

1 A bill to be entitled
 2 An act relating to controlled substance prescribing;
 3 amending s. 456.44, F.S.; excluding pain related to
 4 sickle-cell anemia from the definition of acute pain
 5 for purposes of limitations on prescriptions of
 6 opioids for acute pain; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Paragraph (a) of subsection (1) of section
 11 456.44, Florida Statutes, is amended and paragraph (a) of
 12 subsection (5) of that section is republished, to read:

13 456.44 Controlled substance prescribing.—

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

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

19 1. Cancer.

20 2. A terminal condition. For purposes of this
 21 subparagraph, the term "terminal condition" means a progressive
 22 disease or medical or surgical condition that causes significant
 23 functional impairment, is not considered by a treating physician
 24 to be reversible without the administration of life-sustaining
 25 procedures, and will result in death within 1 year after

26 | diagnosis if the condition runs its normal course.

27 | 3. Palliative care to provide relief of symptoms related
28 | to an incurable, progressive illness or injury.

29 | 4. A traumatic injury with an Injury Severity Score of 9
30 | or greater.

31 | 5. Sickle-cell anemia.

32 | (5) PRESCRIPTION SUPPLY.—

33 | (a) For the treatment of acute pain, a prescription for an
34 | opioid drug listed as a Schedule II controlled substance in s.
35 | 893.03 or 21 U.S.C. s. 812 may not exceed a 3-day supply, except
36 | that up to a 7-day supply may be prescribed if:

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

41 | 2. The prescriber indicates "ACUTE PAIN EXCEPTION" on the
42 | prescription; and

43 | 3. The prescriber adequately documents in the patient's
44 | medical records the acute medical condition and lack of
45 | alternative treatment options that justify deviation from the 3-
46 | day supply limit established in this subsection.

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