1488 structure, without a beta-keto group, and without a benzyl group
1489 attached to the amine group, whether or not the compound is
1490 further modified with or without substitution on the phenyl ring



305924

1491 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
1492 halide, fused alkylenedioxy, fused furan, fused benzofuran,
1493 fused dihydrofuran, or fused tetrahydropyran substituents,
1494 whether or not further substituted on a ring to any extent, with
1495 or without substitution at the alpha or beta position by any
1496 alkyl substituent, with or without substitution at the nitrogen
1497 atom, and with or without inclusion of the 2-amino nitrogen atom
1498 in a cyclic structure, including, but not limited to:

- 1499 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 1500 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 1501 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 1502 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 1503 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 1504 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 1505 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1506 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1507 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1508 j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1509 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1510 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1511 m. MDMA (3,4-Methylenedioxyamphetamine).
- 1512 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
1513 Methylenedioxy-N-methylbutanamine).
- 1514 o. MDA (3,4-Methylenedioxyamphetamine).
- 1515 p. 2,5-Dimethoxyamphetamine.
- 1516 q. Fluoroamphetamine.
- 1517 r. Fluoromethamphetamine.
- 1518 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1519 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).



305924

- 1520 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1521 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1522 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1523 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1524 y. PMA (4-Methoxyamphetamine).
- 1525 z. N-Ethylamphetamine.
- 1526 aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 1527 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1528 cc. PMMA (4-Methoxymethamphetamine).
- 1529 dd. N,N-Dimethylamphetamine.
- 1530 ee. 3,4,5-Trimethoxyamphetamine.
- 1531 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1532 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1533 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1534 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1535 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1536 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1537 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1538 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1539 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1540 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1541 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1542 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1543 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1544 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1545 dihydrobenzofuran),
- 1546
- 1547 which does not include phenethylamine, mescaline as described in
- 1548 subparagraph 20., substituted cathinones as described in



305924

1549 subparagraph 191., N-Benzyl phenethylamine compounds as
1550 described in subparagraph 193., or methamphetamine as described
1551 in subparagraph (2)(c)5. ~~(2)(e)4.~~

1552 193. N-Benzyl Phenethylamine Compounds.—Unless specifically
1553 excepted or unless listed in another schedule, or contained
1554 within a pharmaceutical product approved by the United States
1555 Food and Drug Administration, any material, compound, mixture,
1556 or preparation, including its salts, isomers, esters, or ethers,
1557 and salts of isomers, esters, or ethers, whenever the existence
1558 of such salts is possible within any of the following specific
1559 chemical designations, any compound containing a phenethylamine
1560 structure without a beta-keto group, with substitution on the
1561 nitrogen atom of the amino group with a benzyl substituent, with
1562 or without substitution on the phenyl or benzyl ring to any
1563 extent with alkyl, alkoxy, thio, alkylthio, halide, fused
1564 alkylenedioxy, fused furan, fused benzofuran, or fused
1565 tetrahydropyran substituents, whether or not further substituted
1566 on a ring to any extent, with or without substitution at the
1567 alpha position by any alkyl substituent, including, but not
1568 limited to:

1569 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1570 methoxybenzyl)]phenethylamine).

1571 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1572 hydroxybenzyl)]phenethylamine).

1573 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1574 fluorobenzyl)]phenethylamine).

1575 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1576 methylenedioxybenzyl)]phenethylamine).

1577 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-



305924

1578 methoxybenzyl)]phenethylamine) .
1579 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1580 hydroxybenzyl)]phenethylamine) .
1581 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1582 fluorobenzyl)]phenethylamine) .
1583 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1584 methylenedioxybenzyl)]phenethylamine) .
1585 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
1586 methoxybenzyl)]phenethylamine) .
1587 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1588 methoxybenzyl)]phenethylamine) .
1589 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1590 methoxybenzyl)]phenethylamine) .
1591 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1592 methoxybenzyl)]phenethylamine) .
1593 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1594 hydroxybenzyl)]phenethylamine) .
1595 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1596 fluorobenzyl)]phenethylamine) .
1597 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1598 methylenedioxybenzyl)]phenethylamine) .
1599 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
1600 methoxybenzyl)]phenethylamine) .
1601 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1602 hydroxybenzyl)]phenethylamine) .
1603 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
1604 fluorobenzyl)]phenethylamine) .
1605 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1606 methoxybenzyl)]phenethylamine) ,



305924

1607
1608 which does not include substituted cathinones as described in
1609 subparagraph 191.

1610 194. Substituted Tryptamines.—Unless specifically excepted
1611 or unless listed in another schedule, or contained within a
1612 pharmaceutical product approved by the United States Food and
1613 Drug Administration, any material, compound, mixture, or
1614 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1615 example tryptamine, structure with or without mono- or di-
1616 substitution of the amine nitrogen with alkyl or alkenyl groups,
1617 or by inclusion of the amino nitrogen atom in a cyclic
1618 structure, whether or not substituted at the alpha position with
1619 an alkyl group, whether or not substituted on the indole ring to
1620 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1621 groups, including, but not limited to:

- 1622 a. Alpha-Ethyltryptamine.
- 1623 b. Bufotenine.
- 1624 c. DET (Diethyltryptamine).
- 1625 d. DMT (Dimethyltryptamine).
- 1626 e. MET (N-Methyl-N-ethyltryptamine).
- 1627 f. DALT (N,N-Diallyltryptamine).
- 1628 g. EiPT (N-Ethyl-N-isopropyltryptamine).
- 1629 h. MiPT (N-Methyl-N-isopropyltryptamine).
- 1630 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 1631 j. 5-Hydroxy-N-methyltryptamine.
- 1632 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 1633 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 1634 m. Methyltryptamine.
- 1635 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).



305924

- 1636 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1637 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 1638 q. DiPT (N,N-Diisopropyltryptamine).
- 1639 r. DPT (N,N-Dipropyltryptamine).
- 1640 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1641 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1642 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1643 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1644 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1645 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1646 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1647 isopropyltryptamine).
- 1648 z. Methyl-alpha-ethyltryptamine.
- 1649 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1650
1651 which does not include tryptamine, psilocyn as described in
1652 subparagraph 34., or psilocybin as described in subparagraph 33.

1653 195. Substituted Phenylcyclohexylamines.—Unless
1654 specifically excepted or unless listed in another schedule, or
1655 contained within a pharmaceutical product approved by the United
1656 States Food and Drug Administration, any material, compound,
1657 mixture, or preparation containing a phenylcyclohexylamine
1658 structure, with or without any substitution on the phenyl ring,
1659 any substitution on the cyclohexyl ring, any replacement of the
1660 phenyl ring with a thiophenyl or benzothiophenyl ring, with or
1661 without substitution on the amine with alkyl, dialkyl, or alkoxy
1662 substituents, inclusion of the nitrogen in a cyclic structure,
1663 or any combination of the above, including, but not limited to:

- 1664 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP



305924

- 1665 (Benocyclidine).
- 1666 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
1667 of phencyclidine).
- 1668 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
1669 analog of phencyclidine).
- 1670 d. PCPr (Phenylcyclohexylpropylamine).
- 1671 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
1672 analog of phencyclidine).
- 1673 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1674 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1675 h. Methoxetamine.
- 1676 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1677 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1678 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1679 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1680 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1681 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1682 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1683 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1684 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1685 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
- 1686 196. W-15, 4-chloro-N-[1-(2-phenylethyl)-2-
1687 piperidinylidene]-benzenesulfonamide.
- 1688 197. W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-
1689 piperidinylidene]-benzenesulfonamide.
- 1690 198. AH-7921, 3,4-dichloro-N-[[1-
1691 (dimethylamino)cyclohexyl]methyl]-benzamide.
- 1692 199. U47700, trans-3,4-dichloro-N-[2-
1693 (dimethylamino)cyclohexyl]-N-methyl-benzamide.



305924

1694 200. MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-piperazine,
1695 dihydrochloride.

1696 (2) SCHEDULE II.—A substance in Schedule II has a high
1697 potential for abuse and has a currently accepted but severely
1698 restricted medical use in treatment in the United States, and
1699 abuse of the substance may lead to severe psychological or
1700 physical dependence. The following substances are controlled in
1701 Schedule II:

1702 (a) Unless specifically excepted or unless listed in
1703 another schedule, any of the following substances, whether
1704 produced directly or indirectly by extraction from substances of
1705 vegetable origin or independently by means of chemical
1706 synthesis:

1707 1. Opium and any salt, compound, derivative, or preparation
1708 of opium, except nalmefene or isoquinoline alkaloids of opium,
1709 including, but not limited to the following:

- 1710 a. Raw opium.
- 1711 b. Opium extracts.
- 1712 c. Opium fluid extracts.
- 1713 d. Powdered opium.
- 1714 e. Granulated opium.
- 1715 f. Tincture of opium.
- 1716 g. Codeine.
- 1717 h. Dihydroetorphine.
- 1718 i.~~h.~~ Ethylmorphine.
- 1719 j.~~i.~~ Etorphine hydrochloride.
- 1720 k.~~j.~~ Hydrocodone and hydrocodone combination products.
- 1721 l.~~k.~~ Hydromorphone.
- 1722 m.~~l.~~ Levo-alphaacetylmethadol (also known as levo-alpha-



305924

1723 acetylmethadol, levomethadyl acetate, or LAAM).

1724 ~~n.m.~~ Metopon (methyldihydromorphinone).

1725 ~~o.n.~~ Morphine.

1726 p. Oripavine.

1727 ~~q.o.~~ Oxycodone.

1728 ~~r.p.~~ Oxymorphone.

1729 ~~s.g.~~ Thebaine.

1730 2. Any salt, compound, derivative, or preparation of a
1731 substance which is chemically equivalent to or identical with
1732 any of the substances referred to in subparagraph 1., except
1733 that these substances shall not include the isoquinoline
1734 alkaloids of opium.

1735 3. Any part of the plant of the species *Papaver somniferum*,
1736 *L.*

1737 4. Cocaine or ecgonine, including any of their
1738 stereoisomers, and any salt, compound, derivative, or
1739 preparation of cocaine or ecgonine, except that these substances
1740 shall not include ioflupane I 123.

1741 (b) Unless specifically excepted or unless listed in
1742 another schedule, any of the following substances, including
1743 their isomers, esters, ethers, salts, and salts of isomers,
1744 esters, and ethers, whenever the existence of such isomers,
1745 esters, ethers, and salts is possible within the specific
1746 chemical designation:

1747 1. Alfentanil.

1748 2. Alphaprodine.

1749 3. Anileridine.

1750 4. Bezitramide.

1751 5. Bulk propoxyphene (nondosage forms).



305924

- 1752 6. Carfentanil.
- 1753 7. Dihydrocodeine.
- 1754 8. Diphenoxylate.
- 1755 9. Fentanyl.
- 1756 10. Isomethadone.
- 1757 11. Levomethorphan.
- 1758 12. Levorphanol.
- 1759 13. Metazocine.
- 1760 14. Methadone.
- 1761 15. Methadone-Intermediate, 4-cyano-2-
- 1762 dimethylamino-4,4-diphenylbutane.
- 1763 16. Moramide-Intermediate, 2-methyl-
- 1764 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1765 17. Nabilone.
- 1766 18. Pethidine (meperidine).
- 1767 19. Pethidine-Intermediate-A, 4-cyano-1-
- 1768 methyl-4-phenylpiperidine.
- 1769 20. Pethidine-Intermediate-B, ethyl-4-
- 1770 phenylpiperidine-4-carboxylate.
- 1771 21. Pethidine-Intermediate-C, 1-methyl-4- phenylpiperidine-
- 1772 4-carboxylic acid.
- 1773 22. Phenazocine.
- 1774 23. Phencyclidine.
- 1775 24. 1-Phenylcyclohexylamine.
- 1776 25. Piminodine.
- 1777 26. 1-Piperidinocyclohexanecarbonitrile.
- 1778 27. Racemethorphan.
- 1779 28. Racemorphan.
- 1780 29. Remifentanil.



305924

1781 30.29. Sufentanil.

1782 31. Tapentadol.

1783 32. Thiafentanil.

1784 (c) Unless specifically excepted or unless listed in
1785 another schedule, any material, compound, mixture, or
1786 preparation which contains any quantity of the following
1787 substances, including their salts, isomers, optical isomers,
1788 salts of their isomers, and salts of their optical isomers:

1789 1. Amobarbital.

1790 2. Amphetamine.

1791 3. Glutethimide.

1792 4. Lisdexamfetamine.

1793 5.4. Methamphetamine.

1794 6.5. Methylphenidate.

1795 7.6. Pentobarbital.

1796 8.7. Phenmetrazine.

1797 9.8. Phenylacetone.

1798 10.9. Secobarbital.

1799 (d) Dronabinol (synthetic THC) in oral solution in a drug
1800 product approved by the United States Food and Drug
1801 Administration.

1802 (3) SCHEDULE III.—A substance in Schedule III has a
1803 potential for abuse less than the substances contained in
1804 Schedules I and II and has a currently accepted medical use in
1805 treatment in the United States, and abuse of the substance may
1806 lead to moderate or low physical dependence or high
1807 psychological dependence or, in the case of anabolic steroids,
1808 may lead to physical damage. The following substances are
1809 controlled in Schedule III:



305924

1810 (a) Unless specifically excepted or unless listed in
1811 another schedule, any material, compound, mixture, or
1812 preparation which contains any quantity of the following
1813 substances having a depressant or stimulant effect on the
1814 nervous system:

1815 1. Any substance which contains any quantity of a
1816 derivative of barbituric acid, including thiobarbituric acid, or
1817 any salt of a derivative of barbituric acid or thiobarbituric
1818 acid, including, but not limited to, butabarbital and
1819 butalbital.

1820 2. Benzphetamine.

1821 3. Buprenorphine.

1822 ~~4.3. Chlorhexadol.~~

1823 ~~5.4. Chlorphentermine.~~

1824 ~~6.5. Clortermine.~~

1825 7. Embutramide.

1826 ~~8.6. Lysergic acid.~~

1827 ~~9.7. Lysergic acid amide.~~

1828 ~~10.8. Methyprylon.~~

1829 11. Perampanel.

1830 ~~12.9. Phendimetrazine.~~

1831 ~~13.10. Sulfondiethylmethane.~~

1832 ~~14.11. Sulfonethylmethane.~~

1833 ~~15.12. Sulfonmethane.~~

1834 ~~16.13. Tiletamine and zolazepam or any salt thereof.~~

1835 (b) Nalorphine.

1836 (c) Unless specifically excepted or unless listed in
1837 another schedule, any material, compound, mixture, or
1838 preparation containing limited quantities of any of the



305924

1839 following controlled substances or any salts thereof:

1840 1. Not more than 1.8 grams of codeine per 100 milliliters
1841 or not more than 90 milligrams per dosage unit, with an equal or
1842 greater quantity of an isoquinoline alkaloid of opium.

