

By the Committee on Appropriations; and Senator Boyd

576-02399-22

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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; authorizing pharmacists to order
8 certain emergency opioid antagonists; providing
9 certain authorized persons immunity from civil or
10 criminal liability for administering emergency opioid
11 antagonists under certain circumstances; authorizing
12 personnel of law enforcement agencies and other
13 agencies to administer emergency opioid antagonists
14 under certain circumstances; amending s. 381.981,
15 F.S.; revising requirements for a certain health
16 awareness campaign; amending s. 395.1041, F.S.;
17 requiring hospital emergency departments and urgent
18 care centers to report incidents involving a suspected
19 or actual overdose to the Department of Health under
20 certain circumstances; providing requirements for the
21 reports; requiring hospital emergency departments and
22 urgent care centers to use their best efforts to
23 report such incidents to the department within a
24 specified timeframe; providing an effective date.

25
26 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:

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

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

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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.