

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

SB 312 — Telehealth

by Senator Diaz

The bill amends s. 456.47, F.S., to provide that a telehealth provider may not use telehealth to prescribe a controlled substance listed in Schedule II of s. 893.03, F.S., unless the Schedule II controlled substance is prescribed for the following:

- The treatment of a psychiatric disorder;
- Inpatient treatment at a hospital licensed under ch. 395, F.S.;
- The treatment of a patient receiving hospice services as defined in s. 400.601, F.S.; or
- The treatment of a resident of a nursing home facility as defined in s. 400.021, F.S.

In practice, the bill allows a telehealth provider to issue a renewal prescription for a controlled substance listed in Schedule III, IV, or V of s. 893.03, F.S., through telehealth, within the scope of his or her practice and in accordance with other state and federal laws. Under preexisting law, Florida's telehealth providers were prohibited from prescribing any controlled substances through telehealth unless the prescription met one of the exceptions listed above. The bill narrows this prohibition to the prescribing of Schedule II controlled substances through telehealth, except under those specific circumstances.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 37-0; House 114-0