



1 A bill to be entitled
2 An act relating to controlled substances; creating s.
3 456.0301, F.S.; requiring certain boards to require
4 certain registered practitioners to complete a
5 specified board-approved continuing education course
6 to obtain authorization to prescribe controlled
7 substances as part of biennial license renewal and
8 before a specified date; providing course
9 requirements; providing that the course may be offered
10 in a distance learning format and requiring that it be
11 included within required continuing education hours;
12 prohibiting the Department of Health from renewing the
13 license of a prescriber under specified circumstances;
14 specifying a deadline for course completion; providing
15 an exception from the course requirements for certain
16 licensees; requiring such licensees to submit
17 confirmation of course completion; authorizing certain
18 boards to adopt rules; amending s. 456.072, F.S.;
19 authorizing disciplinary action against practitioners
20 for violating specified provisions relating to
21 controlled substances; amending s. 456.44, F.S.;
22 defining the term "acute pain"; requiring the
23 applicable boards to adopt rules establishing certain
24 guidelines for prescribing controlled substances for
25 acute pain; providing that the failure of a prescriber



26 | to follow specified guidelines is grounds for
27 | disciplinary action; limiting opioid drug
28 | prescriptions for the treatment of acute pain to a
29 | specified period under certain circumstances;
30 | authorizing such prescriptions for an extended period
31 | if specified requirements are met; requiring a
32 | prescriber who prescribes an opioid drug for the
33 | treatment of pain other than acute pain to include a
34 | specific indication on the prescription; requiring a
35 | prescriber who prescribes an opioid drug for the
36 | treatment of pain related to a traumatic injury with a
37 | specified Injury Severity Score to concurrently
38 | prescribe an emergency opioid antagonist; amending ss.
39 | 458.3265 and 459.0137, F.S.; requiring pain management
40 | clinics to register with the department or hold a
41 | valid certificate of exemption; requiring certain
42 | clinics to apply to the department for a certificate
43 | of exemption; providing requirements for such
44 | certificates; requiring the department to adopt rules
45 | necessary to administer such exemptions; amending s.
46 | 465.0155, F.S.; providing requirements for pharmacists
47 | for the dispensing of controlled substances to persons
48 | not known to them; defining the term "proper
49 | identification"; amending s. 465.0276, F.S.;
50 | prohibiting the dispensing of certain controlled



51 substances in an amount that exceeds a 3-day supply
52 unless certain criteria are met; providing an
53 exception for the dispensing of certain controlled
54 substances by a practitioner to the practitioner's own
55 patients for the medication-assisted treatment of
56 opiate addiction; providing requirements for
57 practitioners for the dispensing of controlled
58 substances to persons not known to them; defining the
59 term "proper identification"; amending s. 893.03,
60 F.S.; correcting a cross-reference; conforming the
61 state controlled substances schedule to the federal
62 controlled substances schedule; amending s. 893.04,
63 F.S.; authorizing a pharmacist to dispense controlled
64 substances upon receipt of an electronic prescription
65 if certain conditions are met; amending s. 893.055,
66 F.S.; revising and providing definitions; revising
67 requirements for the prescription drug monitoring
68 program; authorizing rulemaking; requiring dispensers
69 to report information to the department for each
70 controlled substance dispensed; providing
71 applicability; requiring the department to maintain an
72 electronic system for certain purposes which meets
73 specified requirements; requiring certain information
74 to be reported to the system by a specified time;
75 specifying direct access to system information;



76 | authorizing the department to enter into reciprocal
77 | agreements or contracts to share prescription drug
78 | monitoring information with certain entities;
79 | providing requirements for such agreements;
80 | authorizing the department to enter into agreements or
81 | contracts for secure connections with practitioner
82 | electronic systems; requiring specified persons to
83 | consult the system for certain purposes within a
84 | specified time; providing exceptions to the duty of
85 | specified persons to consult the system under certain
86 | circumstances; requiring the department to issue
87 | citations to prescribers or dispensers who fail to
88 | meet specified requirements relating to consulting the
89 | system; providing a system for discipline of specified
90 | persons for failing to meet such requirements;
91 | prohibiting a person from failing to report the
92 | dispensing of a controlled substance when required to
93 | do so; specifying penalties; authorizing the
94 | department to enter into agreements or contracts for
95 | specified purposes; providing for the release of
96 | information obtained by the system; allowing specified
97 | persons to have direct access to information for the
98 | purpose of reviewing the controlled drug prescription
99 | history of a patient; providing prescriber or
100 | dispenser immunity from liability for review of



101 patient history when acting in good faith; providing
102 construction; prohibiting the department from
103 specified uses of funds; requiring the department to
104 conduct or participate in studies for specified
105 purposes; requiring an annual report to be submitted
106 to the Governor and Legislature by a specified date;
107 providing report requirements; authorizing the
108 department to establish a certain direct-support
109 organization for specified purposes; defining the term
110 "direct-support organization"; requiring a direct-
111 support organization to operate under written contract
112 with the department; providing contract requirements;
113 requiring the direct-support organization to obtain
114 written approval from the department for specified
115 purposes; providing for an independent annual
116 financial audit by the direct-support organization;
117 providing that copies of such audit be provided to
118 specified entities; authorizing the department to
119 adopt certain rules relating to resources used by the
120 direct-support organization; providing for future
121 repeal of provisions relating to the direct-support
122 organization; requiring the department to adopt rules
123 to implement the system; amending s. 893.0551, F.S.;
124 revising provisions concerning the release of
125 information held by the prescription drug monitoring



126 program; amending s. 893.13, F.S.; correcting cross-
127 references; increasing the severity of a felony for a
128 health care practitioner who provides or a person who
129 obtains certain controlled substances that are not
130 medically necessary under certain circumstances;
131 amending s. 893.147, F.S.; prohibiting any person from
132 possessing, purchasing, delivering, selling, or
133 possessing with intent to sell or deliver a tableting
134 machine, an encapsulating machine, or controlled
135 substance counterfeiting materials with knowledge,
136 intent, or reasonable cause to believe that it will be
137 used to manufacture a controlled substance or
138 counterfeit controlled substance; providing an
139 exception for persons who meet certain criteria;
140 defining terms; providing criminal penalties for
141 persons who violate specified provisions relating to
142 tableting machines, encapsulating machines, and
143 controlled substance counterfeiting materials;
144 amending ss. 458.331, 459.015, 463.0055, 782.04,
145 893.135, and 921.0022, F.S.; correcting cross-
146 references; conforming provisions to changes made by
147 the act; providing appropriations; providing effective
148 dates.

