

By Senator Perry

8-00361B-20

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1 A bill to be entitled
2 An act relating to nonopioid alternatives; amending s.
3 456.44, F.S.; revising exceptions to certain
4 controlled substance prescribing requirements;
5 clarifying that a certain patient or patient
6 representative must be informed of specified
7 information, have specified information discussed with
8 him or her, and be provided with an electronic or
9 printed copy of a specified educational pamphlet;
10 providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (c) of subsection (7) of section
15 456.44, Florida Statutes, is amended to read:

16 456.44 Controlled substance prescribing.—

17 (7) NONOPIOID ALTERNATIVES.—

18 (c) Except when a patient is receiving care in a hospital
19 critical care unit or in an emergency department or a patient is
20 receiving hospice services under s. 400.6095 in the provision of
21 emergency services and care, as defined in s. 395.002, before
22 providing care that requires the administration of anesthesia
23 involving the use of an opioid drug listed as a Schedule II
24 controlled substance in s. 893.03 or 21 U.S.C. s. 812, or
25 prescribing or ordering, ordering, dispensing, or administering
26 an opioid drug listed as a Schedule II controlled substance in
27 s. 893.03 or 21 U.S.C. s. 812 for the treatment of pain, a
28 health care practitioner who prescribes or orders an opioid
29 drug, excluding those licensed under chapter 465, must:

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30 1. Inform the patient or the patient's representative of
31 available nonopioid alternatives for the treatment of pain,
32 which may include nonopioid medicinal drugs or drug products,
33 interventional procedures or treatments, acupuncture,
34 chiropractic treatments, massage therapy, physical therapy,
35 occupational therapy, or any other appropriate therapy as
36 determined by the health care practitioner.

37 2. Discuss with the patient or the patient's representative
38 the advantages and disadvantages of the use of nonopioid
39 alternatives, including whether the patient is at a high risk
40 of, or has a history of, controlled substance abuse or misuse
41 and the patient's personal preferences.

42 3. Provide the patient or the patient's representative,
43 electronically or in printed form, with the educational pamphlet
44 described in paragraph (b).

45 4. Document the nonopioid alternatives considered in the
46 patient's record.

47 Section 2. This act shall take effect July 1, 2020.