

Amendment No. 1

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WITHDRAWN	_____	(Y/N)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 Care Appropriations
2 Subcommittee

3 Representative Grall offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (3) and (4) are added to section
8 456.42, Florida Statutes, to read:

9 456.42 Written or electronic prescriptions for medicinal
10 drugs.-

11 (3) Beginning on January 1, 2021, subject to subsection
12 (4), a prescription for a controlled substance listed in chapter
13 893 must be electronically generated and transmitted, and must
14 contain the name of the prescribing practitioner, the name and
15 strength of the drug prescribed, the quantity of the drug
16 prescribed in numerical format, the directions for use of the

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17 drug, the date, and an electronic signature, as defined in s.
18 668.003(4), by the prescribing practitioner only on the day
19 issued.

20 (4) The electronic prescribing requirements under
21 subsection (3) do not apply in any of the following
22 circumstances:

23 (a) The practitioner and the dispenser are the same
24 person.

25 (b) The prescription cannot be transmitted electronically
26 under the most recently implemented version of the National
27 Council for Prescription Drug Programs (NCPDP) SCRIPT Standard.

28 (c) The prescription is issued by a practitioner who has
29 received a waiver or a renewal of a waiver from the federal
30 government from the requirement to use electronic prescribing
31 due to demonstrated economic hardship, technological limitations
32 that are not reasonably within the control of the practitioner,
33 or other exceptional circumstances demonstrated by the
34 practitioner.

35 (d) The practitioner reasonably determines that it would
36 be impractical for the patient to obtain the prescribed
37 substance in a timely manner, and such delay would adversely
38 impact the patient's medical condition.

39 (e) The prescription is issued by a practitioner who
40 authorizes the dispensing of the prescribed substance pursuant
41 to a non-patient-specific order for drug therapy, collaborative

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42 drug management, or comprehensive medication management in
43 response to a public health emergency or any other circumstance
44 in which the practitioner is authorized to issue a non-patient-
45 specific prescription.

46 (f) The practitioner issues the prescription for a drug
47 under a research protocol.

48 (g) The prescription is issued by a practitioner for a
49 drug for which the Food and Drug Administration requires a
50 prescription to contain elements that are not able to be
51 included in electronic prescribing, such as a drug with risk
52 evaluation and mitigation strategies that include elements to
53 ensure safe use.

54 (h) The prescription is issued by a practitioner for an
55 individual who receives hospice care or is a resident of a
56 skilled nursing facility.

57 Section 2. This act shall take effect January 1, 2020.

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

61 Remove everything before the enacting clause and insert:

62 A bill to be entitled

63 An act relating to electronic prescribing; amending s.

64 456.42, F.S.; requiring prescriptions for certain

65 controlled substances to be electronically generated and

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66 | transmitted; providing exceptions; providing an effective
67 | date.