149
150 Be It Enacted by the Legislature of the State of Florida:



151
152 Section 1. Section 456.0301, Florida Statutes, is created
153 to read:
154 456.0301 Requirement for instruction on controlled
155 substance prescribing.-
156 (1) (a) The appropriate board shall require each person
157 registered with the United States Drug Enforcement
158 Administration and authorized to prescribe controlled substances
159 pursuant to 21 U.S.C. s. 822 to complete a board-approved 2-hour
160 continuing education course on prescribing controlled substances
161 offered by a statewide professional association of physicians in
162 this state that is accredited to provide educational activities
163 designated for the American Medical Association Physician's
164 Recognition Award Category 1 Credit or the American Osteopathic
165 Category 1-A continuing medical education credit as part of
166 biennial license renewal. The course must include information on
167 the current standards for prescribing controlled substances,
168 particularly opiates; alternatives to these standards;
169 nonpharmacological therapies; prescribing emergency opioid
170 antagonists; and the risks of opioid addiction following all
171 stages of treatment in the management of acute pain. The course
172 may be offered in a distance learning format and must be
173 included within the number of continuing education hours
174 required by law. The department may not renew the license of any
175 prescriber registered with the United States Drug Enforcement



176 Administration to prescribe controlled substances who has failed
177 to complete the course. The course must be completed by January
178 31, 2019, and at each subsequent renewal. This paragraph does
179 not apply to a licensee who is required by his or her applicable
180 practice act to complete a minimum of 2 hours of continuing
181 education on the safe and effective prescribing of controlled
182 substances.

183 (b) Each practitioner required to complete the course
184 required in paragraph (a) shall submit confirmation of having
185 completed such course when applying for biennial license
186 renewal.

187 (c) Each licensing board that requires a licensee to
188 complete an educational course pursuant to this subsection must
189 include the hours required for completion of the course in the
190 total hours of continuing education required by law for such
191 profession unless the continuing education requirements for such
192 profession consist of fewer than 30 hours biennially.

193 (2) Each board may adopt rules to administer this section.

194 Section 2. Paragraph (gg) of subsection (1) of section
195 456.072, Florida Statutes, is amended to read:

196 456.072 Grounds for discipline; penalties; enforcement.—

197 (1) The following acts shall constitute grounds for which
198 the disciplinary actions specified in subsection (2) may be
199 taken:

200 (gg) Engaging in a pattern of practice when prescribing



201 medicinal drugs or controlled substances which demonstrates a
202 lack of reasonable skill or safety to patients, a violation of
203 ~~any provision of~~ this chapter or ss. 893.055 and 893.0551, a
204 violation of the applicable practice act, or a violation of any
205 rules adopted under this chapter or the applicable practice act
206 of the prescribing practitioner. Notwithstanding s. 456.073(13),
207 the department may initiate an investigation and establish such
208 a pattern from billing records, data, or any other information
209 obtained by the department.

210 Section 3. Paragraphs (a) through (g) of subsection (1) of
211 section 456.44, Florida Statutes, are redesignated as paragraphs
212 (b) through (h), respectively, a new paragraph (a) is added to
213 that subsection, subsection (3) of that section is amended, and
214 subsections (4), (5), and (6) are added to that section, to
215 read:

216 456.44 Controlled substance prescribing.—

217 (1) DEFINITIONS.—As used in this section, the term:

218 (a) "Acute pain" means the normal, predicted,
219 physiological, and time-limited response to an adverse chemical,
220 thermal, or mechanical stimulus associated with surgery, trauma,
221 or acute illness. The term does not include pain related to:

222 1. Cancer.

223 2. A terminal condition. For purposes of this
224 subparagraph, the term "terminal condition" means a progressive
225 disease or medical or surgical condition that causes significant



226 functional impairment, is not considered by a treating physician
227 to be reversible without the administration of life-sustaining
228 procedures, and will result in death within 1 year after
229 diagnosis if the condition runs its normal course.

230 3. Palliative care to provide relief of symptoms related
231 to an incurable, progressive illness or injury.

232 4. A traumatic injury with an Injury Severity Score of 9
233 or greater.

234 (3) STANDARDS OF PRACTICE FOR TREATMENT OF CHRONIC
235 NONMALIGNANT PAIN.—The standards of practice in this section do
236 not supersede the level of care, skill, and treatment recognized
237 in general law related to health care licensure.

238 (a) A complete medical history and a physical examination
239 must be conducted before beginning any treatment and must be
240 documented in the medical record. The exact components of the
241 physical examination shall be left to the judgment of the
242 registrant who is expected to perform a physical examination
243 proportionate to the diagnosis that justifies a treatment. The
244 medical record must, at a minimum, document the nature and
245 intensity of the pain, current and past treatments for pain,
246 underlying or coexisting diseases or conditions, the effect of
247 the pain on physical and psychological function, a review of
248 previous medical records, previous diagnostic studies, and
249 history of alcohol and substance abuse. The medical record shall
250 also document the presence of one or more recognized medical



251 indications for the use of a controlled substance. Each
252 registrant must develop a written plan for assessing each
253 patient's risk of aberrant drug-related behavior, which may
254 include patient drug testing. Registrants must assess each
255 patient's risk for aberrant drug-related behavior and monitor
256 that risk on an ongoing basis in accordance with the plan.

257 (b) Each registrant must develop a written individualized
258 treatment plan for each patient. The treatment plan shall state
259 objectives that will be used to determine treatment success,
260 such as pain relief and improved physical and psychosocial
261 function, and shall indicate if any further diagnostic
262 evaluations or other treatments are planned. After treatment
263 begins, the registrant shall adjust drug therapy to the
264 individual medical needs of each patient. Other treatment
265 modalities, including a rehabilitation program, shall be
266 considered depending on the etiology of the pain and the extent
267 to which the pain is associated with physical and psychosocial
268 impairment. The interdisciplinary nature of the treatment plan
269 shall be documented.

270 (c) The registrant shall discuss the risks and benefits of
271 the use of controlled substances, including the risks of abuse
272 and addiction, as well as physical dependence and its
273 consequences, with the patient, persons designated by the
274 patient, or the patient's surrogate or guardian if the patient
275 is incompetent. The registrant shall use a written controlled



276 substance agreement between the registrant and the patient
277 outlining the patient's responsibilities, including, but not
278 limited to:

279 1. Number and frequency of controlled substance
280 prescriptions and refills.