1843 2. Not more than 1.8 grams of codeine per 100 milliliters
1844 or not more than 90 milligrams per dosage unit, with recognized
1845 therapeutic amounts of one or more active ingredients which are
1846 not controlled substances.

1847 3. Not more than 300 milligrams of hydrocodone per 100
1848 milliliters or not more than 15 milligrams per dosage unit, with
1849 a fourfold or greater quantity of an isoquinoline alkaloid of
1850 opium.

1851 4. Not more than 300 milligrams of hydrocodone per 100
1852 milliliters or not more than 15 milligrams per dosage unit, with
1853 recognized therapeutic amounts of one or more active ingredients
1854 that are not controlled substances.

1855 5. Not more than 1.8 grams of dihydrocodeine per 100
1856 milliliters or not more than 90 milligrams per dosage unit, with
1857 recognized therapeutic amounts of one or more active ingredients
1858 which are not controlled substances.

1859 6. Not more than 300 milligrams of ethylmorphine per 100
1860 milliliters or not more than 15 milligrams per dosage unit, with
1861 one or more active, nonnarcotic ingredients in recognized
1862 therapeutic amounts.

1863 7. Not more than 50 milligrams of morphine per 100
1864 milliliters or per 100 grams, with recognized therapeutic
1865 amounts of one or more active ingredients which are not
1866 controlled substances.

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305924

1868 For purposes of charging a person with a violation of s. 893.135
1869 involving any controlled substance described in subparagraph 3.
1870 or subparagraph 4., the controlled substance is a Schedule III
1871 controlled substance pursuant to this paragraph but the weight
1872 of the controlled substance per milliliters or per dosage unit
1873 is not relevant to the charging of a violation of s. 893.135.

1874 The weight of the controlled substance shall be determined
1875 pursuant to s. 893.135(6).

1876 (d) Anabolic steroids.

1877 1. The term "anabolic steroid" means any drug or hormonal
1878 substance, chemically and pharmacologically related to
1879 testosterone, other than estrogens, progestins, and
1880 corticosteroids, that promotes muscle growth and includes:

- 1881 a. Androsterone.
- 1882 b. Androsterone acetate.
- 1883 c. Boldenone.
- 1884 d. Boldenone acetate.
- 1885 e. Boldenone benzoate.
- 1886 f. Boldenone undecylenate.
- 1887 g. Chlorotestosterone (Clostebol).
- 1888 h. Dehydrochlormethyltestosterone.
- 1889 i. Dihydrotestosterone (Stanolone).
- 1890 j. Drostanolone.
- 1891 k. Ethylestrenol.
- 1892 l. Fluoxymesterone.
- 1893 m. Formebolone (Formebolone).
- 1894 n. Mesterolone.
- 1895 o. Methandrostenolone (Methandienone).
- 1896 p. Methandranone.



305924

- 1897 q. Methandriol.
- 1898 r. Methenolone.
- 1899 s. Methyltestosterone.
- 1900 t. Mibolerone.
- 1901 u. Nortestosterone (Nandrolone).
- 1902 v. Norethandrolone.
- 1903 w. Nortestosterone decanoate.
- 1904 x. Nortestosterone phenylpropionate.
- 1905 y. Nortestosterone propionate.
- 1906 z. Oxandrolone.
- 1907 aa. Oxymesterone.
- 1908 bb. Oxymetholone.
- 1909 cc. Stanozolol.
- 1910 dd. Testolactone.
- 1911 ee. Testosterone.
- 1912 ff. Testosterone acetate.
- 1913 gg. Testosterone benzoate.
- 1914 hh. Testosterone cypionate.
- 1915 ii. Testosterone decanoate.
- 1916 jj. Testosterone enanthate.
- 1917 kk. Testosterone isocaproate.
- 1918 ll. Testosterone oleate.
- 1919 mm. Testosterone phenylpropionate.
- 1920 nn. Testosterone propionate.
- 1921 oo. Testosterone undecanoate.
- 1922 pp. Trenbolone.
- 1923 qq. Trenbolone acetate.
- 1924 rr. Any salt, ester, or isomer of a drug or substance
- 1925 described or listed in this subparagraph if that salt, ester, or



305924

1926 isomer promotes muscle growth.

1927 2. The term does not include an anabolic steroid that is
1928 expressly intended for administration through implants to cattle
1929 or other nonhuman species and that has been approved by the
1930 United States Secretary of Health and Human Services for such
1931 administration. However, any person who prescribes, dispenses,
1932 or distributes such a steroid for human use is considered to
1933 have prescribed, dispensed, or distributed an anabolic steroid
1934 within the meaning of this paragraph.

1935 (e) Ketamine, including any isomers, esters, ethers, salts,
1936 and salts of isomers, esters, and ethers, whenever the existence
1937 of such isomers, esters, ethers, and salts is possible within
1938 the specific chemical designation.

1939 (f) Dronabinol (synthetic THC) in sesame oil and
1940 encapsulated in a soft gelatin capsule in a drug product
1941 approved by the United States Food and Drug Administration.

1942 (g) Any drug product containing gamma-hydroxybutyric acid,
1943 including its salts, isomers, and salts of isomers, for which an
1944 application is approved under s. 505 of the Federal Food, Drug,
1945 and Cosmetic Act.

1946 (4) (a) SCHEDULE IV.—A substance in Schedule IV has a low
1947 potential for abuse relative to the substances in Schedule III
1948 and has a currently accepted medical use in treatment in the
1949 United States, and abuse of the substance may lead to limited
1950 physical or psychological dependence relative to the substances
1951 in Schedule III.

1952 (b) Unless specifically excepted or unless listed in
1953 another schedule, any material, compound, mixture, or
1954 preparation which contains any quantity of the following



305924

1955 substances, including its salts, isomers, and salts of isomers
1956 whenever the existence of such salts, isomers, and salts of
1957 isomers is possible within the specific chemical designation,
1958 are controlled in Schedule IV:

- 1959 1. Alfaxalone.
- 1960 2.~~(a)~~ Alprazolam.
- 1961 3.~~(b)~~ Barbital.
- 1962 4.~~(c)~~ Bromazepam.
- 1963 5.~~(iii)~~ Butorphanol tartrate.
- 1964 6.~~(d)~~ Camazepam.
- 1965 7.~~(jjj)~~ Carisoprodol.
- 1966 8.~~(e)~~ Cathine.
- 1967 9.~~(f)~~ Chloral betaine.
- 1968 10.~~(g)~~ Chloral hydrate.
- 1969 11.~~(h)~~ Chlordiazepoxide.
- 1970 12.~~(i)~~ Clobazam.
- 1971 13.~~(j)~~ Clonazepam.
- 1972 14.~~(k)~~ Clorazepate.
- 1973 15.~~(l)~~ Clotiazepam.
- 1974 16.~~(m)~~ Cloxazolam.
- 1975 17. Dexfenfluramine.
- 1976 18.~~(n)~~ Delorazepam.
- 1977 19. Dichloralphenazone.
- 1978 20.~~(p)~~ Diazepam.
- 1979 21.~~(q)~~ Diethylpropion.
- 1980 22. Eluxadoline.
- 1981 23.~~(r)~~ Estazolam.
- 1982 24. Eszopiclone.
- 1983 25.~~(s)~~ Ethchlorvynol.



305924

- 1984 26.~~(t)~~ Ethinamate.
- 1985 27.~~(u)~~ Ethyl loflazepate.
- 1986 28.~~(v)~~ Fencamfamin.
- 1987 29.~~(w)~~ Fenfluramine.
- 1988 30.~~(x)~~ Fenproporex.
- 1989 31.~~(y)~~ Fludiazepam.
- 1990 32.~~(z)~~ Flurazepam.
- 1991 33. Fospropofol.
- 1992 34.~~(aa)~~ Halazepam.
- 1993 35.~~(bb)~~ Haloxazolam.
- 1994 36.~~(cc)~~ Ketazolam.
- 1995 37.~~(dd)~~ Loprazolam.
- 1996 38.~~(ee)~~ Lorazepam.
- 1997 39. Lorcaserin.
- 1998 40.~~(ff)~~ Lormetazepam.
- 1999 41.~~(gg)~~ Mazindol.
- 2000 42.~~(hh)~~ Mebutamate.
- 2001 43.~~(ii)~~ Medazepam.
- 2002 44.~~(jj)~~ Mefenorex.
- 2003 45.~~(kk)~~ Meprobamate.
- 2004 46.~~(ll)~~ Methohexital.
- 2005 47.~~(mm)~~ Methylphenobarbital.
- 2006 48.~~(nn)~~ Midazolam.
- 2007 49. Modafinil.
- 2008 50.~~(oo)~~ Nimetazepam.
- 2009 51.~~(pp)~~ Nitrazepam.
- 2010 52.~~(qq)~~ Nordiazepam.
- 2011 53.~~(rr)~~ Oxazepam.
- 2012 54.~~(ss)~~ Oxazolam.



305924

- 2013 55.~~(tt)~~ Paraldehyde.
- 2014 56.~~(uu)~~ Pemoline.
- 2015 57.~~(vv)~~ Pentazocine.
- 2016 58. Petrichloral.
- 2017 59.~~(ww)~~ Phenobarbital.
- 2018 60.~~(xx)~~ Phentermine.
- 2019 61.~~(yy)~~ Pinazepam.
- 2020 62.~~(zz)~~ Pipradrol.
- 2021 63.~~(aaa)~~ Prazepam.
- 2022 64.~~(o)~~ Propoxyphene (dosage forms).
- 2023 65.~~(bbb)~~ Propylhexedrine, excluding any patent or
2024 proprietary preparation containing propylhexedrine, unless
2025 otherwise provided by federal law.
- 2026 66.~~(eee)~~ Quazepam.
- 2027 67. Sibutramine.
- 2028 68.~~(eee)~~ SPA[(-)-1 dimethylamino-1, 2
2029 diphenylethane].
- 2030 69. Suvorexant.
- 2031 70.~~(fff)~~ Temazepam.
- 2032 71.~~(ddd)~~ Tetrazepam.
- 2033 72. Tramadol.
- 2034 73.~~(ggg)~~ Triazolam.
- 2035 74. Zaleplon.
- 2036 75. Zolpidem.
- 2037 76. Zopiclone.
- 2038 77.~~(hhh)~~ Not more than 1 milligram of difenoxin and not
2039 less than 25 micrograms of atropine sulfate per dosage unit.
- 2040 (5) SCHEDULE V.—A substance, compound, mixture, or
2041 preparation of a substance in Schedule V has a low potential for



305924

2042 abuse relative to the substances in Schedule IV and has a
2043 currently accepted medical use in treatment in the United
2044 States, and abuse of such compound, mixture, or preparation may
2045 lead to limited physical or psychological dependence relative to
2046 the substances in Schedule IV.

2047 (a) Substances controlled in Schedule V include any
2048 compound, mixture, or preparation containing any of the
2049 following limited quantities of controlled substances, which
2050 must ~~shall~~ include one or more active medicinal ingredients that
2051 ~~which~~ are not controlled substances in sufficient proportion to
2052 confer upon the compound, mixture, or preparation valuable
2053 medicinal qualities other than those possessed by the controlled
2054 substance alone:

2055 1. Not more than 200 milligrams of codeine per 100
2056 milliliters or per 100 grams.

2057 2. Not more than 100 milligrams of dihydrocodeine per 100
2058 milliliters or per 100 grams.

2059 3. Not more than 100 milligrams of ethylmorphine per 100
2060 milliliters or per 100 grams.

2061 4. Not more than 2.5 milligrams of diphenoxylate and not
2062 less than 25 micrograms of atropine sulfate per dosage unit.

2063 5. Not more than 100 milligrams of opium per 100
2064 milliliters or per 100 grams.

2065 6. Not more than 0.5 milligrams of difenoxin and not less
2066 than 25 micrograms of atropine sulfate per dosage unit.

2067 (b) Unless a specific exception exists or unless listed in
2068 another schedule, any material, compound, mixture, or
2069 preparation that contains any quantity of the following
2070 substances is controlled in Schedule V:



305924

- 2071 1. Brivaracetam.
2072 2. Ezogabine.
2073 3. Lacosamide.
2074 4. Pregabalin ~~Narcotic drugs. Unless specifically excepted~~
2075 ~~or unless listed in another schedule, any material, compound,~~
2076 ~~mixture, or preparation containing any of the following narcotic~~
2077 ~~drugs and their salts: Buprenorphine.~~

2078 (c) Stimulants. Unless specifically excepted or unless
2079 listed in another schedule, any material, compound, mixture, or
2080 preparation which contains any quantity of the following
2081 substances having a stimulant effect on the central nervous
2082 system, including its salts, isomers, and salts of isomers:
2083 Pyrovalerone.

2084 Section 11. Subsection (1) of section 893.04, Florida
2085 Statutes, is amended to read:

2086 893.04 Pharmacist and practitioner.—

2087 (1) A pharmacist, in good faith and in the course of
2088 professional practice only, may dispense controlled substances
2089 upon a written, ~~or~~ oral, or electronic prescription of a
2090 practitioner, under the following conditions:

2091 (a) Oral prescriptions must be promptly reduced to writing
2092 by the pharmacist or recorded electronically if permitted by
2093 federal law.

2094 (b) The written prescription must be dated and signed by
2095 the prescribing practitioner on the day when issued.

2096 (c) There shall appear on the face of the prescription or
2097 written record thereof for the controlled substance the
2098 following information:

- 2099 1. The full name and address of the person for whom, or the



305924

2100 owner of the animal for which, the controlled substance is
2101 dispensed.

2102 2. The full name and address of the prescribing
2103 practitioner and the practitioner's federal controlled substance
2104 registry number shall be printed thereon.

2105 3. If the prescription is for an animal, the species of
2106 animal for which the controlled substance is prescribed.

2107 4. The name of the controlled substance prescribed and the
2108 strength, quantity, and directions for use thereof.

2109 5. The number of the prescription, as recorded in the
2110 prescription files of the pharmacy in which it is filled.

2111 6. The initials of the pharmacist filling the prescription
2112 and the date filled.

2113 (d) The prescription shall be retained on file by the
2114 proprietor of the pharmacy in which it is filled for a period of
2115 2 years.

2116 (e) Affixed to the original container in which a controlled
2117 substance is delivered upon a prescription or authorized refill
2118 thereof, as hereinafter provided, there shall be a label bearing
2119 the following information:

2120 1. The name and address of the pharmacy from which such
2121 controlled substance was dispensed.

2122 2. The date on which the prescription for such controlled
2123 substance was filled.

2124 3. The number of such prescription, as recorded in the
2125 prescription files of the pharmacy in which it is filled.

2126 4. The name of the prescribing practitioner.

2127 5. The name of the patient for whom, or of the owner and
2128 species of the animal for which, the controlled substance is



305924

2129 prescribed.

2130 6. The directions for the use of the controlled substance
2131 prescribed in the prescription.

2132 7. A clear, concise warning that it is a crime to transfer
2133 the controlled substance to any person other than the patient
2134 for whom prescribed.

