



422752

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2019	.	
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The Committee on Health Policy (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

456.44 Controlled substance prescribing.—

(7) NONOPIOID ALTERNATIVES.—

(a) The Legislature finds that every competent adult has
the fundamental right of self-determination regarding decisions



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11 pertaining to his or her own health, including the right to
12 refuse an opioid drug listed as a Schedule II controlled
13 substance in s. 893.03 or 21 U.S.C. s. 812.

14 (b) The department shall develop and publish on its website
15 an educational pamphlet regarding the use of nonopioid
16 alternatives for the treatment of pain. The pamphlet must, at a
17 minimum, include:

18 1. Information on available nonopioid alternatives for the
19 treatment of pain, including nonopioid medicinal drugs or drug
20 products and nonpharmacological therapies; and

21 2. The advantages and disadvantages of the use of nonopioid
22 alternatives.

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

28 1. Inform the patient of available nonopioid alternatives
29 for the treatment of pain, which may include nonopioid medicinal
30 drugs or drug products, acupuncture, chiropractic treatments,
31 massage therapy, physical therapy, occupational therapy, or any
32 other appropriate therapy as determined by the health care
33 practitioner;

34 2. Discuss the advantages and disadvantages of the use of
35 nonopioid alternatives, including whether the patient is at a
36 high 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 (b); and



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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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44 ===== T I T L E A M E N D M E N T =====

45 And the title is amended as follows:

46 Delete everything before the enacting clause
47 and insert:

48 A bill to be entitled
49 An act relating to nonopioid alternatives; amending s.
50 456.44, F.S.; providing a legislative finding;
51 requiring the Department of Health to develop and
52 publish on its website an educational pamphlet
53 regarding the use of nonopioid alternatives for the
54 treatment of pain; requiring that the pamphlet include
55 specified information, including the advantages and
56 disadvantages of the use of such alternatives;
57 providing requirements for health care practitioners;
58 providing an exception; providing an effective date.