



761094

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2015	.	
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The Committee on Appropriations (Grimsley) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. This act may be cited as the "Emergency  
Treatment and Recovery Act."

Section 2. Section 381.887, Florida Statutes, is created to  
read:

381.887 Emergency treatment for suspected opioid overdose.—

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



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11       (a) "Administer" or "administration" means to introduce an  
12 emergency opioid antagonist into the body of a person.

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

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

19       (d) "Emergency opioid antagonist" means naloxone  
20 hydrochloride or any similarly acting drug that blocks the  
21 effects of opioids administered from outside the body and that  
22 is approved by the United States Food and Drug Administration  
23 for the treatment of an opioid overdose.

24       (e) "Patient" means a person at risk of experiencing an  
25 opioid overdose.

26       (2) The purpose of this section is to provide for the  
27 prescription of an emergency opioid antagonist to patients and  
28 caregivers and to encourage the prescription of emergency opioid  
29 antagonists by authorized health care practitioners.

30       (3) An authorized health care practitioner may prescribe an  
31 emergency opioid antagonist to a patient or caregiver for use in  
32 accordance with this section, and pharmacists may dispense an  
33 emergency opioid antagonist pursuant to a prescription issued in  
34 the name of the patient or caregiver, appropriately labeled with  
35 instructions for use. Such patient or caregiver is authorized to  
36 store and possess approved emergency opioid antagonists and, in  
37 an emergency situation when a physician is not immediately  
38 available, administer the emergency opioid antagonist to a  
39 person believed in good faith to be experiencing an opioid



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40 overdose, regardless of whether that person has a prescription  
41 for an emergency opioid antagonist.

42 (4) Emergency responders, including, but not limited to,  
43 law enforcement officers, paramedics, and emergency medical  
44 technicians, are authorized to possess, store, and administer  
45 emergency opioid antagonists as clinically indicated.

46 (5) A person, including, but not limited to, an authorized  
47 health care practitioner, a dispensing health care practitioner,  
48 or a pharmacist, who possesses, administers, prescribes,  
49 dispenses, or stores an approved emergency opioid antagonist in  
50 compliance with this section and s. 768.13 is afforded the civil  
51 liability immunity protections provided under s. 768.13.

52 (6) (a) An authorized health care practitioner, acting in  
53 good faith, is not subject to discipline or other adverse action  
54 under any professional licensure statute or rule and is immune  
55 from any civil or criminal liability as a result of prescribing  
56 an opioid antagonist in accordance with this section.

57 (b) A dispensing health care practitioner or pharmacist,  
58 acting in good faith, is not subject to discipline or other  
59 adverse action under any professional licensure statute or rule  
60 and is immune from any civil or criminal liability as a result  
61 of dispensing an opioid antagonist in accordance with this  
62 section.

63 (7) This section does not limit any existing immunities for  
64 emergency responders or others provided under this chapter or  
65 any other applicable provision of law.

66 Section 3. This act shall take effect upon becoming a law.

67  
68 ===== T I T L E A M E N D M E N T =====



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69 And the title is amended as follows:

70 Delete everything before the enacting clause  
71 and insert:

72 A bill to be entitled

73 An act relating to emergency treatment for opioid  
74 overdose; providing a short title; creating s.  
75 381.887, F.S.; providing definitions; providing  
76 purpose; authorizing certain health care practitioners  
77 to prescribe an emergency opioid antagonist to a  
78 patient or caregiver under certain conditions;  
79 authorizing pharmacists to dispense an emergency  
80 opioid antagonist under certain circumstances;  
81 authorizing storage, possession, and administration of  
82 an emergency opioid antagonist by such patient or  
83 caregiver and certain emergency responders; providing  
84 immunity from liability; providing immunity from  
85 professional sanction or disciplinary action for  
86 certain health care practitioners and pharmacists,  
87 under certain circumstances; providing applicability;  
88 providing an effective date.