2135 (f) A prescription for a controlled substance listed in
2136 Schedule II may be dispensed only upon a written or electronic
2137 prescription of a practitioner, except that in an emergency
2138 situation, as defined by regulation of the Department of Health,
2139 such controlled substance may be dispensed upon oral
2140 prescription but is limited to a 72-hour supply. A prescription
2141 for a controlled substance listed in Schedule II may not be
2142 refilled.

2143 (g) A prescription for a controlled substance listed in
2144 Schedule III, Schedule IV, or Schedule V may not be filled or
2145 refilled more than five times within a period of 6 months after
2146 the date on which the prescription was written unless the
2147 prescription is renewed by a practitioner.

2148 Section 12. Section 893.055, Florida Statutes, is amended
2149 to read:

2150 (Substantial rewording of section. See
2151 s. 893.055, F.S., for present text.)
2152 893.055 Prescription drug monitoring program.-

2153 (1) As used in this section, the term:

2154 (a) "Active investigation" means an investigation that is
2155 being conducted with a reasonable, good faith belief that it
2156 could lead to the filing of administrative, civil, or criminal
2157 proceedings, or that is ongoing and continuing and for which



305924

2158 there is a reasonable, good faith anticipation of securing an
2159 arrest or prosecution in the foreseeable future.

2160 (b) "Administration" means the obtaining and giving of a
2161 single dose of a controlled substance by a legally authorized
2162 person to a patient for her or his consumption.

2163 (c) "Controlled substance" means a controlled substance
2164 listed in Schedule II, Schedule III, Schedule IV, or Schedule V
2165 of s. 893.03 or 21 U.S.C. s. 812.

2166 (d) "Dispense" means the transfer of possession of one or
2167 more doses of a controlled substance by a dispenser to the
2168 ultimate consumer or to his or her agent.

2169 (e) "Dispenser" means a dispensing health care
2170 practitioner, pharmacy, or pharmacist licensed to dispense
2171 controlled substances in or into this state.

2172 (f) "Health care practitioner" or "practitioner" means any
2173 practitioner licensed under chapter 458, chapter 459, chapter
2174 461, chapter 463, chapter 464, chapter 465, or chapter 466.

2175 (g) "Health care regulatory board" has the same meaning as
2176 in s. 456.001(1).

2177 (h) "Law enforcement agency" means the Department of Law
2178 Enforcement, a sheriff's office in this state, a police
2179 department in this state, or a law enforcement agency of the
2180 Federal Government which enforces the laws of this state or the
2181 United States relating to controlled substances and whose agents
2182 and officers are empowered by law to conduct criminal
2183 investigations and make arrests.

2184 (i) "Pharmacy" includes a community pharmacy, an
2185 institutional pharmacy, a nuclear pharmacy, a special pharmacy,
2186 or an Internet pharmacy that is licensed by the department under



305924

2187 chapter 465 and that dispenses or delivers controlled substances
2188 to an individual or address in this state.

2189 (j) "Prescriber" means a prescribing physician, prescribing
2190 practitioner, or other prescribing health care practitioner
2191 authorized by the laws of this state to order controlled
2192 substances.

2193 (k) "Program manager" means an employee of or a person
2194 contracted by the department who is designated to ensure the
2195 integrity of the prescription drug monitoring program in
2196 accordance with the requirements established in this section.

2197 (2) (a) The department shall maintain an electronic system
2198 to collect and store controlled substance dispensing information
2199 and shall release the information as authorized in this section
2200 and s. 893.0551. The electronic system must:

2201 1. Not infringe upon the legitimate prescribing or
2202 dispensing of a controlled substance by a prescriber or
2203 dispenser acting in good faith and in the course of professional
2204 practice.

2205 2. Be consistent with standards of the American Society for
2206 Automation in Pharmacy.

2207 3. Comply with the Health Insurance Portability and
2208 Accountability Act as it pertains to protected health
2209 information, electronic protected health information, and all
2210 other relevant state and federal privacy and security laws and
2211 regulations.

2212 4. Purge or cause to be purged information in the database
2213 that is more than 4 years old.

2214 (b) The department may collaborate with professional health
2215 care regulatory boards, appropriate organizations, and other



305924

2216 state agencies to identify indicators of controlled substance
2217 abuse.

2218 (3) (a) For each controlled substance dispensed to a patient
2219 in this state, the following information must be reported by the
2220 dispenser to the system as soon thereafter as possible but no
2221 later than the close of the next business day after the day the
2222 controlled substance is dispensed unless an extension or
2223 exemption is approved by the department:

2224 1. The name of the prescribing practitioner, the
2225 practitioner's federal Drug Enforcement Administration
2226 registration number, the practitioner's National Provider
2227 Identification or other appropriate identifier, and the date of
2228 the prescription.

2229 2. The date the prescription was filled and the method of
2230 payment, such as cash by an individual, insurance coverage
2231 through a third party, or Medicaid payment. This paragraph does
2232 not authorize the department to include individual credit card
2233 numbers or other account numbers in the system.

2234 3. The full name, address, telephone number, and date of
2235 birth of the person for whom the prescription was written.

2236 4. The name, national drug code, quantity, and strength of
2237 the controlled substance dispensed.

2238 5. The full name, federal Drug Enforcement Administration
2239 registration number, State of Florida Department of Health
2240 issued pharmacy permit number, and address of the pharmacy or
2241 other location from which the controlled substance was
2242 dispensed. If the controlled substance was dispensed by a
2243 practitioner other than a pharmacist, the practitioner's full
2244 name, address, federal Drug Enforcement Administration



305924

2245 registration number, State of Florida Department of Health
2246 issued license number, and National Provider Identification.
2247 6. Whether the drug was dispensed as an initial
2248 prescription or a refill, and the number of refills ordered.
2249 7. The name of the individual picking up the controlled
2250 substance prescription and type and issuer of the identification
2251 provided.
2252 8. Other appropriate identifying information as determined
2253 by department rule.
2254 (b) The following acts of administration or dispensing are
2255 exempt from the reporting requirements of this subsection:
2256 1. All acts of administration of a controlled substance.
2257 2. The dispensing of a controlled substance in the health
2258 care system of the Department of Corrections.
2259 3. The dispensing of a controlled substance to a person
2260 under the age of 16.
2261 (4) The following persons must be provided direct access to
2262 information in the system:
2263 (a) A prescriber or dispenser or his or her designee.
2264 (b) An employee of the United States Department of Veterans
2265 Affairs, the United States Department of Defense, or the Indian
2266 Health Service who provides health care services pursuant to
2267 such employment and who has the authority to prescribe
2268 controlled substances shall have access to the information in
2269 the program's system upon verification of employment.
2270 (c) The program manager or designated program and support
2271 staff to administer the system.
2272 1. In order to calculate performance measures pursuant to
2273 subsection (14), the program manager or program and support



305924

2274 staff members who have been directed by the program manager to
2275 calculate performance measures may have direct access to
2276 information that contains no identifying information of any
2277 patient, physician, health care practitioner, prescriber, or
2278 dispenser.

2279 2. The program manager or designated program and support
2280 staff must provide the department, upon request, data that does
2281 not contain patient, physician, health care practitioner,
2282 prescriber, or dispenser identifying information for public
2283 health care and safety initiatives purposes.

2284 3. The program manager, upon determining a pattern
2285 consistent with the department's rules established under
2286 subsection (16), may provide relevant information to the
2287 prescriber and dispenser.

2288 4. The program manager, upon determining a pattern
2289 consistent with the rules established under subsection (16) and
2290 having cause to believe a violation of s. 893.13(7)(a)8.,
2291 (8)(a), or (8)(b) has occurred, may provide relevant information
2292 to the applicable law enforcement agency.

2293
2294 The program manager and designated program and support staff
2295 must complete a level II background screening.

2296 (5) The following entities may not directly access
2297 information in the system, but may request information from the
2298 program manager or designated program and support staff:

2299 (a) The department and its health care regulatory boards,
2300 as appropriate, for investigations involving licensees
2301 authorized to prescribe or dispense controlled substances.

2302 (b) The Attorney General for Medicaid fraud cases involving



305924

2303 prescribed controlled substances.

2304 (c) A law enforcement agency during active investigations
2305 of potential criminal activity, fraud, or theft regarding
2306 prescribed controlled substances.

2307 (d) A medical examiner when conducting an authorized
2308 investigation under s. 406.11, to determine the cause of death
2309 of an individual.

2310 (e) An impaired practitioner consultant who is retained by
2311 the department under s. 456.076 to review the system information
2312 of an impaired practitioner program participant or a referral
2313 who has agreed to be evaluated or monitored through the program
2314 and who has separately agreed in writing to the consultant's
2315 access to and review of such information.

2316 (f) A patient or the legal guardian or designated health
2317 care surrogate of an incapacitated patient who submits a written
2318 and notarized request that includes the patient's full name,
2319 address, phone number, date of birth, and a copy of a
2320 government-issued photo identification.

2321 (6) The department may enter into one or more reciprocal
2322 agreements or contracts to share prescription drug monitoring
2323 information with other states, districts, or territories if the
2324 prescription drug monitoring programs of such other states,
2325 districts, or territories are compatible with the Florida
2326 program.

2327 (a) In determining compatibility, the department shall
2328 consider:

2329 1. The safeguards for privacy of patient records and the
2330 success of the program in protecting patient privacy.

2331 2. The persons authorized to view the data collected by the



305924

2332 program. Comparable entities and licensed health care
2333 practitioners in other states, districts, or territories of the
2334 United States, law enforcement agencies, the Attorney General's
2335 Medicaid Fraud Control Unit, medical regulatory boards, and, as
2336 needed, management staff that have similar duties as management
2337 staff who work with the prescription drug monitoring program as
2338 authorized in s. 893.0551 are authorized access upon approval by
2339 the department.

2340 3. The schedules of the controlled substances that are
2341 monitored by the program.

2342 4. The data reported to or included in the program's
2343 system.

2344 5. Any implementing criteria deemed essential for a
2345 thorough comparison.

2346 6. The costs and benefits to the state of sharing
2347 prescription information.

2348 (b) The department shall assess the prescription drug
2349 monitoring program's continued compatibility with other states',
2350 districts', or territories' programs every 4 years.

2351 (c) Any agreements or contracts for sharing of prescription
2352 drug monitoring information between the department and other
2353 states, districts, or territories shall contain the same
2354 restrictions and requirements as this section or s. 893.0551,
2355 and the information must be provided according to the
2356 department's determination of compatibility.

2357 (7) The department may enter into agreements or contracts
2358 to establish secure connections between the system and a
2359 prescribing or dispensing health care practitioner's electronic
2360 health recordkeeping system. The electronic health recordkeeping



305924

2361 system owner or license holder will be responsible for ensuring
2362 that only authorized individuals have access to prescription
2363 drug monitoring program information.

2364 (8) A prescriber or dispenser or a designee of a prescriber
2365 or dispenser must consult the system to review a patient's
2366 controlled substance dispensing history before prescribing or
2367 dispensing a controlled substance for a patient age 16 or older.
2368 This requirement does not apply when prescribing or dispensing a
2369 nonopioid controlled substance listed in Schedule V of s. 893.03
2370 or 21 U.S.C. 812. For purposes of this subsection, a "nonopioid
2371 controlled substance" is a controlled substance that does not
2372 contain any amount of a substance listed as an opioid in s.
2373 893.03 or 21 U.S.C. 812.

2374 (a) The duty to consult the system does not apply when the
2375 system:

- 2376 1. Is determined by the department to be nonoperational; or
2377 2. Cannot be accessed by the prescriber or dispenser or a
2378 designee of the prescriber or dispenser because of a temporary
2379 technological or electrical failure.

2380 (b) A prescriber or dispenser or designee of a prescriber
2381 or dispenser who does not consult the system under this
2382 subsection shall document the reason he or she did not consult
2383 the system in the patient's medical record or prescription
2384 record and shall not prescribe or dispense greater than a 3-day
2385 supply of a controlled substance to the patient.

2386 (c) Notwithstanding s. 456.077(1), the department must
2387 issue a citation pursuant to s. 456.077 to any prescriber or
2388 dispenser who fails to comply with this subsection or whose
2389 designee fails to comply with this subsection. The department



305924

2390 must also refer the noncompliance to the appropriate board for
2391 consideration of disciplinary action, including suspension or
2392 revocation of license, against the non-compliant prescriber or
2393 dispenser.

2394 (9) A person who willfully and knowingly fails to report
2395 the dispensing of a controlled substance as required by this
2396 section commits a misdemeanor of the first degree, punishable as
2397 provided in s. 775.082 or s. 775.083.

2398 (10) Information in the prescription drug monitoring
2399 program's system may be released only as provided in this
2400 section and s. 893.0551. The content of the system is intended
2401 to be informational only. Information in the system is not
2402 subject to discovery or introduction into evidence in any civil
2403 or administrative action against a prescriber, dispenser,
2404 pharmacy, or patient arising out of matters that are the subject
2405 of information in the system. The program manager and authorized
2406 persons who participate in preparing, reviewing, issuing, or any
2407 other activity related to management of the system may not be
2408 permitted or required to testify in any such civil or
2409 administrative action as to any findings, recommendations,
2410 evaluations, opinions, or other actions taken in connection with
2411 management of the system.

2412 (11) A prescriber or dispenser, or his or her designee, may
2413 have access to the information under this section which relates
2414 to a patient of that prescriber or dispenser as needed for the
2415 purpose of reviewing the patient's controlled drug prescription
2416 history. A prescriber or dispenser acting in good faith is
2417 immune from any civil, criminal, or administrative liability
2418 that might otherwise be incurred or imposed for receiving or



305924

2419 using information from the prescription drug monitoring program.
2420 This subsection does not create a private cause of action, and a
2421 person may not recover damages against a prescriber or dispenser
2422 authorized to access information under this subsection for
2423 accessing or failing to access such information.

2424 (12) (a) All costs incurred by the department in
2425 administering the prescription drug monitoring program shall be
2426 funded through federal grants, private funding applied for or
2427 received by the state, or state funds appropriated in the
2428 General Appropriations Act. The department may not:

2429 1. Commit funds for the monitoring program without ensuring
2430 funding is available; or

2431 2. Use funds provided, directly or indirectly, by
2432 prescription drug manufacturers to implement the program.

2433 (b) The department shall cooperate with the direct-support
2434 organization established under subsection (15) in seeking
2435 federal grant funds, other nonstate grant funds, gifts,
2436 donations, or other private moneys for the department if the
2437 costs of doing so are immaterial. Immaterial costs include, but
2438 are not limited to, the costs of mailing and personnel assigned
2439 to research or apply for a grant. The department may
2440 competitively procure and contract pursuant to s. 287.057 for
2441 any goods and services required by this section.

