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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; amending s. 1002.20, F.S.;  
25          authorizing a public school to purchase or enter into  
26          an arrangement to receive a supply of the opioid  
27          antagonist naloxone for a certain purpose; specifying  
28          requirements for the maintenance of the naloxone;  
29          requiring the school district to adopt a protocol for

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30 the administration of naloxone; providing that a  
31 school district and its employees and agents and the  
32 physician who provides the protocol are not liable for  
33 any injury arising from the administration of the  
34 naloxone pursuant to the protocol; providing an  
35 exception; providing an effective date.  
36

37 Be It Enacted by the Legislature of the State of Florida:  
38

39 Section 1. Subsections (2), (3), and (4) of section  
40 381.887, Florida Statutes, are amended to read:

41 381.887 Emergency treatment for suspected opioid overdose.—

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

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. 7  
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) Personnel of a law enforcement agency or other agency,  
83 including, but not limited to, correctional probation officers  
84 and child protective investigators who, while acting within the  
85 scope or course of employment, come into contact with a  
86 controlled substance or persons at risk of experiencing an  
87 opioid overdose.

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88 Section 2. Paragraph (r) of subsection (2) of section  
89 381.981, Florida Statutes, is amended to read:

90 381.981 Health awareness campaigns.—

91 (2) The awareness campaigns shall include the provision of  
92 educational information about preventing, detecting, treating,  
93 and curing the following diseases or conditions. Additional  
94 diseases and conditions that impact the public health may be  
95 added by the board of directors of the Florida Public Health  
96 Institute, Inc.; however, each of the following diseases or  
97 conditions must be included in an awareness campaign during at  
98 least 1 month in any 24-month period:

99 (r) Substance abuse, including, but not limited to,  
100 emergency opioid antagonists.

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

103 395.1041 Access to emergency services and care.—

104 (8) REPORTING OF CONTROLLED SUBSTANCE OVERDOSES.—A hospital  
105 emergency department or an urgent care center that treats and  
106 releases a person in response to a suspected or actual overdose  
107 of a controlled substance must report such incident to the  
108 department if the patient was not transported by a transport  
109 service operating pursuant to part III of chapter 401. Such  
110 reports must be made using an appropriate method with secure  
111 access, including, but not limited to, the Washington/Baltimore  
112 High Intensity Drug Trafficking Overdose Detection Mapping  
113 Application Program, the Florida Prehospital EMS Tracking and  
114 Reporting System (EMSTARS), or another program identified by  
115 department rule. If a hospital emergency department or an urgent  
116 care center reports such an incident, it must use its best

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117 efforts to make the report to the department within 120 hours  
118 after becoming aware of the incident.

119 Section 4. Paragraph (o) is added to subsection (3) of  
120 section 1002.20, Florida Statutes, to read:

121 1002.20 K-12 student and parent rights.—Parents of public  
122 school students must receive accurate and timely information  
123 regarding their child's academic progress and must be informed  
124 of ways they can help their child to succeed in school. K-12  
125 students and their parents are afforded numerous statutory  
126 rights including, but not limited to, the following:

127 (3) HEALTH ISSUES.—

128 (o) Naloxone use and supply.—

129 1. A public school may purchase a supply of the opioid  
130 antagonist naloxone from a wholesale distributor as defined in  
131 s. 499.003 or may enter into an arrangement with a wholesale  
132 distributor or manufacturer as defined in s. 499.003 for  
133 naloxone at fair-market, free, or reduced prices for use in the  
134 event that a student has an opioid overdose. The naloxone must  
135 be maintained in a secure location on the public school's  
136 premises. The participating school district shall adopt a  
137 protocol developed by a licensed physician for the  
138 administration of the drug by school personnel trained to  
139 recognize an opioid overdose and to administer naloxone.

140 2. The school district and its employees and agents and the  
141 physician who provides the standing protocol for school naloxone  
142 are not liable for any injury arising from the use of the drug  
143 if it is administered by trained school personnel who follow the  
144 standing protocol and whose professional opinion is that the  
145 student is having an opioid overdose:

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146 a. Unless the trained school personnel's action is willful  
147 and wanton;

148 b. Notwithstanding that the parents or guardians of the  
149 student to whom the naloxone is administered have not been  
150 provided notice or have not signed a statement acknowledging  
151 that the school district is not liable; and

152 c. Regardless of whether authorization has been given by  
153 the student's parents or guardians or by the student's  
154 physician, physician's assistant, or advanced practice  
155 registered nurse.

156 Section 5. This act shall take effect July 1, 2022.