281 2. Patient compliance and reasons for which drug therapy
282 may be discontinued, such as a violation of the agreement.

283 3. An agreement that controlled substances for the
284 treatment of chronic nonmalignant pain shall be prescribed by a
285 single treating registrant unless otherwise authorized by the
286 treating registrant and documented in the medical record.

287 (d) The patient shall be seen by the registrant at regular
288 intervals, not to exceed 3 months, to assess the efficacy of
289 treatment, ensure that controlled substance therapy remains
290 indicated, evaluate the patient's progress toward treatment
291 objectives, consider adverse drug effects, and review the
292 etiology of the pain. Continuation or modification of therapy
293 shall depend on the registrant's evaluation of the patient's
294 progress. If treatment goals are not being achieved, despite
295 medication adjustments, the registrant shall reevaluate the
296 appropriateness of continued treatment. The registrant shall
297 monitor patient compliance in medication usage, related
298 treatment plans, controlled substance agreements, and
299 indications of substance abuse or diversion at a minimum of 3-
300 month intervals.



301 (e) The registrant shall refer the patient as necessary
302 for additional evaluation and treatment in order to achieve
303 treatment objectives. Special attention shall be given to those
304 patients who are at risk for misusing their medications and
305 those whose living arrangements pose a risk for medication
306 misuse or diversion. The management of pain in patients with a
307 history of substance abuse or with a comorbid psychiatric
308 disorder requires extra care, monitoring, and documentation and
309 requires consultation with or referral to an addiction medicine
310 specialist or a psychiatrist.

311 (f) A registrant must maintain accurate, current, and
312 complete records that are accessible and readily available for
313 review and comply with the requirements of this section, the
314 applicable practice act, and applicable board rules. The medical
315 records must include, but are not limited to:

- 316 1. The complete medical history and a physical
317 examination, including history of drug abuse or dependence.
- 318 2. Diagnostic, therapeutic, and laboratory results.
- 319 3. Evaluations and consultations.
- 320 4. Treatment objectives.
- 321 5. Discussion of risks and benefits.
- 322 6. Treatments.
- 323 7. Medications, including date, type, dosage, and quantity
324 prescribed.
- 325 8. Instructions and agreements.



326 9. Periodic reviews.

327 10. Results of any drug testing.

328 11. A photocopy of the patient's government-issued photo
329 identification.

330 12. If a written prescription for a controlled substance
331 is given to the patient, a duplicate of the prescription.

332 13. The registrant's full name presented in a legible
333 manner.

334 (g) A registrant shall immediately refer patients with
335 signs or symptoms of substance abuse to a board-certified pain
336 management physician, an addiction medicine specialist, or a
337 mental health addiction facility as it pertains to drug abuse or
338 addiction unless the registrant is a physician who is board-
339 certified or board-eligible in pain management. Throughout the
340 period of time before receiving the consultant's report, a
341 prescribing registrant shall clearly and completely document
342 medical justification for continued treatment with controlled
343 substances and those steps taken to ensure medically appropriate
344 use of controlled substances by the patient. Upon receipt of the
345 consultant's written report, the prescribing registrant shall
346 incorporate the consultant's recommendations for continuing,
347 modifying, or discontinuing controlled substance therapy. The
348 resulting changes in treatment shall be specifically documented
349 in the patient's medical record. Evidence or behavioral
350 indications of diversion shall be followed by discontinuation of



351 controlled substance therapy, and the patient shall be
352 discharged, and all results of testing and actions taken by the
353 registrant shall be documented in the patient's medical record.
354

355 This subsection does not apply to a board-eligible or board-
356 certified anesthesiologist, physiatrist, rheumatologist, or
357 neurologist, or to a board-certified physician who has surgical
358 privileges at a hospital or ambulatory surgery center and
359 primarily provides surgical services. This subsection does not
360 apply to a board-eligible or board-certified medical specialist
361 who has also completed a fellowship in pain medicine approved by
362 the Accreditation Council for Graduate Medical Education or the
363 American Osteopathic Association, or who is board eligible or
364 board certified in pain medicine by the American Board of Pain
365 Medicine, the American Board of Interventional Pain Physicians,
366 the American Association of Physician Specialists, or a board
367 approved by the American Board of Medical Specialties or the
368 American Osteopathic Association and performs interventional
369 pain procedures of the type routinely billed using surgical
370 codes. This subsection does not apply to a registrant who
371 prescribes medically necessary controlled substances for a
372 patient during an inpatient stay in a hospital licensed under
373 chapter 395.

374 (4) STANDARDS OF PRACTICE FOR TREATMENT OF ACUTE PAIN.—The
375 applicable boards shall adopt rules establishing guidelines for



376 prescribing controlled substances for acute pain, including
377 evaluation of the patient, creation and maintenance of a
378 treatment plan, obtaining informed consent and agreement for
379 treatment, periodic review of the treatment plan, consultation,
380 medical record review, and compliance with controlled substance
381 laws and regulations. Failure of a prescriber to follow such
382 guidelines constitutes grounds for disciplinary action pursuant
383 to s. 456.072(1)(gg), punishable as provided in s. 456.072(2).

384 (5) PRESCRIPTION SUPPLY.—

385 (a) For the treatment of acute pain, a prescription for an
386 opioid drug listed as a Schedule II controlled substance in s.
387 893.03 or 21 U.S.C. s. 812 may not exceed a 3-day supply, except
388 that up to a 7-day supply may be prescribed if:

389 1. The prescriber, in his or her professional judgment,
390 believes that more than a 3-day supply of such an opioid is
391 medically necessary to treat the patient's pain as an acute
392 medical condition;

393 2. The prescriber indicates "ACUTE PAIN EXCEPTION" on the
394 prescription; and

395 3. The prescriber adequately documents in the patient's
396 medical records the acute medical condition and lack of
397 alternative treatment options that justify deviation from the 3-
398 day supply limit established in this subsection.

399 (b) For the treatment of pain other than acute pain, a
400 prescriber must indicate "NONACUTE PAIN" on a prescription for



401 an opioid drug listed as a Schedule II controlled substance in
402 s. 893.03 or 21 U.S.C. s. 812.