2442 (13) The department shall conduct or participate in studies
2443 to examine the feasibility of enhancing the prescription drug
2444 monitoring program for the purposes of public health initiatives
2445 and statistical reporting. Such studies shall respect the
2446 privacy of the patient, the prescriber, and the dispenser. Such
2447 studies may be conducted by the department or a contracted



305924

2448 vendor in order to:
2449 (a) Improve the quality of health care services and safety
2450 by improving prescribing and dispensing practices for controlled
2451 substances;
2452 (b) Take advantage of advances in technology;
2453 (c) Reduce duplicative prescriptions and the
2454 overprescribing of controlled substances; and
2455 (d) Reduce drug abuse.
2456 (14) The department shall annually report on performance
2457 measures to the Governor, the President of the Senate, and the
2458 Speaker of the House of Representatives by December 1.
2459 Performance measures may include, but are not limited to, the
2460 following outcomes:
2461 (a) Reduction of the rate of inappropriate use of
2462 controlled substances through department education and safety
2463 efforts.
2464 (b) Reduction of the quantity of controlled substances
2465 obtained by individuals attempting to engage in fraud and
2466 deceit.
2467 (c) Increased coordination among partners participating in
2468 the prescription drug monitoring program.
2469 (d) Involvement of stakeholders in achieving improved
2470 patient health care and safety and reduction of controlled
2471 substance abuse and controlled substance diversion.
2472 (15) The department may establish a direct-support
2473 organization to provide assistance, funding, and promotional
2474 support for the activities authorized for the prescription drug
2475 monitoring program.
2476 (a) As used in this subsection, the term "direct-support



305924

2477 organization” means an organization that is:

2478 1. A Florida corporation not for profit incorporated under
2479 chapter 617, exempted from filing fees, and approved by the
2480 Department of State.

2481 2. Organized and operated to conduct programs and
2482 activities; raise funds; request and receive grants, gifts, and
2483 bequests of money; acquire, receive, hold, and invest, in its
2484 own name, securities, funds, objects of value, or other
2485 property, either real or personal; and make expenditures or
2486 provide funding to or for the direct or indirect benefit of the
2487 department in the furtherance of the prescription drug
2488 monitoring program.

2489 (b) The State Surgeon General shall appoint a board of
2490 directors for the direct-support organization.

2491 1. The board of directors shall consist of no fewer than
2492 five members who shall serve at the pleasure of the State
2493 Surgeon General.

2494 2. The State Surgeon General shall provide guidance to
2495 members of the board to ensure that moneys received by the
2496 direct-support organization are not received from inappropriate
2497 sources. Inappropriate sources include, but are not limited to,
2498 donors, grantors, persons, prescription drug manufacturers, or
2499 organizations that may monetarily or substantively benefit from
2500 the purchase of goods or services by the department in
2501 furtherance of the prescription drug monitoring program.

2502 (c) The direct-support organization shall operate under
2503 written contract with the department. The contract must, at a
2504 minimum, provide for:

2505 1. Approval of the articles of incorporation and bylaws of



305924

2506 the direct-support organization by the department.

2507 2. Submission of an annual budget for the approval of the
2508 department.

2509 3. The reversion, without penalty, to the department's
2510 grants and donations trust fund for the administration of the
2511 prescription drug monitoring program of all moneys and property
2512 held in trust by the direct-support organization for the benefit
2513 of the prescription drug monitoring program if the direct-
2514 support organization ceases to exist or if the contract is
2515 terminated.

2516 4. The fiscal year of the direct-support organization,
2517 which must begin July 1 of each year and end June 30 of the
2518 following year.

2519 5. The disclosure of the material provisions of the
2520 contract to donors of gifts, contributions, or bequests,
2521 including such disclosure on all promotional and fundraising
2522 publications, and an explanation to such donors of the
2523 distinction between the department and the direct-support
2524 organization.

2525 6. The direct-support organization's collecting, expending,
2526 and providing of funds to the department for the development,
2527 implementation, and operation of the prescription drug
2528 monitoring program as described in this section. The direct-
2529 support organization may collect and expend funds to be used for
2530 the functions of the direct-support organization's board of
2531 directors, as necessary and approved by the department. In
2532 addition, the direct-support organization may collect and
2533 provide funding to the department in furtherance of the
2534 prescription drug monitoring program by:



305924

2535 a. Establishing and administering the prescription drug
2536 monitoring program's electronic system, including hardware and
2537 software.

2538 b. Conducting studies on the efficiency and effectiveness
2539 of the program to include feasibility studies as described in
2540 subsection (13).

2541 c. Providing funds for future enhancements of the program
2542 within the intent of this section.

2543 d. Providing user training of the prescription drug
2544 monitoring program, including distribution of materials to
2545 promote public awareness and education and conducting workshops
2546 or other meetings for health care practitioners, pharmacists,
2547 and others as appropriate.

2548 e. Providing funds for travel expenses.

2549 f. Providing funds for administrative costs, including
2550 personnel, audits, facilities, and equipment.

2551 g. Fulfilling all other requirements necessary to implement
2552 and operate the program as outlined in this section.

2553 7. Certification by the department that the direct-support
2554 organization is complying with the terms of the contract in a
2555 manner consistent with and in furtherance of the goals and
2556 purposes of the prescription drug monitoring program and in the
2557 best interests of the state. Such certification must be made
2558 annually and reported in the official minutes of a meeting of
2559 the direct-support organization.

2560 (d) The activities of the direct-support organization must
2561 be consistent with the goals and mission of the department, as
2562 determined by the department, and in the best interests of the
2563 state. The direct-support organization must obtain written



305924

2564 approval from the department for any activities in support of
2565 the prescription drug monitoring program before undertaking
2566 those activities.

2567 (e) The direct-support organization shall provide for an
2568 independent annual financial audit in accordance with s.
2569 215.981. Copies of the audit shall be provided to the department
2570 and the Office of Policy and Budget in the Executive Office of
2571 the Governor.

2572 (f) The direct-support organization may not exercise any
2573 power under s. 617.0302(12) or (16).

2574 (g) The direct-support organization is not considered a
2575 lobbying firm within the meaning of s. 11.045.

2576 (h) The department may permit, without charge, appropriate
2577 use of administrative services, property, and facilities of the
2578 department by the direct-support organization, subject to this
2579 section. The use must be directly in keeping with the approved
2580 purposes of the direct-support organization and may not be made
2581 at times or places that would unreasonably interfere with
2582 opportunities for the public to use such facilities for
2583 established purposes. Any moneys received from rentals of
2584 facilities and properties managed by the department may be held
2585 in a separate depository account in the name of the direct-
2586 support organization and subject to the provisions of the letter
2587 of agreement with the department. The letter of agreement must
2588 provide that any funds held in the separate depository account
2589 in the name of the direct-support organization must revert to
2590 the department if the direct-support organization is no longer
2591 approved by the department to operate in the best interests of
2592 the state.



305924

2593 (i) The department may adopt rules under s. 120.54 to
2594 govern the use of administrative services, property, or
2595 facilities of the department or office by the direct-support
2596 organization.

2597 (j) The department may not permit the use of any
2598 administrative services, property, or facilities of the state by
2599 a direct-support organization if that organization does not
2600 provide equal membership and employment opportunities to all
2601 persons regardless of race, color, religion, gender, age, or
2602 national origin.

2603 (k) This subsection is repealed October 1, 2027, unless
2604 reviewed and saved from repeal by the Legislature.

2605 (16) The department shall adopt rules necessary to
2606 implement this section.

2607 Section 13. Section 893.0551, Florida Statutes, is amended
2608 to read:

2609 893.0551 Public records exemption for the prescription drug
2610 monitoring program.—

2611 (1) For purposes of this section, the terms used in this
2612 section have the same meanings as provided in s. 893.055.

2613 (2) The following information of a patient or patient's
2614 agent, a health care practitioner, a dispenser, an employee of
2615 the practitioner who is acting on behalf of and at the direction
2616 of the practitioner, a pharmacist, or a pharmacy that is
2617 contained in records held by the department under s. 893.055 is
2618 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
2619 of the State Constitution:

2620 (a) Name.

2621 (b) Address.



305924

2622 (c) Telephone number.
2623 (d) Insurance plan number.
2624 (e) Government-issued identification number.
2625 (f) Provider number.
2626 (g) Drug Enforcement Administration number.
2627 (h) Any other unique identifying information or number.
2628 (3) The department shall disclose such ~~confidential and~~
2629 ~~exempt~~ information to the following persons or entities upon
2630 request and after using a verification process to ensure the
2631 legitimacy of the request as provided in s. 893.055:
2632 (a) A health care practitioner, or his or her designee, who
2633 certifies that the information is necessary to provide medical
2634 treatment to a current patient in accordance with ss. 893.04,
2635 893.05, and 893.055.
2636 (b) An employee of the United States Department of Veterans
2637 Affairs, the United States Department of Defense, or the Indian
2638 Health Service who provides health care services pursuant to
2639 such employment and who has the authority to prescribe
2640 controlled substances shall have access to the information in
2641 the program's system upon verification of such employment.
2642 (c) The program manager and designated support staff for
2643 administration of the program, and to provide relevant
2644 information to the prescriber, dispenser, and appropriate law
2645 enforcement agencies, in accordance with s. 893.055.
2646 (d) The department and its relevant health care regulatory
2647 boards for investigations involving licensees authorized to
2648 prescribe or dispense controlled substances. The department or
2649 health care regulatory board may request information from the
2650 program but may not have direct access to its system. The



305924

2651 department may provide to a law enforcement agency pursuant to
2652 ss. 456.066 and 456.073 only information that is relevant to the
2653 specific controlled substances investigation that prompted the
2654 request for the information.

2655 (e) ~~(a)~~ The Attorney General or his or her designee when
2656 working on Medicaid fraud cases involving prescribed controlled
2657 substances ~~prescription drugs~~ or when the Attorney General has
2658 initiated a review of specific identifiers of Medicaid fraud or
2659 specific identifiers that warrant a Medicaid investigation
2660 regarding prescribed controlled substances ~~prescription drugs~~.
2661 The Attorney General's Medicaid fraud investigators may not have
2662 direct access to the department's system ~~database~~. The Attorney
2663 General or his or her designee may disclose to a criminal
2664 justice agency, as defined in s. 119.011, only the ~~confidential~~
2665 ~~and exempt~~ information received from the department that is
2666 relevant to an identified active investigation that prompted the
2667 request for the information.

2668 ~~(b) The department's relevant health care regulatory boards~~
2669 ~~responsible for the licensure, regulation, or discipline of a~~
2670 ~~practitioner, pharmacist, or other person who is authorized to~~
2671 ~~prescribe, administer, or dispense controlled substances and who~~
2672 ~~is involved in a specific controlled substances investigation~~
2673 ~~for prescription drugs involving a designated person. The health~~
2674 ~~care regulatory boards may request information from the~~
2675 ~~department but may not have direct access to its database. The~~
2676 ~~health care regulatory boards may provide to a law enforcement~~
2677 ~~agency pursuant to ss. 456.066 and 456.073 only information that~~
2678 ~~is relevant to the specific controlled substances investigation~~
2679 ~~that prompted the request for the information.~~



305924

2680 ~~(f)(e)~~ A law enforcement agency that has initiated an
2681 active investigation involving a specific violation of law
2682 regarding prescription drug abuse or diversion of prescribed
2683 controlled substances and that has entered into a user agreement
2684 with the department. A law enforcement agency may request
2685 information from the department but may not have direct access
2686 to its system database. The law enforcement agency may disclose
2687 to a criminal justice agency, as defined in s. 119.011, only
2688 ~~confidential and exempt~~ information received from the department
2689 that is relevant to an identified active investigation that
2690 prompted the request for such information.

2691 (g) A district medical examiner or associate medical
2692 examiner, as described in s. 406.06, pursuant to his or her
2693 official duties, as required by s. 406.11, to determine the
2694 cause of death of an individual. Such medical examiners may
2695 request information from the department but may not have direct
2696 access to the system

2697 ~~(d) A health care practitioner, or his or her designee, who~~
2698 ~~certifies that the information is necessary to provide medical~~
2699 ~~treatment to a current patient in accordance with ss. 893.05 and~~
2700 ~~893.055.~~

2701 ~~(e) A pharmacist, or his or her designee, who certifies~~
2702 ~~that the requested information will be used to dispense~~
2703 ~~controlled substances to a current patient in accordance with~~
2704 ~~ss. 893.04 and 893.055.~~

2705 ~~(f) A patient or the legal guardian or designated health~~
2706 ~~care surrogate for an incapacitated patient, if applicable,~~
2707 ~~making a request as provided in s. 893.055(7)(c)4.~~

2708 ~~(g) The patient's pharmacy, prescriber, or dispenser, or~~



305924

2709 ~~the designee of the pharmacy, prescriber, or dispenser, who~~
2710 ~~certifies that the information is necessary to provide medical~~
2711 ~~treatment to his or her current patient in accordance with s.~~
2712 ~~893.055.~~

2713 (h) An impaired practitioner consultant who has been
2714 authorized in writing by a participant in, or by a referral to,
2715 the impaired practitioner program to access and review
2716 information as provided in s. 893.055(5)(e) ~~893.055(7)(e)~~5.

2717 (i) A patient or the legal guardian or designated health
2718 care surrogate for an incapacitated patient, if applicable,
2719 making a request as provided in s. 893.055(5)(f).

2720 (4) If the department determines consistent with its rules
2721 that a pattern of controlled substance abuse exists, the
2722 department may disclose such confidential and exempt information
2723 to the applicable law enforcement agency in accordance with s.
2724 893.055. The law enforcement agency may disclose to a criminal
2725 justice agency, as defined in s. 119.011, only ~~confidential and~~
2726 ~~exempt~~ information received from the department that is relevant
2727 to an identified active investigation that is specific to a
2728 violation of s. 893.13(7)(a)8., s. 893.13(8)(a), or s.
2729 893.13(8)(b).

2730 (5) Before disclosing ~~confidential and exempt~~ information
2731 to a criminal justice agency or a law enforcement agency
2732 pursuant to this section, the disclosing person or entity must
2733 take steps to ensure the continued confidentiality of all
2734 ~~confidential and exempt~~ information. At a minimum, these steps
2735 must include redacting any nonrelevant information.

2736 (6) An agency or person who obtains any ~~confidential and~~
2737 ~~exempt~~ information pursuant to this section must maintain the



305924

2738 confidential and exempt status of that information and may not
2739 disclose such information unless authorized by law. Information
2740 shared with a state attorney pursuant to paragraph (3) (f) ~~(3) (a)~~
2741 or paragraph (3) (h) ~~(3) (e)~~ may be released only in response to a
2742 discovery demand if such information is directly related to the
2743 criminal case for which the information was requested. Unrelated
2744 information may be released only upon an order of a court of
2745 competent jurisdiction.

2746 (7) A person who willfully and knowingly violates this
2747 section commits a felony of the third degree, punishable as
2748 provided in s. 775.082, s. 775.083, or s. 775.084.

