

## CHAPTER 2021-121

### Committee Substitute for Senate Bill No. 262

An act relating to dispensing medicinal drugs; amending s. 465.019, F.S.; authorizing certain hospitals to dispense supplies of prescribed medicinal drugs in a specified amount to emergency department patients or inpatients upon discharge under certain circumstances; authorizing a greater specified supply of medicinal drugs to be prescribed and dispensed in areas in which a state of emergency has been declared and is in effect; authorizing a prescriber to provide a patient with a prescription for medicinal drugs beyond the initial prescription period under certain circumstances; providing an effective date.

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

Section 1. Subsection (4) of section 465.019, Florida Statutes, is amended to read:

465.019 Institutional pharmacies; permits.—

(4)(a) Medicinal drugs shall be dispensed in an institutional pharmacy to outpatients only when that institution has secured a community pharmacy permit from the department. However, ~~an individual licensed to prescribe medicinal drugs in this state may be dispensed by~~ dispense up to a 24-hour supply of a medicinal drug to any patient of an emergency department of a hospital that operates a Class II or Class III institutional pharmacy to a patient of the hospital's emergency department or a hospital inpatient upon discharge if a prescriber, as defined in s. 465.025(1), provided that the physician treating the patient in such hospital hospital's emergency department determines that the medicinal drug is warranted and that community pharmacy services are not readily accessible, geographically or otherwise, to the patient. Such prescribing and dispensing from the emergency department must be in accordance with the procedures of the hospital must be for a supply of the drug that will last for the greater of the following:

1. Up to 48 hours; or
2. Through the end of the next business day.

(b) Notwithstanding subparagraph (a)1., if a state of emergency has been declared and is in effect for an area of this state pursuant to s. 252.36, a supply of a medicinal drug which will last up to 72 hours may be prescribed and dispensed under paragraph (a) in that area For any such patient for whom a medicinal drug is warranted for a period to exceed 24 hours, an individual licensed to prescribe such drug must dispense a 24-hour supply of such drug to the patient and must provide the patient with a prescription for such drug for use after the initial 24-hour period.

(c) A prescriber as defined in s. 465.025(1) who prescribes medicinal drugs under this subsection may provide the patient with a prescription for such drug for use beyond the initial prescription period if the prescriber determines that such use is warranted. Any prescribing or dispensing of a controlled substance under this subsection must comply with the applicable requirements of ss. 456.44 and 465.0276.

~~(d) The board may adopt rules necessary to implement carry out the provisions of this subsection.~~

Section 2. This act shall take effect July 1, 2021.

Approved by the Governor June 21, 2021.

Filed in Office Secretary of State June 21, 2021.