403 (6) EMERGENCY OPIOID ANTAGONIST.—For the treatment of pain
404 related to a traumatic injury with an Injury Severity Score of 9
405 or greater, a prescriber who prescribes a Schedule II controlled
406 substance listed in s. 893.03 or 21 U.S.C. s. 812 must
407 concurrently prescribe an emergency opioid antagonist, as
408 defined in s. 381.887(1).

409 Section 4. Effective January 1, 2019, present subsections
410 (2) through (5) of section 458.3265, Florida Statutes, are
411 renumbered as subsections (3) through (6), respectively,
412 paragraphs (a) and (g) of subsection (1), paragraph (a) of
413 present subsection (2), paragraph (a) of present subsection (3),
414 and paragraph (a) of present subsection (4) of that section are
415 amended, and a new subsection (2) is added to that section, to
416 read:

417 458.3265 Pain-management clinics.—

418 (1) REGISTRATION.—

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

420 a. "Board eligible" means successful completion of an
421 anesthesia, physical medicine and rehabilitation, rheumatology,
422 or neurology residency program approved by the Accreditation
423 Council for Graduate Medical Education or the American
424 Osteopathic Association for a period of 6 years from successful
425 completion of such residency program.



426 b. "Chronic nonmalignant pain" means pain unrelated to
427 cancer which persists beyond the usual course of disease or the
428 injury that is the cause of the pain or more than 90 days after
429 surgery.

430 c. "Pain-management clinic" or "clinic" means any publicly
431 or privately owned facility:

432 (I) That advertises in any medium for any type of pain-
433 management services; or

434 (II) Where in any month a majority of patients are
435 prescribed opioids, benzodiazepines, barbiturates, or
436 carisoprodol for the treatment of chronic nonmalignant pain.

437 2. Each pain-management clinic must register with the
438 department or hold a valid certificate of exemption pursuant to
439 subsection (2).

440 3. The following clinics are exempt from the registration
441 requirement of paragraphs (c)-(m) and must apply to the
442 department for a certificate of exemption unless:

443 a. A ~~That~~ clinic ~~is~~ licensed as a facility pursuant to
444 chapter 395;

445 b. A clinic in which the majority of the physicians who
446 provide services in the clinic primarily provide surgical
447 services;

448 c. A ~~The~~ clinic ~~is~~ owned by a publicly held corporation
449 whose shares are traded on a national exchange or on the over-
450 the-counter market and whose total assets at the end of the



451 corporation's most recent fiscal quarter exceeded \$50 million;

452 d. A ~~The~~ clinic ~~is~~ affiliated with an accredited medical
453 school at which training is provided for medical students,
454 residents, or fellows;

455 e. A ~~The~~ clinic that does not prescribe controlled
456 substances for the treatment of pain;

457 f. A ~~The~~ clinic ~~is~~ owned by a corporate entity exempt from
458 federal taxation under 26 U.S.C. s. 501(c)(3);

459 g. A ~~The~~ clinic ~~is~~ wholly owned and operated by one or
460 more board-eligible or board-certified anesthesiologists,
461 physiatrists, rheumatologists, or neurologists; or

462 h. A ~~The~~ clinic ~~is~~ wholly owned and operated by a
463 physician multispecialty practice where one or more board-
464 eligible or board-certified medical specialists, who have also
465 completed fellowships in pain medicine approved by the
466 Accreditation Council for Graduate Medical Education or who are
467 also board-certified in pain medicine by the American Board of
468 Pain Medicine or a board approved by the American Board of
469 Medical Specialties, the American Association of Physician
470 Specialists, or the American Osteopathic Association, perform
471 interventional pain procedures of the type routinely billed
472 using surgical codes.

473 (g) The department may revoke the clinic's certificate of
474 registration and prohibit all physicians associated with that
475 pain-management clinic from practicing at that clinic location



476 based upon an annual inspection and evaluation of the factors
477 described in subsection (4) ~~(3)~~.

478 (2) CERTIFICATE OF EXEMPTION.—

479 (a) A pain management clinic claiming an exemption from
480 the registration requirements of subsection (1) must apply for a
481 certificate of exemption on a form adopted in rule by the
482 department. The form must require the applicant to provide:

483 1. The name or names under which the applicant does
484 business.

485 2. The address at which the pain management clinic is
486 located.

487 3. The specific exemption the applicant is claiming with
488 supporting documentation.

489 4. Any other information deemed necessary by the
490 department.

491 (b) The department must approve or deny the certificate
492 within 30 days after the receipt of a complete application.

493 (c) The certificate of exemption must be renewed
494 biennially, except that the department may issue the initial
495 certificates of exemption for up to 3 years in order to stagger
496 renewal dates.

497 (d) A certificateholder must prominently display the
498 certificate of exemption and make it available to the department
499 or the board upon request.

500 (e) A new certificate of exemption is required for a



501 change of address and is not transferable. A certificate of
502 exemption is valid only for the applicant, qualifying owners,
503 licenses, registrations, certifications, and services provided
504 under a specific statutory exemption and is valid only to the
505 specific exemption claimed and granted.

506 (f) A certificateholder must notify the department at
507 least 60 days before any anticipated relocation or name change
508 of the pain management clinic or a change of ownership.

509 (g) If a pain management clinic no longer qualifies for a
510 certificate of exemption, the certificateholder must notify the
511 department within 3 days after becoming aware that the clinic no
512 longer qualifies for a certificate of exemption and register as
513 a pain management clinic under subsection (1) or cease
514 operations.

515 (3) ~~(2)~~ PHYSICIAN RESPONSIBILITIES.—These responsibilities
516 apply to any physician who provides professional services in a
517 pain-management clinic that is required to be registered in
518 subsection (1).

519 (a) A physician may not practice medicine in a pain-
520 management clinic, as described in subsection (5) ~~(4)~~, if the
521 pain-management clinic is not registered with the department as
522 required by this section. Any physician who qualifies to
523 practice medicine in a pain-management clinic pursuant to rules
524 adopted by the Board of Medicine as of July 1, 2012, may
525 continue to practice medicine in a pain-management clinic as



526 long as the physician continues to meet the qualifications set
527 forth in the board rules. A physician who violates this
528 paragraph is subject to disciplinary action by his or her
529 appropriate medical regulatory board.

530 (4)~~(3)~~ INSPECTION.—

531 (a) The department shall inspect the pain-management
532 clinic annually, including a review of the patient records, to
533 ensure that it complies with this section and the rules of the
534 Board of Medicine adopted pursuant to subsection (5) ~~(4)~~ unless
535 the clinic is accredited by a nationally recognized accrediting
536 agency approved by the Board of Medicine.

