

By Senator Perry

8-00852-21

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1                   A bill to be entitled  
2           An act relating to nonopioid alternatives; amending s.  
3           456.44, F.S.; authorizing certain health care  
4           practitioners to provide a specified educational  
5           pamphlet to patients in an electronic format;  
6           providing an effective date.

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

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10           Section 1. Paragraph (c) of subsection (7) of section  
11           456.44, Florida Statutes, is amended to read:

12           456.44 Controlled substance prescribing.—

13           (7) NONOPIOID ALTERNATIVES.—

14           (c) Except when a patient is receiving care in a hospital  
15           critical care unit or emergency department or a patient is  
16           receiving hospice services under s. 400.6095, before providing  
17           care requiring the administration of anesthesia involving the  
18           use of an opioid drug listed as a Schedule II controlled  
19           substance in s. 893.03 or 21 U.S.C. s. 812, or prescribing or  
20           ordering an opioid drug listed as a Schedule II controlled  
21           substance in s. 893.03 or 21 U.S.C. s. 812 for the treatment of  
22           pain, a health care practitioner who prescribes or orders an  
23           opioid drug must:

24           1. Inform the patient or the patient's representative of  
25           available nonopioid alternatives for the treatment of pain,  
26           which may include nonopioid medicinal drugs or drug products,  
27           interventional procedures or treatments, acupuncture,  
28           chiropractic treatments, massage therapy, physical therapy,  
29           occupational therapy, or any other appropriate therapy as

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30 determined by the health care practitioner.

31 2. Discuss with the patient or the patient's representative  
32 the advantages and disadvantages of the use of nonopioid  
33 alternatives, including whether the patient is at a high risk  
34 of, or has a history of, controlled substance abuse or misuse  
35 and the patient's personal preferences.

36 3. Provide the patient or the patient's representative,  
37 electronically or in printed form, with ~~a printed copy of the~~  
38 educational pamphlet described in paragraph (b).

39 4. Document the nonopioid alternatives considered in the  
40 patient's record.

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