



455298

576-02109-22

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act relating to drug-related overdose prevention;  
amending s. 381.887, F.S.; revising the purpose of  
specified provisions relating to the prescribing,  
ordering, and dispensing of emergency opioid  
antagonists to certain persons by authorized health  
care practitioners; authorizing pharmacists to order  
certain emergency opioid antagonists; providing  
certain authorized persons immunity from civil or  
criminal liability for administering emergency opioid  
antagonists under certain circumstances; authorizing  
personnel of law enforcement agencies and other  
agencies to administer emergency opioid antagonists  
under certain circumstances; amending s. 381.981,  
F.S.; revising requirements for a certain health  
awareness campaign; amending s. 395.1041, F.S.;  
requiring hospital emergency departments and urgent  
care centers to report incidents involving a suspected  
or actual overdose to the department under certain  
circumstances; providing requirements for the reports;  
requiring hospital emergency departments and urgent  
care centers to use their best efforts to report such  
incidents to the Department of Health within a  
specified timeframe; providing an effective date.

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



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28 Section 1. Subsections (2), (3), and (4) of section  
29 381.887, Florida Statutes, are amended to read:

30 381.887 Emergency treatment for suspected opioid overdose.—

31 (2) The purpose of this section is to provide for the  
32 prescribing, ordering, and dispensing ~~prescription~~ of emergency  
33 opioid antagonists ~~an emergency opioid antagonist~~ to patients  
34 and caregivers and to encourage the prescribing, ordering, and  
35 dispensing ~~prescription~~ of emergency opioid antagonists by  
36 authorized health care practitioners.

37 (3) (a) An authorized health care practitioner may prescribe  
38 and dispense an emergency opioid antagonist to, and a pharmacist  
39 may order an emergency opioid antagonist with an autoinjection  
40 delivery system or intranasal application delivery system for, a  
41 patient or caregiver for use in accordance with this section. 7  
42 ~~and~~

43 (b) A pharmacist ~~pharmacists~~ may dispense an emergency  
44 opioid antagonist pursuant to a prescription by an authorized  
45 health care practitioner. A pharmacist may dispense an emergency  
46 opioid antagonist with such a prescription or pursuant to a non-  
47 patient-specific standing order for an autoinjection delivery  
48 system or intranasal application delivery system, which must be  
49 appropriately labeled with instructions for use, pursuant to a  
50 pharmacist's order or pursuant to a nonpatient-specific standing  
51 order.

52 (c) A ~~such~~ patient or caregiver is authorized to store and  
53 possess approved emergency opioid antagonists and, in an  
54 emergency situation when a physician is not immediately  
55 available, administer the emergency opioid antagonist to a  
56 person believed in good faith to be experiencing an opioid



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57 overdose, regardless of whether that person has a prescription  
58 for an emergency opioid antagonist.

59 (4) The following persons are authorized to possess, store,  
60 and administer emergency opioid antagonists as clinically  
61 indicated and are immune from any civil liability or criminal  
62 liability as a result of administering an emergency opioid  
63 antagonist:

64 (a) Emergency responders, including, but not limited to,  
65 law enforcement officers, paramedics, and emergency medical  
66 technicians.

67 (b) Crime laboratory personnel for the statewide criminal  
68 analysis laboratory system as described in s. 943.32, including,  
69 but not limited to, analysts, evidence intake personnel, and  
70 their supervisors.

71 (c) Personnel of a law enforcement agency or other agency,  
72 including, but not limited to, correctional probation officers  
73 and child protective investigators who, while acting within the  
74 scope or course of employment, come into contact with a  
75 controlled substance or persons at risk of experiencing an  
76 opioid overdose.

77 Section 2. Paragraph (r) of subsection (2) of section  
78 381.981, Florida Statutes, is amended to read:

79 381.981 Health awareness campaigns.—

80 (2) The awareness campaigns shall include the provision of  
81 educational information about preventing, detecting, treating,  
82 and curing the following diseases or conditions. Additional  
83 diseases and conditions that impact the public health may be  
84 added by the board of directors of the Florida Public Health  
85 Institute, Inc.; however, each of the following diseases or



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86 conditions must be included in an awareness campaign during at  
87 least 1 month in any 24-month period:

88 (r) Substance abuse, including, but not limited to,  
89 emergency opioid antagonists.

90 Section 3. Subsection (8) is added to section 395.1041,  
91 Florida Statutes, to read:

92 395.1041 Access to emergency services and care.-

93 (8) REPORTING OF CONTROLLED SUBSTANCE OVERDOSES.-A hospital  
94 emergency department or an urgent care center that treats and  
95 releases a person in response to a suspected or actual overdose  
96 of a controlled substance must report such incident to the  
97 department if the patient was not transported by a transport  
98 service operating pursuant to part III of chapter 401. Such  
99 reports must be made using an appropriate method with secure  
100 access, including, but not limited to, the Washington/Baltimore  
101 High Intensity Drug Trafficking Overdose Detection Mapping  
102 Application Program, the Florida Prehospital EMS Tracking and  
103 Reporting System (EMSTARS), or another program identified by  
104 department rule. If a hospital emergency department or an urgent  
105 care center reports such an incident, it must use its best  
106 efforts to make the report to the department within 120 hours  
107 after becoming aware of the incident.

108 Section 4. This act shall take effect July 1, 2022.