



123050

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2023	.	
	.	
	.	
	.	

The Committee on Fiscal Policy (Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraphs (b) and (c) of subsection (1) of
section 381.887, Florida Statutes, are amended to read:

381.887 Emergency treatment for suspected opioid overdose.—

(1) As used in this section, the term:

(b) "Authorized health care practitioner" means a licensed
practitioner authorized by the laws of this state to prescribe
or dispense drugs.



123050

12 (c) "Caregiver" means a family member, friend, or person in
13 a position to have ~~recurring~~ contact with a person at risk of
14 experiencing an opioid overdose.

15 Section 2. Section 397.335, Florida Statutes, is created to
16 read:

17 397.335 Statewide Council on Opioid Abatement.—

18 (1) ESTABLISHMENT.—The Statewide Council on Opioid
19 Abatement, an advisory council as defined in s. 20.03, is
20 created within the department for the purpose of enhancing the
21 development and coordination of state and local efforts to abate
22 the opioid epidemic and to support the victims and families of
23 the crisis.

24 (2) MEMBERSHIP.—

25 (a) Notwithstanding s. 20.052, the council shall be
26 composed of the following members:

27 1. The Attorney General, or his or her designee, who shall
28 serve as chair.

29 2. The secretary of the department, or his or her designee,
30 who shall serve as vice chair.

31 3. One member appointed by the Governor.

32 4. One member appointed by the President of the Senate.

33 5. One member appointed by the Speaker of the House of
34 Representatives.

35 6. Two members appointed by the Florida League of Cities
36 who are commissioners or mayors of municipalities. One member
37 shall be from a municipality with a population of fewer than
38 50,000 people.

39 7. Two members appointed by or through the Florida
40 Association of Counties who are county commissioners or mayors.



123050

41 One member shall be appointed from a county with a population of
42 fewer than 200,000, and one member shall be appointed from a
43 county with a population of more than 200,000.

44 8. One member who is either a county commissioner or county
45 mayor appointed by the Florida Association of Counties or who is
46 a commissioner or mayor of a municipality appointed by the
47 Florida League of Cities. The Florida Association of Counties
48 shall appoint such member for the initial term, and future
49 appointments must alternate between a member appointed by the
50 Florida League of Cities and a member appointed by the Florida
51 Association of Counties.

52 (b) Each member shall serve a 2-year term. Any vacancy
53 shall be filled in the same manner as the original appointment
54 for the remainder of the unexpired term.

55 (c) A member may not receive a commission, fee, or
56 financial benefit in connection with serving on the council.
57 Council members may be reimbursed for per diem and travel
58 expenses in accordance with s. 112.061 by the state agency that
59 the member represents. If the member is not affiliated with a
60 state agency, the member shall be reimbursed by the Department
61 of Children and Families.

62 (3) ORGANIZATION AND SUPPORT.—

63 (a) The first meeting of the council must be held by August
64 31, 2023.

65 (b) The council shall meet quarterly and upon the call of
66 the chair or two other members. Meetings of the council may take
67 place in person or through electronic transmission using
68 communications media technology as described in s.
69 120.54(5)(b)2.



70 (c) A majority of the members of the council shall
71 constitute a quorum.

72 (d) The department and the Department of Legal Affairs
73 shall provide the council with staff necessary to assist the
74 council in the performance of its duties.

75 (e) The council may apply for and accept funds, grants,
76 gifts, and services from the state, the Federal Government, or
77 any of its agencies, or any other public or private source for
78 the purposes of defraying costs or performing its duties.

79 (f) All members shall adhere to all applicable general law,
80 rules, and regulations, including, but not limited to, s.
81 112.311, concerning the disclosure of conflicts of interest and
82 recusal from discussions or votes on conflicted matters.

83 (4) DUTIES.—

84 (a) The council shall advise the state and local
85 governments on resolving or abating the opioid epidemic and
86 review how settlement moneys recovered from the opioid
87 litigation brought by the state and its subdivisions have been
88 spent and the results that have been achieved from those
89 expenditures.

90 (b) The council shall work with, provide, and receive
91 information from the Statewide Drug Policy Advisory Council and
92 ensure that its recommendations and actions are consistent with
93 that council's recommendations to the extent possible.

94 (c) The council shall review data from local, state, and
95 national agencies, both on a regional and a statewide basis, to
96 advise state and local governments on the status, severity, and
97 stage of the opioid epidemic.

98 (d) The council shall review data from local governments,



99 other states, and national agencies regarding how moneys are
100 being spent to abate the opioid epidemic, the success of such
101 programs, and the appropriate metrics needed to assess the
102 epidemic and progress in abating it.

103 (e) By June 30 of each year, each county, municipality,
104 managing entity, or state agency that receives settlement funds
105 from an opioid settlement shall provide information to the
106 council related to how it intends to use settlement funds and
107 how it intends to collect data regarding its use of funds.

108 (f) By August 31 of each year, each county, municipality,
109 managing entity, or state agency that receives settlement funds
110 from an opioid settlement must provide information to the
111 council related to its expenditure of settlement funds and the
112 results obtained from those expenditures.

113 (g) The council shall develop and recommend metrics,
114 measures, or datasets to assess the progress and success of
115 programs funded by expenditures of opioid settlement funds. The
116 council must attempt to keep such metrics, measures, or datasets
117 consistent with those used by the state with managing entities,
118 as well as any metrics, measures, or datasets required by the
119 Substance Abuse and Mental Health Services Administration of the
120 United States Department of Health and Human Services in
121 connection with any grants received by the state. Upon request
122 of the council, a county, municipality, managing entity, or
123 state agency must provide the council data or information
124 required to develop such metrics, measures, or datasets.

125 (h) The council with assistance and support of the
126 department shall provide a system of documentation and reporting
127 in accordance with the requirements of federal agencies and any



128 other agencies providing funding to the state, including
129 auditing expenditures consistent with any requirements imposed
130 by the Legislature.

131 (i) By December 1, 2023, and annually thereafter, the
132 council shall provide and publish an annual report. The report
133 shall contain information on how settlement moneys were spent
134 the previous fiscal year by the state, each of the managing
135 entities, and each of the counties and municipalities. The
136 report shall also contain recommendations to the Governor, the
137 Legislature, and local governments for how moneys should be
138 prioritized and spent the coming fiscal year to respond to the
139 opioid epidemic.

140 (j) The report shall be posted on the websites of the
141 department and the Department of Legal Affairs.

142 Section 3. This act shall take effect July 1, 2023.

143
144 ===== T I T L E A M E N D M E N T =====

145 And the title is amended as follows:

146 Delete everything before the enacting clause
147 and insert:

148 A bill to be entitled
149 An act relating to opioid abatement; amending s.
150 381.887, F.S.; revising definitions; creating s.
151 397.335, F.S.; establishing the Statewide Council on
152 Opioid Abatement within the Department of Children and
153 Families; providing for purpose of the council;
154 providing for membership, organization and support,
155 and duties of the council; providing an effective
156 date.