537 (5)~~(4)~~ RULEMAKING.—

538 (a) The department shall adopt rules necessary to
539 administer the registration, exemption, and inspection of pain-
540 management clinics which establish the specific requirements,
541 procedures, forms, and fees.

542 Section 5. Effective January 1, 2019, present subsections
543 (2) through (5) of section 459.0137, Florida Statutes, are
544 renumbered as subsections (3) through (6), respectively,
545 paragraphs (a) and (g) of subsection (1), paragraph (a) of
546 present subsection (2), paragraph (a) of present subsection (3),
547 and paragraph (a) of present subsection (4) of that section are
548 amended, and a new subsection (2) is added to that section, to
549 read:

550 459.0137 Pain-management clinics.—



551 (1) REGISTRATION.—

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

553 a. "Board eligible" means successful completion of an
554 anesthesia, physical medicine and rehabilitation, rheumatology,
555 or neurology residency program approved by the Accreditation
556 Council for Graduate Medical Education or the American
557 Osteopathic Association for a period of 6 years from successful
558 completion of such residency program.

559 b. "Chronic nonmalignant pain" means pain unrelated to
560 cancer which persists beyond the usual course of disease or the
561 injury that is the cause of the pain or more than 90 days after
562 surgery.

563 c. "Pain-management clinic" or "clinic" means any publicly
564 or privately owned facility:

565 (I) That advertises in any medium for any type of pain-
566 management services; or

567 (II) Where in any month a majority of patients are
568 prescribed opioids, benzodiazepines, barbiturates, or
569 carisoprodol for the treatment of chronic nonmalignant pain.

570 2. Each pain-management clinic must register with the
571 department or hold a valid certificate of exemption pursuant to
572 subsection (2).

573 3. The following clinics are exempt from the registration
574 requirement of paragraphs (c)-(m) and must apply to the
575 department for a certificate of exemption unless:



- 576 a. A ~~The~~ clinic ~~is~~ licensed as a facility pursuant to
577 chapter 395;
- 578 b. A clinic in which the majority of the physicians who
579 provide services in the clinic primarily provide surgical
580 services;
- 581 c. A ~~The~~ clinic ~~is~~ owned by a publicly held corporation
582 whose shares are traded on a national exchange or on the over-
583 the-counter market and whose total assets at the end of the
584 corporation's most recent fiscal quarter exceeded \$50 million;
- 585 d. A ~~The~~ clinic ~~is~~ affiliated with an accredited medical
586 school at which training is provided for medical students,
587 residents, or fellows;
- 588 e. A ~~The~~ clinic that does not prescribe controlled
589 substances for the treatment of pain;
- 590 f. A ~~The~~ clinic ~~is~~ owned by a corporate entity exempt from
591 federal taxation under 26 U.S.C. s. 501(c)(3);
- 592 g. A ~~The~~ clinic ~~is~~ wholly owned and operated by one or
593 more board-eligible or board-certified anesthesiologists,
594 psychiatrists, rheumatologists, or neurologists; or
- 595 h. A ~~The~~ clinic ~~is~~ wholly owned and operated by a
596 physician multispecialty practice where one or more board-
597 eligible or board-certified medical specialists, who have also
598 completed fellowships in pain medicine approved by the
599 Accreditation Council for Graduate Medical Education or the
600 American Osteopathic Association or who are also board-certified



601 in pain medicine by the American Board of Pain Medicine or a
602 board approved by the American Board of Medical Specialties, the
603 American Association of Physician Specialists, or the American
604 Osteopathic Association, perform interventional pain procedures
605 of the type routinely billed using surgical codes.

606 (g) The department may revoke the clinic's certificate of
607 registration and prohibit all physicians associated with that
608 pain-management clinic from practicing at that clinic location
609 based upon an annual inspection and evaluation of the factors
610 described in subsection (4) ~~(3)~~.

611 (2) CERTIFICATE OF EXEMPTION.—

612 (a) A pain management clinic claiming an exemption from
613 the registration requirements of subsection (1) must apply for a
614 certificate of exemption on a form adopted in rule by the
615 department. The form must require the applicant to provide:

616 1. The name or names under which the applicant does
617 business.

618 2. The address at which the pain management clinic is
619 located.

620 3. The specific exemption the applicant is claiming with
621 supporting documentation.

622 4. Any other information deemed necessary by the
623 department.

624 (b) The department must approve or deny the certificate
625 within 30 days after the receipt of a complete application.



626 (c) The certificate of exemption must be renewed
627 biennially, except that the department may issue the initial
628 certificates of exemption for up to 3 years in order to stagger
629 renewal dates.

630 (d) A certificateholder must prominently display the
631 certificate of exemption and make it available to the department
632 or the board upon request.

633 (e) A new certificate of exemption is required for a
634 change of address and is not transferable. A certificate of
635 exemption is valid only for the applicant, qualifying owners,
636 licenses, registrations, certifications, and services provided
637 under a specific statutory exemption and is valid only to the
638 specific exemption claimed and granted.

639 (f) A certificateholder must notify the department at
640 least 60 days before any anticipated relocation or name change
641 of the pain management clinic or a change of ownership.

642 (g) If a pain management clinic no longer qualifies for a
643 certificate of exemption, the certificateholder must notify the
644 department within 3 days after becoming aware that the clinic no
645 longer qualifies for a certificate of exemption and register as
646 a pain management clinic under subsection (1) or cease
647 operations.

648 (3)-(2) PHYSICIAN RESPONSIBILITIES.—These responsibilities
649 apply to any osteopathic physician who provides professional
650 services in a pain-management clinic that is required to be



651 registered in subsection (1).

652 (a) An osteopathic physician may not practice medicine in
653 a pain-management clinic, as described in subsection (5) ~~(4)~~, if
654 the pain-management clinic is not registered with the department
655 as required by this section. Any physician who qualifies to
656 practice medicine in a pain-management clinic pursuant to rules
657 adopted by the Board of Osteopathic Medicine as of July 1, 2012,
658 may continue to practice medicine in a pain-management clinic as
659 long as the physician continues to meet the qualifications set
660 forth in the board rules. An osteopathic physician who violates
661 this paragraph is subject to disciplinary action by his or her
662 appropriate medical regulatory board.

