

1                                   A bill to be entitled  
 2           An act relating to emergency treatment for opioid  
 3           overdose; providing a short title; creating s.  
 4           381.887, F.S.; providing definitions; providing  
 5           purpose; authorizing certain health care practitioners  
 6           to prescribe an emergency opioid antagonist to a  
 7           patient or caregiver under certain conditions;  
 8           authorizing storage, possession, and administration of  
 9           an emergency opioid antagonist by such patient or  
 10          caregiver and certain emergency responders; providing  
 11          immunity from liability; providing immunity from  
 12          professional sanction or disciplinary action for  
 13          certain health care practitioners; providing  
 14          applicability; providing an effective date.

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

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

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

22           381.887 Emergency treatment for suspected opioid  
 23 overdose.—

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

25           (a) "Administer" or "administration" means to introduce an  
 26 emergency opioid antagonist into the body of a person, using a

27 formulation approved by the United States Food and Drug  
28 Administration.

29 (b) "Authorized health care practitioner" means a licensed  
30 practitioner authorized by the laws of the state to prescribe  
31 drugs.

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

35 (d) "Emergency opioid antagonist" means a drug that blocks  
36 the effects of exogenously administered opioids and is approved  
37 by the United States Food and Drug Administration for the  
38 treatment of opioid overdose.

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

41 (2) The purpose of this section is to provide for the  
42 prescription of an emergency opioid antagonist to patients and  
43 caregivers and to encourage the prescription of emergency opioid  
44 antagonists by health care practitioners in a formulation  
45 approved by the United States Food and Drug Administration for  
46 emergency treatment of known or suspected opioid overdoses when  
47 a physician is not immediately available.

48 (3) An authorized health care practitioner may prescribe  
49 an emergency opioid antagonist to a patient or caregiver for use  
50 in accordance with this section, and pharmacists may dispense an  
51 emergency opioid antagonist pursuant to a prescription issued in  
52 the name of the patient or caregiver, appropriately labeled with

53 instructions for use. Such patient or caregiver is authorized to  
54 store and possess approved emergency opioid antagonists and, in  
55 an emergency situation when a physician is not immediately  
56 available, administer the emergency opioid antagonist to a  
57 person believed in good faith to be experiencing an opioid  
58 overdose, regardless of whether that person has a prescription  
59 for an emergency opioid antagonist.

60 (4) Emergency responders, including, but not limited to,  
61 law enforcement officers, paramedics, and emergency medical  
62 technicians, are authorized to possess, store, and administer  
63 approved emergency opioid antagonists as clinically indicated.

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

70 (6) An authorized health care practitioner, dispensing  
71 health care practitioner, or pharmacist is not subject to  
72 professional sanction or other disciplinary licensing action for  
73 acts or omissions if otherwise in compliance with this section.

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

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