

**By** the Committee on Military and Veterans Affairs, Space, and Domestic Security; and Senator Harrell

583-03273-21

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1                   A bill to be entitled  
2       An act relating to dispensing medicinal drugs;  
3       amending s. 465.019, F.S.; authorizing certain  
4       hospitals to dispense supplies of prescribed medicinal  
5       drugs in a specified amount to emergency department  
6       patients or inpatients upon discharge under certain  
7       circumstances; authorizing a greater specified supply  
8       of medicinal drugs to be prescribed and dispensed in  
9       areas in which a state of emergency has been declared  
10      and is in effect; authorizing a prescriber to provide  
11      a patient with a prescription for medicinal drugs  
12      beyond the initial prescription period under certain  
13      circumstances; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17       Section 1. Subsection (4) of section 465.019, Florida  
18       Statutes, is amended to read:

19       465.019 Institutional pharmacies; permits.—

20       (4) (a) Medicinal drugs shall be dispensed in an  
21       institutional pharmacy to outpatients only when that institution  
22       has secured a community pharmacy permit from the department.  
23       However, ~~an individual licensed to prescribe medicinal drugs in~~  
24       ~~this state may be dispensed by dispense up to a 24-hour supply~~  
25       ~~of a medicinal drug to any patient of an emergency department of~~  
26       a hospital that operates a Class II or Class III institutional  
27       pharmacy to a patient of the hospital's emergency department or  
28       a hospital inpatient upon discharge if a prescriber, as defined  
29       in s. 465.025(1), ~~provided that the physician~~ treating the

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30 patient in such hospital ~~hospital's emergency department~~  
31 determines that the medicinal drug is warranted and that  
32 community pharmacy services are not readily accessible,  
33 geographically or otherwise, to the patient. Such prescribing  
34 and dispensing ~~from the emergency department must be in~~  
35 ~~accordance with the procedures of the hospital~~ must be for a  
36 supply of the drug that will last for the greater of the  
37 following:

38 1. Up to 48 hours; or

39 2. Through the end of the next business day.

40 (b) Notwithstanding subparagraph (a)1., if a state of  
41 emergency has been declared and is in effect for an area of this  
42 state pursuant to s. 252.36, a supply of a medicinal drug which  
43 will last up to 72 hours may be prescribed and dispensed under  
44 paragraph (a) in that area ~~For any such patient for whom a~~  
45 ~~medicinal drug is warranted for a period to exceed 24 hours, an~~  
46 ~~individual licensed to prescribe such drug must dispense a 24-~~  
47 ~~hour supply of such drug to the patient and must provide the~~  
48 ~~patient with a prescription for such drug for use after the~~  
49 ~~initial 24-hour period.~~

50 (c) A prescriber as defined in s. 465.025(1) who prescribes  
51 medicinal drugs under this subsection may provide the patient  
52 with a prescription for such drug for use beyond the initial  
53 prescription period if the prescriber determines that such use  
54 is warranted. Any prescribing or dispensing of a controlled  
55 substance under this subsection must comply with the applicable  
56 requirements of ss. 456.44 and 465.0276.

57 (d) The board may adopt rules necessary to implement ~~carry~~  
58 ~~out the provisions of this subsection.~~

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Section 2. This act shall take effect July 1, 2021.