663 (4) ~~(3)~~ INSPECTION.—

664 (a) The department shall inspect the pain-management
665 clinic annually, including a review of the patient records, to
666 ensure that it complies with this section and the rules of the
667 Board of Osteopathic Medicine adopted pursuant to subsection (5)
668 ~~(4)~~ unless the clinic is accredited by a nationally recognized
669 accrediting agency approved by the Board of Osteopathic
670 Medicine.

671 (5) ~~(4)~~ RULEMAKING.—

672 (a) The department shall adopt rules necessary to
673 administer the registration, exemption, and inspection of pain-
674 management clinics which establish the specific requirements,
675 procedures, forms, and fees.



676 Section 6. Section 465.0155, Florida Statutes, is amended
677 to read:

678 465.0155 Standards of practice.—

679 (1) Consistent with the provisions of this act, the board
680 shall adopt by rule standards of practice relating to the
681 practice of pharmacy which shall be binding on every state
682 agency and shall be applied by such agencies when enforcing or
683 implementing any authority granted by any applicable statute,
684 rule, or regulation, whether federal or state.

685 (2)(a) Before dispensing a controlled substance to a
686 person not known to the pharmacist, the pharmacist must require
687 the person purchasing, receiving, or otherwise acquiring the
688 controlled substance to present valid photographic
689 identification or other verification of his or her identity. If
690 the person does not have proper identification, the pharmacist
691 may verify the validity of the prescription and the identity of
692 the patient with the prescriber or his or her authorized agent.
693 Verification of health plan eligibility through a real-time
694 inquiry or adjudication system is considered to be proper
695 identification.

696 (b) This subsection does not apply in an institutional
697 setting or to a long-term care facility, including, but not
698 limited to, an assisted living facility or a hospital to which
699 patients are admitted.

700 (c) As used in this subsection, the term "proper



701 identification" means an identification that is issued by a
702 state or the Federal Government containing the person's
703 photograph, printed name, and signature or a document considered
704 acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).

705 Section 7. Paragraph (b) of subsection (1) of section
706 465.0276, Florida Statutes, is amended, and paragraph (d) is
707 added to subsection (2) of that section, to read:

708 465.0276 Dispensing practitioner.—

709 (1)

710 (b) A practitioner registered under this section may not
711 dispense a controlled substance listed in Schedule II or
712 Schedule III as provided in s. 893.03. This paragraph does not
713 apply to:

714 1. The dispensing of complimentary packages of medicinal
715 drugs which are labeled as a drug sample or complimentary drug
716 as defined in s. 499.028 to the practitioner's own patients in
717 the regular course of her or his practice without the payment of
718 a fee or remuneration of any kind, whether direct or indirect,
719 as provided in subsection (4).

720 2. The dispensing of controlled substances in the health
721 care system of the Department of Corrections.

722 3. The dispensing of a controlled substance listed in
723 Schedule II or Schedule III in connection with the performance
724 of a surgical procedure.

725 a. For an opioid drug listed as a Schedule II controlled



726 substance in s. 893.03 or 21 U.S.C. s. 812:

727 (I) For the treatment of acute pain, the amount dispensed
728 pursuant to this subparagraph may not exceed a 3-day supply, or
729 a 7-day supply if the criteria in s. 456.44(5)(a) are met.

730 (II) For the treatment of pain other than acute pain, a
731 practitioner must indicate "NONACUTE PAIN" on a prescription.

732 (III) For the treatment of pain related to a traumatic
733 injury with an Injury Severity Score of 9 or greater, a
734 practitioner must concurrently prescribe an emergency opioid
735 antagonist, as defined in s. 381.887(1).

736 b. For a controlled substance listed in Schedule III, the
737 amount dispensed pursuant to ~~this~~ this the subparagraph may not
738 exceed a 14-day supply.

739 c. The exception in this subparagraph ~~exception~~ does not
740 allow for the dispensing of a controlled substance listed in
741 Schedule II or Schedule III more than 14 days after the
742 performance of the surgical procedure.

743 d. For purposes of this subparagraph, the term "surgical
744 procedure" means any procedure in any setting which involves, or
745 reasonably should involve:

746 (I) ~~a.~~ Perioperative medication and sedation that allows
747 the patient to tolerate unpleasant procedures while maintaining
748 adequate cardiorespiratory function and the ability to respond
749 purposefully to verbal or tactile stimulation and makes intra-
750 and postoperative monitoring necessary; or



751 ~~(II) b.~~ The use of general anesthesia or major conduction
752 anesthesia and preoperative sedation.

753 4. The dispensing of a controlled substance listed in
754 Schedule II or Schedule III pursuant to an approved clinical
755 trial. For purposes of this subparagraph, the term "approved
756 clinical trial" means a clinical research study or clinical
757 investigation that, in whole or in part, is state or federally
758 funded or is conducted under an investigational new drug
759 application that is reviewed by the United States Food and Drug
760 Administration.

761 5. The dispensing of methadone in a facility licensed
762 under s. 397.427 where medication-assisted treatment for opiate
763 addiction is provided.

764 6. The dispensing of a controlled substance listed in
765 Schedule II or Schedule III to a patient of a facility licensed
766 under part IV of chapter 400.

767 7. The dispensing of controlled substances listed in
768 Schedule II or Schedule III which have been approved by the
769 United States Food and Drug Administration for the purpose of
770 treating opiate addictions, including, but not limited to,
771 buprenorphine and buprenorphine combination products, by a
772 practitioner authorized under 21 U.S.C. s. 823, as amended, to
773 the practitioner's own patients for the medication-assisted
774 treatment of opiate addiction.

775 (2) A practitioner who dispenses medicinal drugs for human



776 consumption for fee or remuneration of any kind, whether direct
777 or indirect, must:

778 (d)1. Before dispensing a controlled substance to a person
779 not known to the dispenser, require the person purchasing,
780 receiving, or otherwise acquiring the controlled substance to
781 present valid photographic identification or other verification
782 of his or her identity. If the person does not have proper
783 identification, the dispenser may verify the validity of the
784 prescription and the identity of the patient with the prescriber
785 or his or her authorized agent. Verification of health plan
786 eligibility through a real-time inquiry or adjudication system
787 is considered to be proper identification.

788 2. This paragraph does not apply in an institutional
789 setting or to a long-term care facility, including, but not
790 limited to, an assisted living facility or a hospital to which
791 patients are admitted.

792 3. As used in this paragraph, the term "proper
793 identification" means an identification that is issued by a
794 state or the Federal Government containing the person's
795 photograph, printed name, and signature or a document considered
796 acceptable under 8 C.F.R. s. 274a.2(b)(1)(v)(A) and (B).

