

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN (Y/N)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

1 Committee/Subcommittee hearing bill: Health Quality
2 Subcommittee

3 Representative Plakon offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (7) is added to section 456.44,
8 Florida Statutes, to read:

9 456.44 Controlled substance prescribing.-

10 (7) NONOPIOD ALTERNATIVES. -

11 (a) The Legislature find that every competent adult has
12 the fundamental right of self-determination regarding decisions
13 pertaining to his or her own health, including the right to
14 refuse an opioid drug listed as a Schedule II controlled
15 substance in s. 893.03 or 21 U.S.C. s. 812.

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16 (b) The department shall develop and publish on its
17 website an educational pamphlet regarding the use of nonopioid
18 alternatives to treat pain. At a minimum, the pamphlet shall
19 include:

20 1. Information on nonopioid alternatives available to treat
21 pain, including nonopioid medicinal drugs and drug products and
22 other non-medication therapies.

23 2. The advantages and disadvantages of using a nonopioid
24 alternative.

25 (c) Except in the provision of emergency care and services,
26 as defined in s. 395.002, prior to providing medical treatment
27 or anesthesia or prescribing an opioid drug listed as a Schedule
28 II controlled substance in s. 893.03 or 21 U.S.C. s. 812 for the
29 treatment of pain, a health care practitioner must:

30 1. Inform the patient of available nonopioid alternatives
31 for the treatment of pain, including nonopioid medicinal drugs
32 or drug products, physical therapy, occupational therapy, or any
33 other appropriate therapy.

34 2. Discuss the advantages and disadvantages of using such
35 nonopioid alternatives, including whether the patient is at high
36 risk of, or has a history of, controlled substance abuse or
37 misuse and the patient's personal preferences.

38 3. Provide the patient with the educational pamphlet
39 described in paragraph (c).

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40 4. Document the nonopioid alternatives considered in the
41 patient's record.

42 Section 2. This act shall take effect July 1, 2019

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45 **T I T L E A M E N D M E N T**

46 Remove everything before the enacting clause and insert:
47 An act relating to nonopioid alternative; amending s. 456.44,
48 F.S.; providing legislative intent;; requiring the Department of
49 Health to develop and publish on its website an educational
50 pamphlet relating to nonopioid alternatives for the treating
51 pain; requiring the pamphlet to include specified information
52 relating to the available advantages and disadvantages of
53 nonopioid alternatives; requiring a health care practitioner to
54 inform the patient of available nonopioid alternatives and
55 discuss advantages and disadvantages of their use; requiring a
56 health care practitioner to provide the pamphlet to a patient
57 prior to medical treatment or prescribing an opioid; requiring a
58 health care practitioner to document nonopioid alternatives
59 considered in the patient's record; providing an effective date.