2749 Section 14. Paragraphs (a), (c), (d), (e), (f), and (h) of
2750 subsection (1), subsection (2), paragraphs (a) and (b) of
2751 subsection (4), and subsections (5) and (7) of section 893.13,
2752 Florida Statutes, are amended to read:

2753 893.13 Prohibited acts; penalties.—

2754 (1) (a) Except as authorized by this chapter and chapter
2755 499, a person may not sell, manufacture, or deliver, or possess
2756 with intent to sell, manufacture, or deliver, a controlled
2757 substance. A person who violates this provision with respect to:

2758 1. A controlled substance named or described in s.

2759 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5.

2760 ~~(2) (c) 4.~~ commits a felony of the second degree, punishable as
2761 provided in s. 775.082, s. 775.083, or s. 775.084.

2762 2. A controlled substance named or described in s.

2763 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., ~~(2) (c) 5.,~~ (2) (c) 6.,

2764 (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) commits a

2765 felony of the third degree, punishable as provided in s.

2766 775.082, s. 775.083, or s. 775.084.



305924

2767 3. A controlled substance named or described in s.
2768 893.03(5) commits a misdemeanor of the first degree, punishable
2769 as provided in s. 775.082 or s. 775.083.

2770 (c) Except as authorized by this chapter, a person may not
2771 sell, manufacture, or deliver, or possess with intent to sell,
2772 manufacture, or deliver, a controlled substance in, on, or
2773 within 1,000 feet of the real property comprising a child care
2774 facility as defined in s. 402.302 or a public or private
2775 elementary, middle, or secondary school between the hours of 6
2776 a.m. and 12 midnight, or at any time in, on, or within 1,000
2777 feet of real property comprising a state, county, or municipal
2778 park, a community center, or a publicly owned recreational
2779 facility. As used in this paragraph, the term "community center"
2780 means a facility operated by a nonprofit community-based
2781 organization for the provision of recreational, social, or
2782 educational services to the public. A person who violates this
2783 paragraph with respect to:

2784 1. A controlled substance named or described in s.
2785 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2786 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2787 provided in s. 775.082, s. 775.083, or s. 775.084. The defendant
2788 must be sentenced to a minimum term of imprisonment of 3
2789 calendar years unless the offense was committed within 1,000
2790 feet of the real property comprising a child care facility as
2791 defined in s. 402.302.

2792 2. A controlled substance named or described in s.
2793 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2794 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2795 felony of the second degree, punishable as provided in s.



305924

2796 775.082, s. 775.083, or s. 775.084.

2797 3. Any other controlled substance, except as lawfully sold,
2798 manufactured, or delivered, must be sentenced to pay a \$500 fine
2799 and to serve 100 hours of public service in addition to any
2800 other penalty prescribed by law.

2801
2802 This paragraph does not apply to a child care facility unless
2803 the owner or operator of the facility posts a sign that is not
2804 less than 2 square feet in size with a word legend identifying
2805 the facility as a licensed child care facility and that is
2806 posted on the property of the child care facility in a
2807 conspicuous place where the sign is reasonably visible to the
2808 public.

2809 (d) Except as authorized by this chapter, a person may not
2810 sell, manufacture, or deliver, or possess with intent to sell,
2811 manufacture, or deliver, a controlled substance in, on, or
2812 within 1,000 feet of the real property comprising a public or
2813 private college, university, or other postsecondary educational
2814 institution. A person who violates this paragraph with respect
2815 to:

2816 1. A controlled substance named or described in s.
2817 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2818 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2819 provided in s. 775.082, s. 775.083, or s. 775.084.

2820 2. A controlled substance named or described in s.
2821 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2822 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2823 felony of the second degree, punishable as provided in s.
2824 775.082, s. 775.083, or s. 775.084.



305924

2825 3. Any other controlled substance, except as lawfully sold,
2826 manufactured, or delivered, must be sentenced to pay a \$500 fine
2827 and to serve 100 hours of public service in addition to any
2828 other penalty prescribed by law.

2829 (e) Except as authorized by this chapter, a person may not
2830 sell, manufacture, or deliver, or possess with intent to sell,
2831 manufacture, or deliver, a controlled substance not authorized
2832 by law in, on, or within 1,000 feet of a physical place for
2833 worship at which a church or religious organization regularly
2834 conducts religious services or within 1,000 feet of a
2835 convenience business as defined in s. 812.171. A person who
2836 violates this paragraph with respect to:

2837 1. A controlled substance named or described in s.
2838 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2839 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2840 provided in s. 775.082, s. 775.083, or s. 775.084.

2841 2. A controlled substance named or described in s.
2842 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2843 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2844 felony of the second degree, punishable as provided in s.
2845 775.082, s. 775.083, or s. 775.084.

2846 3. Any other controlled substance, except as lawfully sold,
2847 manufactured, or delivered, must be sentenced to pay a \$500 fine
2848 and to serve 100 hours of public service in addition to any
2849 other penalty prescribed by law.

2850 (f) Except as authorized by this chapter, a person may not
2851 sell, manufacture, or deliver, or possess with intent to sell,
2852 manufacture, or deliver, a controlled substance in, on, or
2853 within 1,000 feet of the real property comprising a public



305924

2854 housing facility at any time. As used in this section, the term
2855 "real property comprising a public housing facility" means real
2856 property, as defined in s. 421.03(12), of a public corporation
2857 created as a housing authority pursuant to part I of chapter
2858 421. A person who violates this paragraph with respect to:

2859 1. A controlled substance named or described in s.
2860 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2861 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2862 provided in s. 775.082, s. 775.083, or s. 775.084.

2863 2. A controlled substance named or described in s.
2864 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2865 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2866 felony of the second degree, punishable as provided in s.
2867 775.082, s. 775.083, or s. 775.084.

2868 3. Any other controlled substance, except as lawfully sold,
2869 manufactured, or delivered, must be sentenced to pay a \$500 fine
2870 and to serve 100 hours of public service in addition to any
2871 other penalty prescribed by law.

2872 (h) Except as authorized by this chapter, a person may not
2873 sell, manufacture, or deliver, or possess with intent to sell,
2874 manufacture, or deliver, a controlled substance in, on, or
2875 within 1,000 feet of the real property comprising an assisted
2876 living facility, as that term is used in chapter 429. A person
2877 who violates this paragraph with respect to:

2878 1. A controlled substance named or described in s.
2879 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2880 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2881 provided in s. 775.082, s. 775.083, or s. 775.084.

2882 2. A controlled substance named or described in s.



305924

2883 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~ (2)(c)6.,
2884 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2885 felony of the second degree, punishable as provided in s.
2886 775.082, s. 775.083, or s. 775.084.

2887 3. Any other controlled substance, except as lawfully sold,
2888 manufactured, or delivered, must be sentenced to pay a \$500 fine
2889 and to serve 100 hours of public service in addition to any
2890 other penalty prescribed by law.

2891 (2)(a) Except as authorized by this chapter and chapter
2892 499, a person may not purchase, or possess with intent to
2893 purchase, a controlled substance. A person who violates this
2894 provision with respect to:

2895 1. A controlled substance named or described in s.
2896 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2897 ~~(2)(c)4.~~ commits a felony of the second degree, punishable as
2898 provided in s. 775.082, s. 775.083, or s. 775.084.

2899 2. A controlled substance named or described in s.
2900 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~ (2)(c)6.,
2901 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2902 felony of the third degree, punishable as provided in s.
2903 775.082, s. 775.083, or s. 775.084.

2904 3. A controlled substance named or described in s.
2905 893.03(5) commits a misdemeanor of the first degree, punishable
2906 as provided in s. 775.082 or s. 775.083.

2907 (b) Except as provided in this chapter, a person may not
2908 purchase more than 10 grams of any substance named or described
2909 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any
2910 mixture containing any such substance. A person who violates
2911 this paragraph commits a felony of the first degree, punishable



305924

2912 as provided in s. 775.082, s. 775.083, or s. 775.084.

2913 (4) Except as authorized by this chapter, a person 18 years
2914 of age or older may not deliver any controlled substance to a
2915 person younger than 18 years of age, use or hire a person
2916 younger than 18 years of age as an agent or employee in the sale
2917 or delivery of such a substance, or use such person to assist in
2918 avoiding detection or apprehension for a violation of this
2919 chapter. A person who violates this subsection with respect to:

2920 (a) A controlled substance named or described in s.
2921 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2922 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2923 provided in s. 775.082, s. 775.083, or s. 775.084.

2924 (b) A controlled substance named or described in s.
2925 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2926 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2927 felony of the second degree, punishable as provided in s.
2928 775.082, s. 775.083, or s. 775.084.

2929
2930 Imposition of sentence may not be suspended or deferred, and the
2931 person so convicted may not be placed on probation.

2932 (5) A person may not bring into this state any controlled
2933 substance unless the possession of such controlled substance is
2934 authorized by this chapter or unless such person is licensed to
2935 do so by the appropriate federal agency. A person who violates
2936 this provision with respect to:

2937 (a) A controlled substance named or described in s.
2938 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2939 ~~(2)(c)4.~~ commits a felony of the second degree, punishable as
2940 provided in s. 775.082, s. 775.083, or s. 775.084.



305924

2941 (b) A controlled substance named or described in s.
2942 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~, (2)(c)6.,
2943 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2944 felony of the third degree, punishable as provided in s.
2945 775.082, s. 775.083, or s. 775.084.

2946 (c) A controlled substance named or described in s.
2947 893.03(5) commits a misdemeanor of the first degree, punishable
2948 as provided in s. 775.082 or s. 775.083.

2949 (7)

2950 (e) A person or health care practitioner who violates the
2951 provisions of subparagraph (a)13. or paragraph (b) commits a
2952 felony of the second ~~third~~ degree, punishable as provided in s.
2953 775.082, s. 775.083, or s. 775.084, if any controlled substance
2954 that is the subject of the offense is listed in Schedule II,
2955 Schedule III, or Schedule IV.

2956 Section 15. Section 893.147, Florida Statutes, is amended,
2957 to read:

2958 893.147 Use, possession, manufacture, delivery,
2959 transportation, advertisement, or retail sale of drug
2960 paraphernalia, specified machines, and materials.-

2961 (1) USE OR POSSESSION OF DRUG PARAPHERNALIA.-It is unlawful
2962 for any person to use, or to possess with intent to use, drug
2963 paraphernalia:

2964 (a) To plant, propagate, cultivate, grow, harvest,
2965 manufacture, compound, convert, produce, process, prepare, test,
2966 analyze, pack, repack, store, contain, or conceal a controlled
2967 substance in violation of this chapter; or

2968 (b) To inject, ingest, inhale, or otherwise introduce into
2969 the human body a controlled substance in violation of this



305924

2970 chapter.

2971

2972 Any person who violates this subsection is guilty of a
2973 misdemeanor of the first degree, punishable as provided in s.
2974 775.082 or s. 775.083.

2975 (2) MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA.—It is
2976 unlawful for any person to deliver, possess with intent to
2977 deliver, or manufacture with intent to deliver drug
2978 paraphernalia, knowing, or under circumstances where one
2979 reasonably should know, that it will be used:

2980 (a) To plant, propagate, cultivate, grow, harvest,
2981 manufacture, compound, convert, produce, process, prepare, test,
2982 analyze, pack, repack, store, contain, or conceal a controlled
2983 substance in violation of this act; or

2984 (b) To inject, ingest, inhale, or otherwise introduce into
2985 the human body a controlled substance in violation of this act.

2986

2987 Any person who violates this subsection is guilty of a felony of
2988 the third degree, punishable as provided in s. 775.082, s.
2989 775.083, or s. 775.084.

2990 (3) DELIVERY OF DRUG PARAPHERNALIA TO A MINOR.—

2991 (a) Any person 18 years of age or over who violates
2992 subsection (2) by delivering drug paraphernalia to a person
2993 under 18 years of age is guilty of a felony of the second
2994 degree, punishable as provided in s. 775.082, s. 775.083, or s.
2995 775.084.

2996 (b) It is unlawful for any person to sell or otherwise
2997 deliver hypodermic syringes, needles, or other objects which may
2998 be used, are intended for use, or are designed for use in



305924

2999 parenterally injecting substances into the human body to any
3000 person under 18 years of age, except that hypodermic syringes,
3001 needles, or other such objects may be lawfully dispensed to a
3002 person under 18 years of age by a licensed practitioner, parent,
3003 or legal guardian or by a pharmacist pursuant to a valid
3004 prescription for same. Any person who violates the provisions of
3005 this paragraph is guilty of a misdemeanor of the first degree,
3006 punishable as provided in s. 775.082 or s. 775.083.

3007 (4) TRANSPORTATION OF DRUG PARAPHERNALIA.—It is unlawful to
3008 use, possess with the intent to use, or manufacture with the
3009 intent to use drug paraphernalia, knowing or under circumstances
3010 in which one reasonably should know that it will be used to
3011 transport:

- 3012 (a) A controlled substance in violation of this chapter; or
3013 (b) Contraband as defined in s. 932.701(2)(a)1.

3014
3015 Any person who violates this subsection commits a felony of the
3016 third degree, punishable as provided in s. 775.082, s. 775.083,
3017 or s. 775.084.

3018 (5) ADVERTISEMENT OF DRUG PARAPHERNALIA.—It is unlawful for
3019 any person to place in any newspaper, magazine, handbill, or
3020 other publication any advertisement, knowing, or under
3021 circumstances where one reasonably should know, that the purpose
3022 of the advertisement, in whole or in part, is to promote the
3023 sale of objects designed or intended for use as drug
3024 paraphernalia. Any person who violates this subsection is guilty
3025 of a misdemeanor of the first degree, punishable as provided in
3026 s. 775.082 or s. 775.083.

3027 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—



305924

3028 (a) It is unlawful for a person to knowingly and willfully
3029 sell or offer for sale at retail any drug paraphernalia
3030 described in s. 893.145(12)(a)-(c) or (g)-(m), other than a pipe
3031 that is primarily made of briar, meerschaum, clay, or corn cob.

3032 (b) A person who violates paragraph (a) commits a
3033 misdemeanor of the first degree, punishable as provided in s.
3034 775.082 or s. 775.083, and, upon a second or subsequent
3035 violation, commits a felony of the third degree, punishable as
3036 provided in s. 775.082, s. 775.083, or s. 775.084.

3037 (7) TABLETING MACHINES, ENCAPSULATING MACHINES, AND
3038 CONTROLLED SUBSTANCE COUNTERFEITING MATERIALS.-

3039 (a) Except as provided in paragraph (b), it is unlawful for
3040 any person to possess, purchase, deliver, sell, or possess with
3041 intent to sell or deliver a tableting machine, an encapsulating
3042 machine, or controlled substance counterfeiting materials
3043 knowing, intending, or having reasonable cause to believe that
3044 it will be used to manufacture a controlled substance or
3045 counterfeit controlled substance.

3046 (b)1. A regulated person may possess, purchase, deliver,
3047 sell, or possess with intent to deliver or sell a tableting
3048 machine or encapsulating machine as part of a regulated
3049 transaction with a regular customer or regular importer if he or
3050 she is in compliance with 21 U.S.C. s. 830. For purposes of this
3051 paragraph, the terms "regulated person," "regulated
3052 transaction," "regular customer," and "regular importer" have
3053 the same meanings as provided in 21 U.S.C. s. 802.

