

By Senator Boyd

21-00566A-22

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1 A bill to be entitled
2 An act relating to drug-related overdose prevention;
3 amending s. 381.887, F.S.; revising the purpose of
4 specified provisions relating to the prescribing,
5 ordering, and dispensing of emergency opioid
6 antagonists to certain persons by authorized health
7 care practitioners; requiring the Florida Public
8 Health Institute, Inc., in consultation with the
9 Department of Health, to educate the public regarding
10 the use of emergency opioid antagonists; authorizing
11 pharmacists to order certain emergency opioid
12 antagonists; providing certain authorized persons
13 immunity from civil or criminal liability for
14 administering emergency opioid antagonists under
15 certain circumstances; authorizing civilian personnel
16 of law enforcement agencies to administer emergency
17 opioid antagonists under certain circumstances;
18 amending s. 395.1041, F.S.; requiring hospital
19 emergency departments and urgent care centers to
20 report incidents involving a suspected or actual
21 overdose to the department under certain
22 circumstances; providing requirements for the report;
23 requiring hospital emergency departments and urgent
24 care centers to use best efforts to report such
25 incidents to the department within a specified
26 timeframe; amending s. 401.253, F.S.; requiring,
27 rather than authorizing, basic life support services
28 and advanced life support services to report incidents
29 involving a suspected or actual overdose of a

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30 controlled substance within a specified timeframe;
31 providing an effective date.

32
33 Be It Enacted by the Legislature of the State of Florida:

34
35 Section 1. Subsections (2), (3), and (4) of section
36 381.887, Florida Statutes, are amended to read:

37 381.887 Emergency treatment for suspected opioid overdose.—

38 (2) (a) The purpose of this section is to provide for the
39 prescribing, ordering, and dispensing ~~prescription~~ of emergency
40 opioid antagonists ~~an emergency opioid antagonist~~ to patients
41 and caregivers and to encourage the prescribing, ordering, and
42 dispensing ~~prescription~~ of emergency opioid antagonists by
43 authorized health care practitioners.

44 (b) The Florida Public Health Institute, Inc., in
45 consultation with the Department of Health, shall educate the
46 public regarding the use of emergency opioid antagonists in
47 accordance with s. 381.981(2)(r).

48 (3) (a) An authorized health care practitioner may prescribe
49 and dispense an emergency opioid antagonist to, and a pharmacist
50 may order an emergency opioid antagonist with an autoinjection
51 delivery system or intranasal application delivery system for, a
52 patient or caregiver for use in accordance with this section.
53 and

54 (b) A pharmacist ~~pharmacists~~ may dispense an emergency
55 opioid antagonist pursuant to a prescription by an authorized
56 health care practitioner. A pharmacist may dispense an emergency
57 opioid antagonist with ~~such a prescription or pursuant to a non-~~
58 ~~patient-specific standing order for~~ an autoinjection delivery

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59 system or intranasal application delivery system, which must be
60 appropriately labeled with instructions for use, pursuant to a
61 pharmacist's order or pursuant to a nonpatient-specific standing
62 order.

63 (c) A ~~such~~ patient or caregiver is authorized to store and
64 possess approved emergency opioid antagonists and, in an
65 emergency situation when a physician is not immediately
66 available, administer the emergency opioid antagonist to a
67 person believed in good faith to be experiencing an opioid
68 overdose, regardless of whether that person has a prescription
69 for an emergency opioid antagonist.

70 (4) The following persons are authorized to possess, store,
71 and administer emergency opioid antagonists as clinically
72 indicated and are immune from any civil liability or criminal
73 liability as a result of administering an emergency opioid
74 antagonist:

75 (a) Emergency responders, including, but not limited to,
76 law enforcement officers, paramedics, and emergency medical
77 technicians.

78 (b) Crime laboratory personnel for the statewide criminal
79 analysis laboratory system as described in s. 943.32, including,
80 but not limited to, analysts, evidence intake personnel, and
81 their supervisors.

82 (c) Civilian personnel of a law enforcement agency,
83 including, but not limited to, employees of a sheriff's office
84 authorized to provide child protective investigative services
85 under s. 39.3065 and correctional probation officers who, while
86 acting within the scope or course of employment, come into
87 contact with controlled substances or persons at risk of

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88 experiencing an opioid overdose.

89 Section 2. Subsection (8) is added to section 395.1041,
90 Florida Statutes, to read:

91 395.1041 Access to emergency services and care.—

92 (8) REPORTING OF CONTROLLED SUBSTANCE OVERDOSES.—A hospital
93 emergency department or urgent care center that treats and
94 releases a person in response to a suspected or actual overdose
95 of a controlled substance must report such incident to the
96 department if the patient was not transported by a basic life
97 support service or an advanced life support service as those
98 terms are defined in s. 401.23. Such reports must be made using
99 an appropriate method with secure access, including, but not
100 limited to, the Washington/Baltimore High Intensity Drug
101 Trafficking Overdose Detection Mapping Application Program or
102 other program identified by department rule. Hospital emergency
103 departments and urgent care centers shall use best efforts to
104 make the report to the department within 120 hours after
105 discovering an incident.

106 Section 3. Paragraph (a) of subsection (1) of section
107 401.253, Florida Statutes, is amended to read:

108 401.253 Reporting of controlled substance overdoses.—

109 (1) (a) A basic life support service or an advanced life
110 support service that ~~which~~ treats and releases, or transports to
111 a medical facility, a person in response to an emergency call
112 for a suspected or actual overdose of a controlled substance
113 must ~~may~~ report such incidents to the department. Such reports
114 must be made using the Emergency Medical Service Tracking and
115 Reporting System or other appropriate method with secure access,
116 including, but not limited to, the Washington/Baltimore High

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117 Intensity Drug Trafficking Overdose Detection Mapping
118 Application Program or other program identified by ~~the~~
119 department ~~in~~ rule. ~~If a~~ Basic life support services and ~~service~~
120 ~~or~~ advanced life support services ~~service reports such~~
121 ~~incidents, it~~ shall use ~~make its~~ best efforts to make the report
122 to the department within 120 hours after responding ~~it responds~~
123 to an ~~the~~ incident.

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