797 Section 8. Paragraph (c) of subsection (1) and subsections
798 (2) through (5) of section 893.03, Florida Statutes, are amended
799 to read:

800 893.03 Standards and schedules.—The substances enumerated



801 in this section are controlled by this chapter. The controlled
802 substances listed or to be listed in Schedules I, II, III, IV,
803 and V are included by whatever official, common, usual,
804 chemical, trade name, or class designated. The provisions of
805 this section shall not be construed to include within any of the
806 schedules contained in this section any excluded drugs listed
807 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
808 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
809 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
810 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
811 Anabolic Steroid Products."

812 (1) SCHEDULE I.—A substance in Schedule I has a high
813 potential for abuse and has no currently accepted medical use in
814 treatment in the United States and in its use under medical
815 supervision does not meet accepted safety standards. The
816 following substances are controlled in Schedule I:

817 (c) Unless specifically excepted or unless listed in
818 another schedule, any material, compound, mixture, or
819 preparation that contains any quantity of the following
820 hallucinogenic substances or that contains any of their salts,
821 isomers, including optical, positional, or geometric isomers,
822 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
823 salts of isomers, homologues, nitrogen-heterocyclic analogs,
824 esters, or ethers, if the existence of such salts, isomers, and
825 salts of isomers is possible within the specific chemical



- 826 designation or class description:
- 827 1. Alpha-Ethyltryptamine.
- 828 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-
- 829 oxazoline).
- 830 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).
- 831 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 832 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 833 6. Bufotenine.
- 834 7. Cannabis.
- 835 8. Cathinone.
- 836 9. DET (Diethyltryptamine).
- 837 10. 2,5-Dimethoxyamphetamine.
- 838 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
- 839 12. DMT (Dimethyltryptamine).
- 840 13. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine
- 841 analog of phencyclidine).
- 842 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
- 843 15. N-Ethylamphetamine.
- 844 16. Fenethylamine.
- 845 17. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 846 18. Ibogaine.
- 847 19. LSD (Lysergic acid diethylamide).
- 848 20. Mescaline.
- 849 21. Methcathinone.
- 850 22. 5-Methoxy-3,4-methylenedioxyamphetamine.



- 851 23. PMA (4-Methoxyamphetamine).
- 852 24. PMMA (4-Methoxymethamphetamine).
- 853 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 854 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 855 27. MDA (3,4-Methylenedioxyamphetamine).
- 856 28. JB-336 (N-Methyl-3-piperidyl benzilate).
- 857 29. N,N-Dimethylamphetamine.
- 858 30. Parahexyl.
- 859 31. Peyote.
- 860 32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
861 analog of phencyclidine).
- 862 33. Psilocybin.
- 863 34. Psilocyn.
- 864 35. *Salvia divinorum*, except for any drug product approved
865 by the United States Food and Drug Administration which contains
866 *Salvia divinorum* or its isomers, esters, ethers, salts, and
867 salts of isomers, esters, and ethers, if the existence of such
868 isomers, esters, ethers, and salts is possible within the
869 specific chemical designation.
- 870 36. Salvinorin A, except for any drug product approved by
871 the United States Food and Drug Administration which contains
872 Salvinorin A or its isomers, esters, ethers, salts, and salts of
873 isomers, esters, and ethers, if the existence of such isomers,
874 esters, ethers, and salts is possible within the specific
875 chemical designation.



- 876 37. Xylazine.
- 877 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)
- 878 (Thiophene analog of phencyclidine).
- 879 39. 3,4,5-Trimethoxyamphetamine.
- 880 40. Methytlone (3,4-Methylenedioxyethcathinone).
- 881 41. MDPV (3,4-Methylenedioxypropylvalerone).
- 882 42. Methytlmethcathinone.
- 883 43. Methoxyethcathinone.
- 884 44. Fluoromethcathinone.
- 885 45. Methylethcathinone.
- 886 46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
- 887 yl)phenol) and its dimethyloctyl (C8) homologue.
- 888 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 889 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 890 ol].
- 891 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
- 892 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
- 893 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
- 894 naphthoyl)indole).
- 895 51. BZP (Benzylpiperazine).
- 896 52. Fluorophenylpiperazine.
- 897 53. Methylphenylpiperazine.
- 898 54. Chlorophenylpiperazine.
- 899 55. Methoxyphenylpiperazine.
- 900 56. DBZP (1,4-Dibenzylpiperazine).



- 901 57. TFMPP (Trifluoromethylphenylpiperazine).
- 902 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 903 Methylendioxy-N-methylbutanamine).
- 904 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 905 60. 5-Hydroxy-N-methyltryptamine.
- 906 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 907 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 908 63. Methyltryptamine.
- 909 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 910 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 911 66. Tyramine (4-Hydroxyphenethylamine).
- 912 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 913 68. DiPT (N,N-Diisopropyltryptamine).
- 914 69. DPT (N,N-Dipropyltryptamine).
- 915 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 916 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 917 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 918 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 919 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 920 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 921 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 922 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 923 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 924 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 925 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).



- 926 81. Butylone (3,4-Methylenedioxy-alpha-
- 927 methylaminobutyrophenone).
- 928 82. Ethcathinone.
- 929 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 930 84. Naphyrone (Naphthylpyrovalerone).
- 931 85. Dimethylone (3,4-Methylenedioxy-N,N-
- 932 dimethylcathinone).
- 933 86. 3,4-Methylenedioxy-N,N-diethylcathinone.
- 934 87. 3,4-Methylenedioxy-propiofenone.
- 935 88. 3,4-Methylenedioxy-alpha-bromopropiofenone.
- 936 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 937 90. 3,4-Methylenedioxy-N-acetylcathinone.
- 938 91. 3,4-Methylenedioxy-N-acetylmethcathinone.
- 939 92. 3,4-Methylenedioxy-N-acetylethcathinone.
- 940 93. Bromomethcathinone.
- 941 94. Buphedrone (alpha-Methylamino-butyrophenone).
- 942 95. Eutylone (3,4-Methylenedioxy-alpha-
- 943 ethylaminobutyrophenone).
- 944 96. Dimethylcathinone.
- 945 97. Dimethylmethcathinone.
- 946 98. Pentylone (3,4-Methylenedioxy-alpha-
- 947 methylaminovalerophenone).
- 948 99. MDPPP (3,4-Methylenedioxy-alpha-
- 949 pyrrolidinopropiofenone).
- 950 100. MDPBP (3,4-Methylenedioxy-alpha-



951 pyrrolidinobutyrophenone).

