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A bill to be entitled
 An act relating to emergency opioid antagonists;
 amending s. 381.887, F.S.; revising definitions;
 revising the types of delivery systems a pharmacist
 may order or use to dispense an emergency opioid
 antagonist; creating s. 397.335, F.S.; establishing
 the Statewide Council on Opioid Abatement within the
 Department of Children and Families; providing for
 purpose of the council; providing for membership,
 organization and support, and duties of the council;
 providing an effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (1) and
 paragraphs (a) and (b) of subsection (3) 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.

(c) "Caregiver" means a family member, friend, or person
 in a position to have ~~recurring~~ contact with a person at risk of

26 | experiencing an opioid overdose.

27 | (3) (a) An authorized health care practitioner may
 28 | prescribe and dispense an emergency opioid antagonist to, and a
 29 | pharmacist may order an emergency opioid antagonist with an
 30 | autoinjection delivery system, prefilled injection device
 31 | delivery system, or intranasal application delivery system for,
 32 | a patient or caregiver for use in accordance with this section.

33 | (b) A pharmacist may dispense an emergency opioid
 34 | antagonist pursuant to a prescription by an authorized health
 35 | care practitioner. A pharmacist may dispense an emergency opioid
 36 | antagonist with an autoinjection delivery system, prefilled
 37 | injection device delivery system, or intranasal application
 38 | delivery system, which must be appropriately labeled with
 39 | instructions for use, pursuant to a pharmacist's order or
 40 | pursuant to a nonpatient-specific standing order.

41 | Section 2. Section 397.335, Florida Statutes, is created
 42 | to read:

43 | 397.335 Statewide Council on Opioid Abatement.—

44 | (1) ESTABLISHMENT.—The Statewide Council on Opioid
 45 | Abatement, an advisory council as defined in s. 20.03, is
 46 | created within the department for the purpose of enhancing the
 47 | development and coordination of state and local efforts to abate
 48 | the opioid epidemic and to support the victims and families of
 49 | the crisis.

50 | (2) MEMBERSHIP.—

- 51 (a) The council shall consist of the following members:
- 52 1. The Attorney General, or a designee, who shall serve as
- 53 chair.
- 54 2. The secretary of the department, or a designee, who
- 55 shall serve as vice chair.
- 56 3. One member appointed by the Governor.
- 57 4. One member appointed by the President of the Senate.
- 58 5. One member appointed by the Speaker of the House of
- 59 Representatives.
- 60 6. Two members appointed by the Florida League of Cities
- 61 who are commissioners or mayors of municipalities. One member
- 62 shall be from a municipality with a population of fewer than
- 63 50,000 people.
- 64 7. Two members appointed by or through the Florida
- 65 Association of Counties who are county commissioners or mayors.
- 66 One member shall be appointed from a county with a population of
- 67 fewer than 200,000 and one member shall be appointed from a
- 68 county with a population of more than 200,000.
- 69 8. One member appointed by the Florida Association of
- 70 Counties, a municipality mayor, or a commissioner appointed by
- 71 the Florida League of Cities who must alternate every 2 years
- 72 between being a county commissioner or a mayor.
- 73 (b) Each member shall serve a 2-year term. Any vacancy
- 74 shall be filled in the same manner as the original appointment
- 75 for the remainder of the unexpired term.

76 (c) A member may not receive a commission, fee, or
77 financial benefit in connection with serving on the council.
78 Council members may be reimbursed for per diem and travel
79 expenses in accordance with s. 112.061 by the state agency that
80 the member represents. If the member is not affiliated with a
81 state agency, the member shall be reimbursed by the Department
82 of Children and Families.

83 (3) ORGANIZATION AND SUPPORT.—

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

86 (b) The council shall meet quarterly and upon the call of
87 the chair or two other members. Meetings of the council may take
88 place in person or through electronic transmission using
89 communications media technology as described in s.
90 120.54(5)(b)2.

91 (c) A majority of the members of the council shall
92 constitute a quorum.

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

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

100 (f) All members shall adhere to all applicable general

101 law, rules, and regulations, including, but not limited to, s.
102 112.311, concerning the disclosure of conflicts of interest and
103 recusal from discussions or votes on conflicted matters.

104 (4) DUTIES.—

105 (a) The council shall advise the state and local
106 governments on resolving or abating the opioid epidemic and
107 review how settlement monies recovered from the opioid
108 litigation brought by the state and its subdivisions have been
109 spent and the results that have been achieved from those
110 expenditures.

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

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

117 1. Both on a regional and a statewide basis to advise the
118 state and local governments on the current status, severity, and
119 stage of the opioid epidemic.

120 2. Regarding how monies are being spent to abate the
121 opioid epidemic, the success of such programs, and the
122 appropriate metrics needed to assess the epidemic and progress
123 abating it.

124 (d) Each county, city, managing entity, or state agency
125 who receives settlement monies from an opioid settlement shall

126 provide information to the council annually:

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

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

133 (e) The council shall develop metrics, measures, or data
134 sets to assess the progress and success of programs funded by
135 expenditures of opioid settlement monies. In recommending
136 metrics, measures, or data sets, the council shall keep its
137 recommended metrics, measures, or data sets consistent with the
138 metrics, measures, or data sets that the state uses with its
139 managing entities as well as any other metrics, measures, or
140 data sets required by the Substance Abuse and Mental Health
141 Services Administration of the United States Department of
142 Health and Human Services in connection with any grants that the
143 state receives. In connection with such metrics, measures, or
144 data sets, the council may request, and each county, city,
145 managing entity, or state agency must provide, data or
146 information requested to conduct such analysis.

147 (f) The council with assistance and support of the
148 department shall provide a system of documentation and reporting
149 in accordance with the requirements of federal agencies and any
150 other agencies providing funding to the state, including

151 auditing expenditures consistent with any requirements imposed
152 by the legislature.

153 (g) By December 1, 2023, and annually thereafter, the
154 council shall provide and publish an annual report. The report
155 shall contain information on how settlement moneys were spent
156 the previous fiscal year by the state, each of the managing
157 entities, and each of the counties and municipalities. The
158 report shall also contain recommendations to the Governor, the
159 Legislature, and local governments for how moneys should be
160 prioritized and spent the coming fiscal year to respond to the
161 opioid epidemic.

162 (h) The report shall be posted on the websites of the
163 department and the Department of Legal Affairs.

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