3054 2. A person registered under 21 U.S.C. s. 822 may possess,
3055 purchase, deliver, sell, or possess with intent to deliver or
3056 sell a tableting machine or encapsulating machine to manufacture



305924

3057 a controlled substance pursuant to such registration.

3058 3. A person who holds an active, unencumbered license or a
3059 permit under s. 381.986 or chapter 465 may possess, purchase,
3060 deliver, sell, or possess with intent to sell or deliver a
3061 tableting machine or encapsulating machine to manufacture a
3062 controlled substance, if such person is performing functions in
3063 compliance with or under the authority of that license or
3064 permit.

3065 (c) For purposes of this subsection, the term:

3066 1. "Controlled substance" has the same meaning as provided
3067 in s. 893.02(4).

3068 2. "Controlled substance counterfeiting material" means a
3069 punch, die, plate, stone, or other item designed to print,
3070 imprint, or reproduce the trademark, trade name, or other
3071 identifying mark, imprint, or device of another or any likeness
3072 of any of the foregoing upon a drug or container or labeling
3073 thereof so as to render such drug a counterfeit controlled
3074 substance.

3075 3. "Counterfeit controlled substance" has the same meaning
3076 as provided in s. 831.31(2).

3077 4. "Encapsulating machine" means manual, semiautomatic, or
3078 fully automatic equipment that can be used to fill shells or
3079 capsules with powdered or granular solids or semisolid material
3080 to produce coherent solid tablets.

3081 5. "Tableting machine" means manual, semiautomatic, or
3082 fully automatic equipment that can be used to compact or mold
3083 powdered or granular solids or semisolid material to produce
3084 coherent solid tablets.

3085 (d)1. Except as provided in subparagraph 2., a person who



305924

3086 violates this subsection commits a felony of the third degree,
3087 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3088 2. Any person who violates this subsection knowing,
3089 intending, or having reasonable cause to believe that such
3090 action will result in the unlawful manufacture of a controlled
3091 substance or counterfeit controlled substance that contains:

3092 a. A substance controlled under s. 893.03(1);

3093 b. Cocaine, as described in s. 893.03(2)(a)4.;

3094 c. Opium or any synthetic or natural salt, compound,
3095 derivative, or preparation of opium;

3096 d. Methadone;

3097 e. Alfentanil, as described in s. 893.03(2)(b)1.;

3098 f. Carfentanil, as described in s. 893.03(2)(b)6.;

3099 g. Fentanyl, as described in s. 893.03(2)(b)9.;

3100 h. Sufentanil, as described in s. 893.03(2)(b)30.; or

3101 i. A controlled substance analog, as described in s.

3102 893.0356, of any substance specified in sub-subparagraphs a.-h.,

3103
3104 commits a felony of the second degree, punishable as provided in
3105 s. 775.082, s. 775.083, or s. 775.084.

3106 Section 16. Effective January 1, 2019, paragraphs (pp) and
3107 (qq) of subsection (1) of section 458.331, Florida Statutes, are
3108 amended to read:

3109 458.331 Grounds for disciplinary action; action by the
3110 board and department.-

3111 (1) The following acts constitute grounds for denial of a
3112 license or disciplinary action, as specified in s. 456.072(2):

3113 (pp) Applicable to a licensee who serves as the designated
3114 physician of a pain-management clinic as defined in s. 458.3265



305924

3115 or s. 459.0137:

3116 1. Registering a pain-management clinic through
3117 misrepresentation or fraud;

3118 2. Procuring, or attempting to procure, the registration of
3119 a pain-management clinic for any other person by making or
3120 causing to be made, any false representation;

3121 3. Failing to comply with any requirement of chapter 499,
3122 the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the
3123 Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq.,
3124 the Drug Abuse Prevention and Control Act; or chapter 893, the
3125 Florida Comprehensive Drug Abuse Prevention and Control Act;

3126 4. Being convicted or found guilty of, regardless of
3127 adjudication to, a felony or any other crime involving moral
3128 turpitude, fraud, dishonesty, or deceit in any jurisdiction of
3129 the courts of this state, of any other state, or of the United
3130 States;

3131 5. Being convicted of, or disciplined by a regulatory
3132 agency of the Federal Government or a regulatory agency of
3133 another state for, any offense that would constitute a violation
3134 of this chapter;

3135 6. Being convicted of, or entering a plea of guilty or nolo
3136 contendere to, regardless of adjudication, a crime in any
3137 jurisdiction of the courts of this state, of any other state, or
3138 of the United States which relates to the practice of, or the
3139 ability to practice, a licensed health care profession;

3140 7. Being convicted of, or entering a plea of guilty or nolo
3141 contendere to, regardless of adjudication, a crime in any
3142 jurisdiction of the courts of this state, of any other state, or
3143 of the United States which relates to health care fraud;



305924

3144 8. Dispensing any medicinal drug based upon a communication
3145 that purports to be a prescription as defined in s. 465.003(14)
3146 or s. 893.02 if the dispensing practitioner knows or has reason
3147 to believe that the purported prescription is not based upon a
3148 valid practitioner-patient relationship; or

3149 9. Failing to timely notify the board of the date of his or
3150 her termination from a pain-management clinic as required by s.
3151 458.3265(3) ~~458.3265(2)~~.

3152 (qq) Failing to timely notify the department of the theft
3153 of prescription blanks from a pain-management clinic or a breach
3154 of other methods for prescribing within 24 hours as required by
3155 s. 458.3265(3) ~~458.3265(2)~~.

3156 Section 17. Effective January 1, 2019, paragraphs (rr) and
3157 (ss) of subsection (1) of section 459.015, Florida Statutes, are
3158 amended to read:

3159 459.015 Grounds for disciplinary action; action by the
3160 board and department.—

3161 (1) The following acts constitute grounds for denial of a
3162 license or disciplinary action, as specified in s. 456.072(2):

3163 (rr) Applicable to a licensee who serves as the designated
3164 physician of a pain-management clinic as defined in s. 458.3265
3165 or s. 459.0137:

3166 1. Registering a pain-management clinic through
3167 misrepresentation or fraud;

3168 2. Procuring, or attempting to procure, the registration of
3169 a pain-management clinic for any other person by making or
3170 causing to be made, any false representation;

3171 3. Failing to comply with any requirement of chapter 499,
3172 the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the



305924

3173 Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq.,
3174 the Drug Abuse Prevention and Control Act; or chapter 893, the
3175 Florida Comprehensive Drug Abuse Prevention and Control Act;

3176 4. Being convicted or found guilty of, regardless of
3177 adjudication to, a felony or any other crime involving moral
3178 turpitude, fraud, dishonesty, or deceit in any jurisdiction of
3179 the courts of this state, of any other state, or of the United
3180 States;

3181 5. Being convicted of, or disciplined by a regulatory
3182 agency of the Federal Government or a regulatory agency of
3183 another state for, any offense that would constitute a violation
3184 of this chapter;

3185 6. Being convicted of, or entering a plea of guilty or nolo
3186 contendere to, regardless of adjudication, a crime in any
3187 jurisdiction of the courts of this state, of any other state, or
3188 of the United States which relates to the practice of, or the
3189 ability to practice, a licensed health care profession;

3190 7. Being convicted of, or entering a plea of guilty or nolo
3191 contendere to, regardless of adjudication, a crime in any
3192 jurisdiction of the courts of this state, of any other state, or
3193 of the United States which relates to health care fraud;

3194 8. Dispensing any medicinal drug based upon a communication
3195 that purports to be a prescription as defined in s. 465.003(14)
3196 or s. 893.02 if the dispensing practitioner knows or has reason
3197 to believe that the purported prescription is not based upon a
3198 valid practitioner-patient relationship; or

3199 9. Failing to timely notify the board of the date of his or
3200 her termination from a pain-management clinic as required by s.
3201 459.0137(3) ~~459.0137(2)~~.



305924

3202 (ss) Failing to timely notify the department of the theft
3203 of prescription blanks from a pain-management clinic or a breach
3204 of other methods for prescribing within 24 hours as required by
3205 s. 459.0137(3) ~~459.0137(2)~~.

3206 Section 18. Paragraph (b) of subsection (4) of section
3207 463.0055, Florida Statutes, is amended to read:

3208 463.0055 Administration and prescription of ocular
3209 pharmaceutical agents.—

3210 (4) A certified optometrist shall be issued a prescriber
3211 number by the board. Any prescription written by a certified
3212 optometrist for an ocular pharmaceutical agent pursuant to this
3213 section shall have the prescriber number printed thereon. A
3214 certified optometrist may not administer or prescribe:

3215 (b) A controlled substance for the treatment of chronic
3216 nonmalignant pain as defined in s. 456.44(1)(f) ~~456.44(1)(e)~~.

3217 Section 19. Paragraph (a) of subsection (1) of section
3218 782.04, Florida Statutes, is amended to read:

3219 782.04 Murder.—

3220 (1) (a) The unlawful killing of a human being:

3221 1. When perpetrated from a premeditated design to effect
3222 the death of the person killed or any human being;

3223 2. When committed by a person engaged in the perpetration
3224 of, or in the attempt to perpetrate, any:

3225 a. Trafficking offense prohibited by s. 893.135(1),

3226 b. Arson,

3227 c. Sexual battery,

3228 d. Robbery,

3229 e. Burglary,

3230 f. Kidnapping,



305924

- 3231 g. Escape,
3232 h. Aggravated child abuse,
3233 i. Aggravated abuse of an elderly person or disabled adult,
3234 j. Aircraft piracy,
3235 k. Unlawful throwing, placing, or discharging of a
3236 destructive device or bomb,
3237 l. Carjacking,
3238 m. Home-invasion robbery,
3239 n. Aggravated stalking,
3240 o. Murder of another human being,
3241 p. Resisting an officer with violence to his or her person,
3242 q. Aggravated fleeing or eluding with serious bodily injury
3243 or death,
3244 r. Felony that is an act of terrorism or is in furtherance
3245 of an act of terrorism, including a felony under s. 775.30, s.
3246 775.32, s. 775.33, s. 775.34, or s. 775.35, or
3247 s. Human trafficking; or
3248 3. Which resulted from the unlawful distribution by a
3249 person 18 years of age or older of any of the following
3250 substances, or mixture containing any of the following
3251 substances, when such substance or mixture is proven to be the
3252 proximate cause of the death of the user:
3253 a. A substance controlled under s. 893.03(1);
3254 b. Cocaine, as described in s. 893.03(2)(a)4.;
3255 c. Opium or any synthetic or natural salt, compound,
3256 derivative, or preparation of opium;
3257 d. Methadone;
3258 e. Alfentanil, as described in s. 893.03(2)(b)1.;
3259 f. Carfentanil, as described in s. 893.03(2)(b)6.;



305924

3260 g. Fentanyl, as described in s. 893.03(2)(b)9.;

3261 h. Sufentanil, as described in s. 893.03(2)(b)30.

3262 ~~893.03(2)(b)29.~~; or

3263 i. A controlled substance analog, as described in s.

3264 893.0356, of any substance specified in sub-subparagraphs a.-h.,

3265

3266 is murder in the first degree and constitutes a capital felony,

3267 punishable as provided in s. 775.082.

3268 Section 20. Paragraphs (c) and (f) of subsection (1) of

3269 section 893.135, Florida Statutes, are amended to read:

3270 893.135 Trafficking; mandatory sentences; suspension or

3271 reduction of sentences; conspiracy to engage in trafficking.—

3272 (1) Except as authorized in this chapter or in chapter 499

3273 and notwithstanding the provisions of s. 893.13:

3274 (c)1. A person who knowingly sells, purchases,

3275 manufactures, delivers, or brings into this state, or who is

3276 knowingly in actual or constructive possession of, 4 grams or

3277 more of any morphine, opium, hydromorphone, or any salt,

3278 derivative, isomer, or salt of an isomer thereof, including

3279 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or

3280 (3)(c)4., or 4 grams or more of any mixture containing any such

3281 substance, but less than 30 kilograms of such substance or

3282 mixture, commits a felony of the first degree, which felony

3283 shall be known as "trafficking in illegal drugs," punishable as

3284 provided in s. 775.082, s. 775.083, or s. 775.084. If the

3285 quantity involved:

3286 a. Is 4 grams or more, but less than 14 grams, such person

3287 shall be sentenced to a mandatory minimum term of imprisonment

3288 of 3 years and shall be ordered to pay a fine of \$50,000.



305924

3289 b. Is 14 grams or more, but less than 28 grams, such person
3290 shall be sentenced to a mandatory minimum term of imprisonment
3291 of 15 years and shall be ordered to pay a fine of \$100,000.

3292 c. Is 28 grams or more, but less than 30 kilograms, such
3293 person shall be sentenced to a mandatory minimum term of
3294 imprisonment of 25 years and shall be ordered to pay a fine of
3295 \$500,000.

3296 2. A person who knowingly sells, purchases, manufactures,
3297 delivers, or brings into this state, or who is knowingly in
3298 actual or constructive possession of, 14 grams or more of
3299 hydrocodone, as described in s. 893.03(2)(a)1.k.

3300 ~~893.03(2)(a)1.j.~~, codeine, as described in s. 893.03(2)(a)1.g.,
3301 or any salt thereof, or 14 grams or more of any mixture
3302 containing any such substance, commits a felony of the first
3303 degree, which felony shall be known as "trafficking in
3304 hydrocodone," punishable as provided in s. 775.082, s. 775.083,
3305 or s. 775.084. If the quantity involved:

3306 a. Is 14 grams or more, but less than 28 grams, such person
3307 shall be sentenced to a mandatory minimum term of imprisonment
3308 of 3 years and shall be ordered to pay a fine of \$50,000.

3309 b. Is 28 grams or more, but less than 50 grams, such person
3310 shall be sentenced to a mandatory minimum term of imprisonment
3311 of 7 years and shall be ordered to pay a fine of \$100,000.

3312 c. Is 50 grams or more, but less than 200 grams, such
3313 person shall be sentenced to a mandatory minimum term of
3314 imprisonment of 15 years and shall be ordered to pay a fine of
3315 \$500,000.

3316 d. Is 200 grams or more, but less than 30 kilograms, such
3317 person shall be sentenced to a mandatory minimum term of



305924

3318 imprisonment of 25 years and shall be ordered to pay a fine of
3319 \$750,000.

3320 3. A person who knowingly sells, purchases, manufactures,
3321 delivers, or brings into this state, or who is knowingly in
3322 actual or constructive possession of, 7 grams or more of
3323 oxycodone, as described in s. 893.03(2)(a)1.g. ~~893.03(2)(a)1.e.~~,
3324 or any salt thereof, or 7 grams or more of any mixture
3325 containing any such substance, commits a felony of the first
3326 degree, which felony shall be known as "trafficking in
3327 oxycodone," punishable as provided in s. 775.082, s. 775.083, or
3328 s. 775.084. If the quantity involved:

3329 a. Is 7 grams or more, but less than 14 grams, such person
3330 shall be sentenced to a mandatory minimum term of imprisonment
3331 of 3 years and shall be ordered to pay a fine of \$50,000.

