

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health & Human Services
 2 Committee

3 Representative Caruso offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
 7 Section 1. Paragraphs (b) and (c) of subsection (1) of
 8 section 381.887, Florida Statutes, are amended to read:

9 381.887 Emergency treatment for suspected opioid
 10 overdose.—

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

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

Amendment No.

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

18 Section 2. Section 397.335, Florida Statutes, is created
19 to read:

20 397.335 Statewide Council on Opioid Abatement.-

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

27 (2) MEMBERSHIP.-

28 (a) The council shall consist of the following members:

29 1. The Attorney General, or a designee, who shall serve as
30 chair.

31 2. The secretary of the department, or a designee, who
32 shall serve as vice chair.

33 3. One member appointed by the Governor.

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

35 5. One member appointed by the Speaker of the House of
36 Representatives.

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

Amendment No.

40 50,000 people.

41 7. Two members appointed by or through the Florida
42 Association of Counties who are county commissioners or mayors.
43 One member shall be appointed from a county with a population of
44 fewer than 200,000 and one member shall be appointed from a
45 county with a population of more than 200,000.

46 8. One member appointed by the Florida Association of
47 Counties, a municipality mayor, or a commissioner appointed by
48 the Florida League of Cities who must alternate every 2 years
49 between being a county commissioner or a mayor.

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

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

60 (3) ORGANIZATION AND SUPPORT.—

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

63 (b) The council shall meet quarterly and upon the call of
64 the chair or two other members. Meetings of the council may take

Amendment No.

65 place in person or through electronic transmission using
66 communications media technology as described in s.
67 120.54(5)(b)2.

68 (c) A majority of the members of the council shall
69 constitute a quorum.

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

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

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

81 (4) DUTIES.—

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

88 (b) The council shall work with, provide, and receive
89 information from the Statewide Drug Policy Advisory Council and

Amendment No.

90 ensure that its recommendations and actions are consistent with
91 that council's recommendations to the extent possible.

92 (c) The council shall review data from local, state, and
93 national agencies:

94 1. Both on a regional and a statewide basis to advise the
95 state and local governments on the current status, severity, and
96 stage of the opioid epidemic.

97 2. Regarding how monies are being spent to abate the
98 opioid epidemic, the success of such programs, and the
99 appropriate metrics needed to assess the epidemic and progress
100 abating it.

101 (d) Each county, city, managing entity, or state agency
102 who receives settlement monies from an opioid settlement shall
103 provide information to the council annually:

104 1. By July 30, 2023, and annually thereafter, relating to
105 how the county, city, managing entity, or agency intends to use
106 settlement funds and collect data regarding its use of funds.

107 2. By August 31, 2023, and annually thereafter, relating
108 to the expenditure of settlement moneys by that entity and the
109 results obtained from those expenditures.

110 (e) The council shall develop metrics, measures, or data
111 sets to assess the progress and success of programs funded by
112 expenditures of opioid settlement monies. In recommending
113 metrics, measures, or data sets, the council shall keep its
114 recommended metrics, measures, or data sets consistent with the

Amendment No.

115 metrics, measures, or data sets that the state uses with its
116 managing entities as well as any other metrics, measures, or
117 data sets required by the Substance Abuse and Mental Health
118 Services Administration of the United States Department of
119 Health and Human Services in connection with any grants that the
120 state receives. In connection with such metrics, measures, or
121 data sets, the council may request, and each county, city,
122 managing entity, or state agency must provide, data or
123 information requested to conduct such analysis.

124 (f) In the event that a county, city, managing entity, or
125 agency fails to provide requested data or information, the
126 council or the Department of Legal Affairs, acting on behalf of
127 the council, shall have the ability to seek such data through
128 civil investigative demand, subpoena, or by commencing an action
129 seeking the turnover of such data.

130 (g) The council with assistance and support of the
131 department shall provide a system of documentation and reporting
132 in accordance with the requirements of federal agencies and any
133 other agencies providing funding to the state, including
134 auditing expenditures consistent with any requirements imposed
135 by the legislature.

136 (h) By December 1, 2023, and annually thereafter, the
137 council shall provide and publish an annual report. The report
138 shall contain information on how settlement moneys were spent
139 the previous fiscal year by the state, each of the managing

Amendment No.

140 entities, and each of the counties and municipalities. The
141 report shall also contain recommendations to the Governor, the
142 Legislature, and local governments for how moneys should be
143 prioritized and spent the coming fiscal year to respond to the
144 opioid epidemic.

145 (k) The report shall be posted on the websites of the
146 department and the Department of Legal Affairs.

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

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150 **T I T L E A M E N D M E N T**

151 Remove everything before the enacting clause and insert:
152 An act relating to emergency opioid antagonists; amending s.
153 381.887, F.S.; revising definitions; creating s. 397.335, F.S.;
154 establishing the Statewide Council on Opioid Abatement within
155 the Department of Children and Families; providing for purpose
156 of the council; providing for membership, organization and
157 support, and duties of the council; providing an effective date.