A bill to be entitled

An act relating to substance abuse prevention; amending s. 381.887, F.S.; revising provisions relating to the prescribing, ordering, and dispensing of emergency opioid antagonists to certain persons; requiring the Department of Health to develop and implement a statewide awareness campaign to educate the public regarding opioid overdoses, the safe storage and administration of emergency opioid antagonists, and the safe disposal of opioids; authorizing a pharmacist to order an emergency opioid antagonists; authorizing certain persons dispensed opioid antagonists without a prescription to store and possess and, in certain emergency situations, to administer opioid antagonists; providing certain authorized persons immunity from civil or criminal liability for administering emergency opioid antagonists under certain circumstances; authorizing personnel of law enforcement agencies and other agencies and certain other persons to administer emergency opioid antagonists under certain circumstances; amending s. 401.253, F.S.; requiring basic life support services or advanced life support services to report incidents involving a suspected or actual overdose of a controlled substance; providing

an effective date.

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

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

381.887 Emergency treatment for suspected opioid overdose.—

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

(b) The Department of Health shall develop and implement a statewide awareness campaign to educate the public regarding:

1. Risk factors of opioid overdoses;

2. Signs and symptoms of opioid overdoses;

3. How to respond to opioid overdoses;

4. Safe storage and administration of emergency opioid antagonists; and

5. Safe disposal of opioids including, but not limited to, permanent prescription drug donation boxes and at-home drug deactivation and disposal systems.

(3)(a) An authorized health care practitioner may prescribe and dispense an emergency opioid antagonist, and a

pharmacist may order an emergency opioid antagonist with an autoinjection delivery system or intranasal application delivery system, to a patient or caregiver for use in accordance with this section.

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

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

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

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

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

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

Section 2. Paragraph (a) of subsection (1) of section 401.253, Florida Statutes, is amended to read:

401.253 Reporting of controlled substance overdoses.—

(1)(a) A basic life support service or advanced life support service that ~~which~~ treats and releases, or transports to a medical facility, a person in response to an emergency call for a suspected or actual overdose of a controlled substance must ~~may~~ report such incidents to the department. Such reports must be made using the Emergency Medical Service Tracking and Reporting System or other appropriate method with secure access, including, but not limited to, the Washington/Baltimore High Intensity Drug Trafficking Overdose Detection Mapping

Application Program or other program identified by the department in rule. If a basic life support service or advanced life support service reports such incidents, it must ~~shall~~ make its best efforts to make the report to the department within 120 hours after it responds to the incident.

Section 3. This act shall take effect July 1, 2021.