3332 b. Is 14 grams or more, but less than 25 grams, such person
3333 shall be sentenced to a mandatory minimum term of imprisonment
3334 of 7 years and shall be ordered to pay a fine of \$100,000.

3335 c. Is 25 grams or more, but less than 100 grams, such
3336 person shall be sentenced to a mandatory minimum term of
3337 imprisonment of 15 years and shall be ordered to pay a fine of
3338 \$500,000.

3339 d. Is 100 grams or more, but less than 30 kilograms, such
3340 person shall be sentenced to a mandatory minimum term of
3341 imprisonment of 25 years and shall be ordered to pay a fine of
3342 \$750,000.

3343 4.a. A person who knowingly sells, purchases, manufactures,
3344 delivers, or brings into this state, or who is knowingly in
3345 actual or constructive possession of, 4 grams or more of:

3346 (I) Alfentanil, as described in s. 893.03(2)(b)1.;



305924

3347 (II) Carfentanil, as described in s. 893.03(2)(b)6.;

3348 (III) Fentanyl, as described in s. 893.03(2)(b)9.;

3349 (IV) Sufentanil, as described in s. 893.03(2)(b)30.

3350 ~~893.03(2)(b)29.~~;

3351 (V) A fentanyl derivative, as described in s.

3352 893.03(1)(a)62.;

3353 (VI) A controlled substance analog, as described in s.

3354 893.0356, of any substance described in sub-sub-subparagraphs

3355 (I)-(V); or

3356 (VII) A mixture containing any substance described in sub-

3357 sub-subparagraphs (I)-(VI),

3358

3359 commits a felony of the first degree, which felony shall be

3360 known as "trafficking in fentanyl," punishable as provided in s.

3361 775.082, s. 775.083, or s. 775.084.

3362 b. If the quantity involved under sub-subparagraph a.:

3363 (I) Is 4 grams or more, but less than 14 grams, such person

3364 shall be sentenced to a mandatory minimum term of imprisonment

3365 of 3 years, and shall be ordered to pay a fine of \$50,000.

3366 (II) Is 14 grams or more, but less than 28 grams, such

3367 person shall be sentenced to a mandatory minimum term of

3368 imprisonment of 15 years, and shall be ordered to pay a fine of

3369 \$100,000.

3370 (III) Is 28 grams or more, such person shall be sentenced

3371 to a mandatory minimum term of imprisonment of 25 years, and

3372 shall be ordered to pay a fine of \$500,000.

3373 5. A person who knowingly sells, purchases, manufactures,

3374 delivers, or brings into this state, or who is knowingly in

3375 actual or constructive possession of, 30 kilograms or more of



305924

3376 any morphine, opium, oxycodone, hydrocodone, codeine,
3377 hydromorphone, or any salt, derivative, isomer, or salt of an
3378 isomer thereof, including heroin, as described in s.
3379 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
3380 more of any mixture containing any such substance, commits the
3381 first degree felony of trafficking in illegal drugs. A person
3382 who has been convicted of the first degree felony of trafficking
3383 in illegal drugs under this subparagraph shall be punished by
3384 life imprisonment and is ineligible for any form of
3385 discretionary early release except pardon or executive clemency
3386 or conditional medical release under s. 947.149. However, if the
3387 court determines that, in addition to committing any act
3388 specified in this paragraph:

3389 a. The person intentionally killed an individual or
3390 counseled, commanded, induced, procured, or caused the
3391 intentional killing of an individual and such killing was the
3392 result; or

3393 b. The person's conduct in committing that act led to a
3394 natural, though not inevitable, lethal result,
3395
3396 such person commits the capital felony of trafficking in illegal
3397 drugs, punishable as provided in ss. 775.082 and 921.142. A
3398 person sentenced for a capital felony under this paragraph shall
3399 also be sentenced to pay the maximum fine provided under
3400 subparagraph 1.

3401 6. A person who knowingly brings into this state 60
3402 kilograms or more of any morphine, opium, oxycodone,
3403 hydrocodone, codeine, hydromorphone, or any salt, derivative,
3404 isomer, or salt of an isomer thereof, including heroin, as



305924

3405 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
3406 60 kilograms or more of any mixture containing any such
3407 substance, and who knows that the probable result of such
3408 importation would be the death of a person, commits capital
3409 importation of illegal drugs, a capital felony punishable as
3410 provided in ss. 775.082 and 921.142. A person sentenced for a
3411 capital felony under this paragraph shall also be sentenced to
3412 pay the maximum fine provided under subparagraph 1.

3413 (f)1. Any person who knowingly sells, purchases,
3414 manufactures, delivers, or brings into this state, or who is
3415 knowingly in actual or constructive possession of, 14 grams or
3416 more of amphetamine, as described in s. 893.03(2)(c)2., or
3417 methamphetamine, as described in s. 893.03(2)(c)5.
3418 ~~893.03(2)(c)4.~~, or of any mixture containing amphetamine or
3419 methamphetamine, or phenylacetone, phenylacetic acid,
3420 pseudoephedrine, or ephedrine in conjunction with other
3421 chemicals and equipment utilized in the manufacture of
3422 amphetamine or methamphetamine, commits a felony of the first
3423 degree, which felony shall be known as "trafficking in
3424 amphetamine," punishable as provided in s. 775.082, s. 775.083,
3425 or s. 775.084. If the quantity involved:

3426 a. Is 14 grams or more, but less than 28 grams, such person
3427 shall be sentenced to a mandatory minimum term of imprisonment
3428 of 3 years, and the defendant shall be ordered to pay a fine of
3429 \$50,000.

3430 b. Is 28 grams or more, but less than 200 grams, such
3431 person shall be sentenced to a mandatory minimum term of
3432 imprisonment of 7 years, and the defendant shall be ordered to
3433 pay a fine of \$100,000.



305924

3434 c. Is 200 grams or more, such person shall be sentenced to
3435 a mandatory minimum term of imprisonment of 15 calendar years
3436 and pay a fine of \$250,000.

3437 2. Any person who knowingly manufactures or brings into
3438 this state 400 grams or more of amphetamine, as described in s.
3439 893.03(2)(c)2., or methamphetamine, as described in s.
3440 893.03(2)(c)5. ~~893.03(2)(e)4.~~, or of any mixture containing
3441 amphetamine or methamphetamine, or phenylacetone, phenylacetic
3442 acid, pseudoephedrine, or ephedrine in conjunction with other
3443 chemicals and equipment used in the manufacture of amphetamine
3444 or methamphetamine, and who knows that the probable result of
3445 such manufacture or importation would be the death of any person
3446 commits capital manufacture or importation of amphetamine, a
3447 capital felony punishable as provided in ss. 775.082 and
3448 921.142. Any person sentenced for a capital felony under this
3449 paragraph shall also be sentenced to pay the maximum fine
3450 provided under subparagraph 1.

3451 Section 21. Paragraphs (b) through (e) and (g) of
3452 subsection (3) of section 921.0022, Florida Statutes, are
3453 amended to read:

3454 921.0022 Criminal Punishment Code; offense severity ranking
3455 chart.—

3456 (3) OFFENSE SEVERITY RANKING CHART

3457 (b) LEVEL 2

3458

3459

Florida Statute	Felony Degree	Description
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3460



305924

3461	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
3462	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
3463	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
3464	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
3465	590.28 (1)	3rd	Intentional burning of lands.
3466	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.



305924

3467	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
3468	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
3469	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
3470	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
3471	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
3472	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
3473	817.234(1)(a)2.	3rd	False statement in support of



305924

			insurance claim.
3474	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
3475	817.52(3)	3rd	Failure to redeliver hired vehicle.
3476	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
3477	817.60(5)	3rd	Dealing in credit cards of another.
3478	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
3479	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
3480	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
3481	831.01	3rd	Forgery.



305924

3482	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
3483	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
3484	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
3485	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
3486	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
3487	832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
3488	843.08	3rd	False personation.
3489	893.13(2)(a)2.	3rd	Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(e)5. , (2)(c)6., (2)(c)7., (2)(c)8.,



305924

(2)(c)9., (2)(c)10., (3), or
(4) drugs other than cannabis.

3490
893.147(2) 3rd Manufacture or delivery of drug
paraphernalia.

3491
3492
3493
3494 (c) LEVEL 3

3495
3496

Florida Statute	Felony Degree	Description
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3497
119.10(2)(b) 3rd Unlawful use of confidential
information from police
reports.

3498
316.066 3rd Unlawfully obtaining or using
(3)(b)-(d) confidential crash reports.

3499
316.193(2)(b) 3rd Felony DUI, 3rd conviction.

3500
316.1935(2) 3rd Fleeing or attempting to elude
law enforcement officer in
patrol vehicle with siren and
lights activated.

3501
319.30(4) 3rd Possession by junkyard of motor



305924

3502			vehicle with identification number plate removed.
3503	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
3504	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
3505	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
3506	327.35(2)(b)	3rd	Felony BUI.
3507	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
3508	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.



305924

3514			information or failing to report information.
	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
3515			
	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
3516			
	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
3517			
	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
3518			
	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
3519			
	697.08	3rd	Equity skimming.
3520			
	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.



305924

3521	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
3522	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
3523	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
3524	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
3525	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
3526	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
3527	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
3528			



305924

3529	817.233	3rd	Burning to defraud insurer.
	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
3530			
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
3531			
	817.236	3rd	Filing a false motor vehicle insurance application.
3532			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
3533			
	817.413 (2)	3rd	Sale of used goods as new.
3534			
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
3535			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
3536			



305924

831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
3537		
838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
3538		
843.19	3rd	Injure, disable, or kill police dog or horse.
3539		
860.15 (3)	3rd	Overcharging for repairs and parts.
3540		
870.01 (2)	3rd	Riot; inciting or encouraging.
3541		
893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5. , (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or (4) drugs).
3542		
893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5. , (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or (4) drugs within 1,000 feet of



305924

3543 university.

893.13(1)(f)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., ~~(2)(c)5.~~,
(2)(c)6., (2)(c)7., (2)(c)8.,
(2)(c)9., (2)(c)10., (3), or
(4) drugs within 1,000 feet of
public housing facility.

3544 893.13(4)(c) 3rd Use or hire of minor; deliver
to minor other controlled
substances.

3545 893.13(6)(a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

3546 893.13(7)(a)8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

3547 893.13(7)(a)9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation,
etc.

3548 893.13(7)(a)10. 3rd Affix false or forged label to



305924

3549

package of controlled
substance.

893.13(7)(a)11.

3rd

Furnish false or fraudulent
material information on any
document or record required by
chapter 893.

3550

893.13(8)(a)1.

3rd

Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

3551

893.13(8)(a)2.

3rd

Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,
or owner of an animal in
obtaining a controlled
substance.

3552

893.13(8)(a)3.

3rd

Knowingly write a prescription
for a controlled substance for
a fictitious person.

3553

893.13(8)(a)4.

3rd

Write a prescription for a



305924

3554			controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
3555			
	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
3556			
	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
3557			
	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
3558			
3559			
3560			
3561	(d) LEVEL 4		
3562			
	Florida Statute	Felony Degree	Description
3563			



305924

3564	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
3565	499.0051 (1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
3566	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
3567	517.07 (1)	3rd	Failure to register securities.
3568	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.



305924

3569	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
3570	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
3571	784.075	3rd	Battery on detention or commitment facility staff.
3572	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
3573	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
3574	784.081 (3)	3rd	Battery on specified official or employee.
3575	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
	784.083 (3)	3rd	Battery on code



305924

3576			inspector.
	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
3577			
	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
3578			
	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
3579			
	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
3580			
	787.07	3rd	Human smuggling.
3581			



305924

3582	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
3583	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
3584	790.115 (2) (c)	3rd	Possessing firearm on school property.
3585	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
3586	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
3587	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.



305924

3588	810.06	3rd	Burglary; possession of tools.
3589	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
3590	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
3591	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
3592	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
3593	817.505 (4) (a)	3rd	Patient brokering.
3594	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
	817.568 (2) (a)	3rd	Fraudulent use of



305924

3595			personal identification information.
817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.	
3596			
817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.	
3597			
828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.	
3598			
837.02 (1)	3rd	Perjury in official proceedings.	
3599			
837.021 (1)	3rd	Make contradictory statements in official proceedings.	
3600			
838.022	3rd	Official misconduct.	
3601			
839.13 (2) (a)	3rd	Falsifying records of an individual in the care	



305924

3602			and custody of a state agency.
3603	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
3604	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
3605	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
3606	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
3607	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
	874.05 (1) (a)	3rd	Encouraging or



305924

3608			recruiting another to join a criminal gang.
	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> (2) (e) 4. drugs).
3609			
	914.14 (2)	3rd	Witnesses accepting bribes.
3610			
	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
3611			
	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
3612			
	918.12	3rd	Tampering with jurors.
3613			
	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
3614			
3615			



305924

3616
3617
3618
3619
3620

(e) LEVEL 5

3621
3622
3623
3624
3625
3626

Florida Statute	Felony Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys;



305924

illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

3627

379.367(4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

3628

379.407(5)(b)3.

3rd

Possession of 100 or more undersized spiny lobsters.

3629

381.0041(11)(b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

3630

440.10(1)(g)

2nd

Failure to obtain workers' compensation coverage.

3631



305924

3632	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
3633	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
3634	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
3635	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
3636	790.01 (2)	3rd	Carrying a concealed firearm.
3637	790.162	2nd	Threat to throw or discharge destructive device.
3638	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
	790.221 (1)	2nd	Possession of short-barreled



305924

3639			shotgun or machine gun.
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
3640			
	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
3641			
	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
3642			
	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
3643			
	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
3644			
	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
3645			
	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.



305924

3646	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
3647	812.131(2)(b)	3rd	Robbery by sudden snatching.
3648	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
3649	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
3650	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
3651	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
3652	817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of



305924

			personal identification information of 10 or more persons.
3653	817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
3654	817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
3655	825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
3656	827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
3657	827.071(5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
3658	839.13(2)(b)	2nd	Falsifying records of an



305924

3659			individual in the care and custody of a state agency involving great bodily harm or death.
3660	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
3661	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
3662	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
3663	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
3664	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
3665	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.



