

2022544e2

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          providing immunity from civil liability to a school

2022544e2

30 district employee for administering an approved  
31 emergency opioid antagonist to a student; providing an  
32 effective date.

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

35  
36 Section 1. Subsections (2), (3), and (4) of section  
37 381.887, Florida Statutes, are amended to read:

38 381.887 Emergency treatment for suspected opioid overdose.—

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

45 (3) (a) An authorized health care practitioner may prescribe  
46 and dispense an emergency opioid antagonist to, and a pharmacist  
47 may order an emergency opioid antagonist with an autoinjection  
48 delivery system or intranasal application delivery system for, a  
49 patient or caregiver for use in accordance with this section. 7  
50 ~~and~~

51 (b) A pharmacist ~~pharmacists~~ may dispense an emergency  
52 opioid antagonist pursuant to a prescription by an authorized  
53 health care practitioner. A pharmacist may dispense an emergency  
54 opioid antagonist with ~~such a prescription or pursuant to a non-~~  
55 ~~patient-specific standing order for~~ an autoinjection delivery  
56 system or intranasal application delivery system, which must be  
57 appropriately labeled with instructions for use, pursuant to a  
58 pharmacist's order or pursuant to a nonpatient-specific standing

2022544e2

59 order.

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

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

72 (a) Emergency responders, including, but not limited to,  
73 law enforcement officers, paramedics, and emergency medical  
74 technicians.

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

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

85 Section 2. Paragraph (r) of subsection (2) of section  
86 381.981, Florida Statutes, is amended to read:

87 381.981 Health awareness campaigns.—

2022544e2

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

96 (r) Substance abuse, including, but not limited to,  
97 emergency opioid antagonists.

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

100 395.1041 Access to emergency services and care.—

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

116 Section 4. Paragraph (o) is added to subsection (3) of

2022544e2

117 section 1002.20, Florida Statutes, to read:

118 1002.20 K-12 student and parent rights.—Parents of public  
119 school students must receive accurate and timely information  
120 regarding their child's academic progress and must be informed  
121 of ways they can help their child to succeed in school. K-12  
122 students and their parents are afforded numerous statutory  
123 rights including, but not limited to, the following:

124 (3) HEALTH ISSUES.—

125 (o) Naloxone use and supply.—

126 1. A public school may purchase a supply of the opioid  
127 antagonist naloxone from a wholesale distributor as defined in  
128 s. 499.003 or may enter into an arrangement with a wholesale  
129 distributor or manufacturer as defined in s. 499.003 for  
130 naloxone at fair-market, free, or reduced prices for use in the  
131 event that a student has an opioid overdose. The naloxone must  
132 be maintained in a secure location on the public school's  
133 premises.

134 2. A school district employee who administers an approved  
135 emergency opioid antagonist to a student in compliance with ss.  
136 381.887 and 768.13 is immune from civil liability under s.  
137 768.13.

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