

CHAPTER 2020-24

House Bill No. 743

An act relating to nonopioid alternatives; amending s. 456.44, F.S.; revising a requirement for certain health care practitioners to inform a patient or the patient's representative of nonopioid alternatives before prescribing or ordering an opioid drug; providing an effective date.

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

Section 1. Paragraph (c) of subsection (7) of section 456.44, Florida Statutes, is amended to read:

456.44 Controlled substance prescribing.—

(7) NONOPIOID ALTERNATIVES.—

(c) Except ~~when in the provision of a patient is receiving care in a hospital critical care unit or emergency department or a patient is receiving hospice services under s. 400.6095 services and care, as defined in s. 395.002,~~ before providing care requiring the administration of anesthesia involving the use of an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812, or prescribing or ordering or prescribing, ordering, dispensing, or administering an opioid drug listed as a Schedule II controlled substance in s. 893.03 or 21 U.S.C. s. 812 for the treatment of pain, a health care practitioner who prescribes or orders an opioid drug, excluding those licensed under chapter 465, must:

1. Inform the patient or the patient's representative of available nonopioid alternatives for the treatment of pain, which may include nonopioid medicinal drugs or drug products, interventional procedures or treatments, acupuncture, chiropractic treatments, massage therapy, physical therapy, occupational therapy, or any other appropriate therapy as determined by the health care practitioner.

2. Discuss with the patient or the patient's representative the advantages and disadvantages of the use of nonopioid alternatives, including whether the patient is at a high risk of, or has a history of, controlled substance abuse or misuse and the patient's personal preferences.

3. Provide the patient or the patient's representative with a printed copy of the educational pamphlet described in paragraph (b).

4. Document the nonopioid alternatives considered in the patient's record.

Section 2. This act shall take effect July 1, 2020.

Approved by the Governor June 9, 2020.

Filed in Office Secretary of State June 9, 2020.