305924

3669			893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5. (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
	893.13 (1) (f) 1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), or (2) (a), (2) (b), or <u>(2) (c) 5.</u> (2) (c) 4. drugs) within 1,000 feet of public housing facility.
3670	893.13 (4) (b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
3671	893.1351 (1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
3672			
3673			
3674			
3675	(g) LEVEL 7		
3676			



305924

	Florida Statute	Felony Degree	Description
3677	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
3678	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
3679	316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
3680	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
3681	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent



305924

3682			disability, or death.
	409.920	3rd	Medicaid provider fraud;
	(2) (b) 1.a.		\$10,000 or less.
3683			
	409.920	2nd	Medicaid provider fraud;
	(2) (b) 1.b.		more than \$10,000, but less than \$50,000.
3684			
	456.065 (2)	3rd	Practicing a health care profession without a license.
3685			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
3686			
	458.327 (1)	3rd	Practicing medicine without a license.
3687			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
3688			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
3689			



305924

3690	461.012 (1)	3rd	Practicing podiatric medicine without a license.
3691	462.17	3rd	Practicing naturopathy without a license.
3692	463.015 (1)	3rd	Practicing optometry without a license.
3693	464.016 (1)	3rd	Practicing nursing without a license.
3694	465.015 (2)	3rd	Practicing pharmacy without a license.
3695	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
3696	467.201	3rd	Practicing midwifery without a license.
3697	468.366	3rd	Delivering respiratory care services without a license.
	483.828 (1)	3rd	Practicing as clinical laboratory personnel



305924

3698			without a license.
	483.901 (7)	3rd	Practicing medical physics without a license.
3699			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
3700			
	484.053	3rd	Dispensing hearing aids without a license.
3701			
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
3702			
	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
3703			
	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment



305924

3704	655.50 (10) (b) 1.	3rd	instruments exceeding \$300 but less than \$20,000. Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
3705	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
3706	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
3707	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
3708	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an



305924

3709			attempted felony.
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
3710			
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
3711			
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
3712			
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
3713			
	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
3714			
	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim



305924

			pregnant.
3715	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
3716	784.048 (7)	3rd	Aggravated stalking; violation of court order.
3717	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
3718	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
3719	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
3720	784.081 (1)	1st	Aggravated battery on specified official or employee.
3721	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
3722	784.083 (1)	1st	Aggravated battery on code



305924

3723			inspector.
	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
3724			
	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
3725			
	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
3726			
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
3727			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
3728			
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing



305924

3729			or attempting to commit a felony.
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
3730			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
3731			
	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
3732			
	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
3733			
	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.



305924

3734	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
3735	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
3736	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
3737	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
3738	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.



305924

3739	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
3740	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
3741	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
3742	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
3743	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
3744	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.



305924

3745	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
3746	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
3747	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
3748	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
3749	812.131 (2) (a)	2nd	Robbery by sudden snatching.
3750	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
3751	817.034 (4) (a) 1.	1st	Communications fraud, value greater than



305924

3752			\$50,000.
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
3753			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
3754			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
3755			
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
3756			
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
3757			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related



305924

3758			documents.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
3759			
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
3760			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
3761			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
3762			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
3763			



305924

3764	838.015	2nd	Bribery.
3765	838.016	2nd	Unlawful compensation or reward for official behavior.
3766	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
3767	838.22	2nd	Bid tampering.
3768	843.0855 (2)	3rd	Impersonation of a public officer or employee.
3769	843.0855 (3)	3rd	Unlawful simulation of legal process.
3770	843.0855 (4)	3rd	Intimidation of a public officer or employee.
3771	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
3772	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.



305924

3773	872.06	2nd	Abuse of a dead human body.
3774	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
3775	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
3776	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> (2) (e) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.



305924

3777	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or <u>(2)(c)5.</u> (2)(e)4. , within 1,000 feet of property used for religious services or a specified business site.
3778	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
3779	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
3780	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
3781	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
	893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 14 grams or



305924

3782	893.135 (1) (c) 2.b.	1st	more, less than 28 grams. Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
3783	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
3784	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
3785	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
3786	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
3787	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
3788	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or



305924

3789			more, less than 28 grams.
	893.135	1st	Trafficking in
	(1) (g) 1.a.		flunitrazepam, 4 grams or more, less than 14 grams.
3790			
	893.135	1st	Trafficking in gamma-
	(1) (h) 1.a.		hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
3791			
	893.135	1st	Trafficking in 1,4-
	(1) (j) 1.a.		Butanediol, 1 kilogram or more, less than 5 kilograms.
3792			
	893.135	1st	Trafficking in
	(1) (k) 2.a.		Phenethylamines, 10 grams or more, less than 200 grams.
3793			
	893.135	1st	Trafficking in synthetic
	(1) (m) 2.a.		cannabinoids, 280 grams or more, less than 500 grams.
3794			
	893.135	1st	Trafficking in synthetic
	(1) (m) 2.b.		cannabinoids, 500 grams or more, less than 1,000 grams.



305924

3795	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
3796	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
3797	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
3798	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
3799	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
3800	943.0435 (8)	2nd	Sexual offender; remains



305924

3801			in state after indicating intent to leave; failure to comply with reporting requirements.
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
3802			
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3803			
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
3804			
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
3805			
	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.



305924

3806	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3807	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
3808	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
3809	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3810	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false



305924

registration information.

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Section 22. For the 2018-2019 fiscal year:

(1) (a) The nonrecurring sum of \$27,035,360 from the Federal Grants Trust Fund and the recurring sum of \$15,520,000 from the General Revenue Fund are appropriated to the Department of Children and Families. These funds shall be used for the following services to address opioid and other substance abuse disorders: outpatient, case management, and aftercare services; residential treatment; medication-assisted treatment, including the purchase and medical use of methadone, buprenorphine, and naltrexone extended-release injectable; peer recovery support; hospital and first responder outreach; and outreach targeted to pregnant women.

(b) From a total of \$4,720,000 of the recurring general revenue funds specified in paragraph (a), the Department of Children and Families shall contract with a nonprofit organization for the distribution and associated costs for the following drugs as part of its medication-assisted treatment program for substance abuse disorders:

1. \$472,000 for methadone;
2. \$1,888,000 for buprenorphine; and
3. \$2,360,000 for naltrexone extended-release injectable.

(2) The recurring sum of \$6 million from the General Revenue Fund is appropriated to the Office of the State Courts Administrator for treatment of substance abuse disorders in individuals involved in the criminal justice system, individuals who have a high likelihood of becoming involved in the criminal



305924

3839 justice system, or individuals who are in court-ordered,
3840 community-based drug treatment. The Office of the State Courts
3841 Administrator shall use the funds to contract with a nonprofit
3842 entity for the purpose of distributing the medication. The
3843 Office of the State Courts Administrator shall make available
3844 the following drugs:

3845 (a) \$600,000 for methadone;
3846 (b) \$2.4 million for buprenorphine; and
3847 (c) \$3 million for naltrexone extended-release injectable.
3848 (3) The recurring sum of \$5 million from the General
3849 Revenue Fund is appropriated to the Department of Health for the
3850 purchase of naloxone to be made available to emergency
3851 responders.

3852 (4) An additional recurring sum of \$10 million from the
3853 General Revenue Fund is appropriated to the Department of
3854 Children and Families to address substance abuse disorders in
3855 the counties most impacted according to the most recent annual
3856 report from the Florida Medical Examiner's Commission, and which
3857 shall be used as follows:

3858 (a) \$1.4 million for managing entity care coordination,
3859 deployment of targeted opioid responses for communities, and
3860 housing support.

3861 (b) \$1.2 million for recovery support.

3862 (c) \$3 million for residential treatment capacity.

3863 (d) \$1.2 million for hospital diversion programs.

3864 (e) \$1.2 million for acute care detoxification programs.

3865 (f) \$2 million for outpatient, case management, and
3866 aftercare services.

3867 (5) The sums of \$873,089 in recurring funds and \$117,700 in



305924

3868 nonrecurring funds are appropriated from the Medical Quality
3869 Assurance Trust Fund to the Department of Health for
3870 improvements to the Prescription Drug Monitoring Program system.

3871 Section 23. Except as otherwise expressly provided in this
3872 act, this act shall take effect July 1, 2018.

3873
3874 ===== T I T L E A M E N D M E N T =====

3875 And the title is amended as follows:

3876 Delete everything before the enacting clause
3877 and insert:

3878 A bill to be entitled
3879 An act relating to controlled substances; amending s.
3880 409.967, F.S.; prohibiting managed care plans and
3881 their fiscal agents or intermediaries from imposing
3882 certain requirements or conditions on recipients as a
3883 prerequisite to receiving medication-assisted
3884 treatment (MAT) services to treat substance abuse
3885 disorders; creating s. 456.0301, F.S.; requiring
3886 certain boards to require certain registered
3887 practitioners to complete a specified board-approved
3888 continuing education course to obtain authorization to
3889 prescribe controlled substances as part of biennial
3890 license renewal and before a specified date; providing
3891 course requirements; providing that the course may be
3892 offered in a distance learning format and requiring
3893 that it be included within required continuing
3894 education hours; prohibiting the Department of Health
3895 from renewing the license of a prescriber under
3896 specified circumstances; specifying a deadline for



305924

3897 course completion; providing an exception from the
3898 course requirements for certain licensees; requiring
3899 such licensees to submit confirmation of course
3900 completion; authorizing certain boards to adopt rules;
3901 amending s. 456.072, F.S.; authorizing disciplinary
3902 action against practitioners for violating specified
3903 provisions relating to controlled substances; amending
3904 s. 456.44, F.S.; defining the term "acute pain";
3905 requiring the applicable boards to adopt rules
3906 establishing certain guidelines for prescribing
3907 controlled substances for acute pain; providing that
3908 the failure of a prescriber to follow specified
3909 guidelines is grounds for disciplinary action;
3910 limiting opioid drug prescriptions for the treatment
3911 of acute pain to a specified period under certain
3912 circumstances; authorizing such prescriptions for an
3913 extended period if specified requirements are met;
3914 requiring a prescriber who prescribes an opioid drug
3915 for the treatment of pain other than acute pain to
3916 include a specific indication on the prescription;
3917 requiring a prescriber who prescribes an opioid drug
3918 for the treatment of pain related to a traumatic
3919 injury with a specified Injury Severity Score to
3920 concurrently prescribe an emergency opioid antagonist;
3921 amending ss. 458.3265 and 459.0137, F.S.; requiring
3922 pain management clinics to register with the
3923 department or hold a valid certificate of exemption;
3924 requiring certain clinics to apply to the department
3925 for a certificate of exemption; providing requirements



305924

3926 for such certificates; requiring the department to
3927 adopt rules necessary to administer such exemptions;
3928 amending s. 465.0155, F.S.; providing requirements for
3929 pharmacists for the dispensing of controlled
3930 substances to persons not known to them; defining the
3931 term "proper identification"; amending s. 465.0276,
3932 F.S.; prohibiting the dispensing of certain controlled
3933 substances in an amount that exceeds a 3-day supply
3934 unless certain criteria are met; providing an
3935 exception for the dispensing of certain controlled
3936 substances by a practitioner to the practitioner's own
3937 patients for the medication-assisted treatment of
3938 opiate addiction; providing requirements for
3939 practitioners for the dispensing of controlled
3940 substances to persons not known to them; defining the
3941 term "proper identification"; amending s. 627.42392,
3942 F.S.; prohibiting a health insurer from imposing
3943 certain requirements or conditions on insureds as a
3944 prerequisite to receiving MAT services to treat
3945 substance abuse disorders; amending s. 893.03, F.S.;
3946 correcting a cross-reference; conforming the state
3947 controlled substances schedule to the federal
3948 controlled substances schedule; amending s. 893.04,
3949 F.S.; authorizing a pharmacist to dispense controlled
3950 substances upon receipt of an electronic prescription
3951 if certain conditions are met; amending s. 893.055,
3952 F.S.; revising and providing definitions; revising
3953 requirements for the prescription drug monitoring
3954 program; authorizing rulemaking; requiring dispensers



305924

3955 to report information to the department for each
3956 controlled substance dispensed; providing
3957 applicability; requiring the department to maintain an
3958 electronic system for certain purposes which meets
3959 specified requirements; requiring certain information
3960 to be reported to the system by a specified time;
3961 specifying direct access to system information;
3962 authorizing the department to enter into reciprocal
3963 agreements or contracts to share prescription drug
3964 monitoring information with certain entities;
3965 providing requirements for such agreements;
3966 authorizing the department to enter into agreements or
3967 contracts for secure connections with practitioner
3968 electronic systems; requiring specified persons to
3969 consult the system for certain purposes within a
3970 specified time; providing exceptions to the duty of
3971 specified persons to consult the system under certain
3972 circumstances; requiring the department to issue
3973 citations to prescribers or dispensers who fail to
3974 meet specified requirements relating to consulting the
3975 system; requiring the department refer such
3976 noncompliance to the appropriate board; prohibiting a
3977 person from failing to report the dispensing of a
3978 controlled substance when required to do so;
3979 specifying penalties; authorizing the department to
3980 enter into agreements or contracts for specified
3981 purposes; providing for the release of information
3982 obtained by the system; allowing specified persons to
3983 have direct access to information for the purpose of



305924

3984 reviewing the controlled drug prescription history of
3985 a patient; providing prescriber or dispenser immunity
3986 from liability for review of patient history when
3987 acting in good faith; providing construction;
3988 prohibiting the department from specified uses of
3989 funds; requiring the department to conduct or
3990 participate in studies for specified purposes;
3991 requiring an annual report to be submitted to the
3992 Governor and Legislature by a specified date;
3993 providing report requirements; authorizing the
3994 department to establish a certain direct-support
3995 organization for specified purposes; defining the term
3996 "direct-support organization"; requiring a direct-
3997 support organization to operate under written contract
3998 with the department; providing contract requirements;
3999 requiring the direct-support organization to obtain
4000 written approval from the department for specified
4001 purposes; providing for an independent annual
4002 financial audit by the direct-support organization;
4003 providing that copies of such audit be provided to
4004 specified entities; authorizing the department to
4005 adopt certain rules relating to resources used by the
4006 direct-support organization; providing for future
4007 repeal of provisions relating to the direct-support
4008 organization; requiring the department to adopt rules
4009 to implement the system; amending s. 893.0551, F.S.;
4010 revising provisions concerning the release of
4011 information held by the prescription drug monitoring
4012 program; amending s. 893.13, F.S.; correcting cross-



305924

4013 references; increasing the severity of a felony for a
4014 health care practitioner who provides or a person who
4015 obtains certain controlled substances that are not
4016 medically necessary under certain circumstances;
4017 amending s. 893.147, F.S.; prohibiting any person from
4018 possessing, purchasing, delivering, selling, or
4019 possessing with intent to sell or deliver a tableting
4020 machine, an encapsulating machine, or controlled
4021 substance counterfeiting materials with knowledge,
4022 intent, or reasonable cause to believe that it will be
4023 used to manufacture a controlled substance or
4024 counterfeit controlled substance; providing an
4025 exception for persons who meet certain criteria;
4026 defining terms; providing criminal penalties for
4027 persons who violate specified provisions relating to
4028 tableting machines, encapsulating machines, and
4029 controlled substance counterfeiting materials;
4030 amending ss. 458.331, 459.015, 463.0055, 782.04,
4031 893.135, and 921.0022, F.S.; correcting cross-
4032 references; conforming provisions to changes made by
4033 the act; providing appropriations; providing effective
4034 dates.