

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 rooms and urgent
22 care centers to use their best efforts to report such
23 incidents to the department within a specified
24 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:

30 | 381.887 Emergency treatment for suspected opioid
31 | overdose.—

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

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

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

51 pharmacist's order or pursuant to a nonpatient-specific standing
52 order.

53 (c) A ~~such~~ patient or caregiver is authorized to store and
54 possess approved emergency opioid antagonists and, in an
55 emergency situation when a physician is not immediately
56 available, administer the emergency opioid antagonist to a
57 person believed in good faith to be experiencing an opioid
58 overdose, regardless of whether that person has a prescription
59 for an emergency opioid antagonist.

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

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

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

72 (c) Personnel of a law enforcement agency or other agency,
73 including, but not limited to, correctional probation officers
74 and child protective investigators who, while acting within the
75 scope or course of employment, come into contact with a

76 | controlled substance or persons at risk of experiencing an
 77 | opioid overdose.

78 | Section 2. Paragraph (r) of subsection (2) of section
 79 | 381.981, Florida Statutes, is amended to read:

80 | 381.981 Health awareness campaigns.—

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

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

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

93 | 395.1041 Access to emergency services and care.—

94 | (8) REPORTING OF CONTROLLED SUBSTANCE OVERDOSES.—A
 95 | hospital emergency department or an urgent care center that
 96 | treats and releases a person in response to a suspected or
 97 | actual overdose of a controlled substance must report such
 98 | incident to the department if the patient was not transported by
 99 | an emergency medical services vehicle as defined in s. 401.23.
 100 | Such reports must be made using an appropriate method with

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101 secure access, including, but not limited to, the
102 Washington/Baltimore High Intensity Drug Trafficking Overdose
103 Detection Mapping Application Program, the Florida Prehospital
104 EMS Tracking and Reporting System (EMSTARS), or another program
105 identified by department rule. If a hospital emergency
106 department or an urgent care center reports such an incident, it
107 must use its best efforts to make the report to the department
108 within 120 hours after becoming aware of the incident.

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