952 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).

953 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone).

954 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP

955 (Benocyclidine).

956 104. F-MABP (Fluoromethylaminobutyrophenone).

957 105. MeO-PBP (Methoxypyrrolidinobutyrophenone).

958 106. Et-PBP (Ethylpyrrolidinobutyrophenone).

959 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).

960 108. Me-EABP (Methylethylaminobutyrophenone).

961 109. Etizolam.

962 110. PPP (Pyrrolidinopropiophenone).

963 111. PBP (Pyrrolidinobutyrophenone).

964 112. PVP (Pyrrolidinovalerophenone) or

965 (Pyrrolidinopentiophenone).

966 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone).

967 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).

968 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).

969 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).

970 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).

971 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole).

972 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).

973 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).

974 121. JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-

975 methylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).



- 976 | 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
- 977 | 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 978 | 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
- 979 | 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
- 980 | 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
- 981 | 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
- 982 | 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 983 | 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 984 | 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 985 | (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 986 | ol).
- 987 | 131. HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-
- 988 | methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
- 989 | enyl] methanol).
- 990 | 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 991 | methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 992 | 1,4-dione).
- 993 | 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene).
- 994 | 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
- 995 | undecanamide).
- 996 | 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
- 997 | undecanamide).
- 998 | 136. CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-(2-
- 999 | methyloctan-2-yl)phenol).
- 1000 | 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).



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1001 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole).
1002 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).
1003 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
1004 methoxyphenylacetyl)indole).
1005 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
1006 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
1007 naphthalenylmethanone).
1008 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
1009 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
1010 naphthalenylmethanone).
1011 143. Pentedrone (alpha-Methylaminovalerophenone).
1012 144. Fluoroamphetamine.
1013 145. Fluoromethamphetamine.
1014 146. Methoxetamine.
1015 147. Methiopropamine.
1016 148. Methylbuphedrone (Methyl-alpha-
1017 methylaminobutyrophenone).
1018 149. APB ((2-Aminopropyl)benzofuran).
1019 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
1020 151. UR-144 (1-Pentyl-3-(2,2,3,3-
1021 tetramethylcyclopropanoyl)indole).
1022 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
1023 tetramethylcyclopropanoyl)indole).
1024 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
1025 tetramethylcyclopropanoyl)indole).



- 1026 | 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-
1027 | carboxamide).
- 1028 | 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
1029 | iodobenzoyl)indole).
- 1030 | 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
1031 | carboxamide).
- 1032 | 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
1033 | cyclohexylcarbamate).
- 1034 | 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
1035 | cyclohexyl ester).
- 1036 | 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
1037 | benzoxazin-4-one).
- 1038 | 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1039 | 161. 2C-H (2,5-Dimethoxyphenethylamine).
- 1040 | 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1041 | 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1042 | 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1043 | methoxybenzyl)]phenethylamine).
- 1044 | 165. MDMA (3,4-Methylenedioxyamphetamine).
- 1045 | 166. PB-22 (8-Quinoliny 1-pentylindole-3-carboxylate).
- 1046 | 167. Fluoro PB-22 (8-Quinoliny 1-(fluoropentyl)indole-3-
1047 | carboxylate).
- 1048 | 168. BB-22 (8-Quinoliny 1-(cyclohexylmethyl)indole-3-
1049 | carboxylate).
- 1050 | 169. Fluoro AKB48 (N-Adamant-1-yl 1-



1051 (fluoropentyl)indazole-3-carboxamide).

1052 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

1053 pentylindazole-3-carboxamide).

1054 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

1055 (4-fluorobenzyl)indazole-3-carboxamide).

1056 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-

1057 1-pentylindazole-3-carboxamide).

1058 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

1059 yl)-1-(fluoropentyl)indole-3-carboxamide).

1060 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-

1061 methoxybenzyl)]phenethylamine).

1062 175. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-

1063 methoxybenzyl)]phenethylamine).

1064 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

1065 (cyclohexylmethyl)indazole-3-carboxamide).

1066 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-

1067 carboxylate).

1068 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-

1069 (fluoropentyl)indole-3-carboxamide).

1070 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-

1071 (fluoropentyl)indazole-3-carboxamide).

1072 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-

1073 naphthoyl)indazole).

1074 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-

1075 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).



- 1076 | 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
1077 | (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
1078 | hexahydrobenzo[c]chromen-1-ol).
- 1079 | 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
1080 | (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
1081 | hexahydrobenzo[c]chromen-1-ol).
- 1082 | 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
1083 | 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
1084 | diol).
- 1085 | 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
1086 | dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
1087 | tetrahydro-6aH-benzo[c]chromen-1-ol).
- 1088 | 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
1089 | 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).
- 1090 | 187. MAPB ((2-Methylaminopropyl)benzofuran).
- 1091 | 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).
- 1092 | 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).
- 1093 | 190. Synthetic Cannabinoids.—Unless specifically excepted
1094 | or unless listed in another schedule or contained within a
1095 | pharmaceutical product approved by the United States Food and
1096 | Drug Administration, any material, compound, mixture, or
1097 | preparation that contains any quantity of a synthetic
1098 | cannabinoid found to be in any of the following chemical class
1099 | descriptions, or homologues, nitrogen-heterocyclic analogs,
1100 | isomers (including optical, positional, or geometric), esters,



1101 ethers, salts, and salts of homologues, nitrogen-heterocyclic
1102 analogs, isomers, esters, or ethers, whenever the existence of
1103 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
1104 ethers, salts, and salts of isomers, esters, or ethers is
1105 possible within the specific chemical class or designation.
1106 Since nomenclature of these synthetically produced cannabinoids
1107 is not internationally standardized and may continually evolve,
1108 these structures or the compounds of these structures shall be
1109 included under this subparagraph, regardless of their specific
1110 numerical designation of atomic positions covered, if it can be
1111 determined through a recognized method of scientific testing or
1112 analysis that the substance contains properties that fit within
1113 one or more of the following categories:

1114 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols
1115 naturally contained in a plant of the genus *Cannabis*, the
1116 synthetic equivalents of the substances contained in the plant
1117 or in the resinous extracts of the genus *Cannabis*, or synthetic
1118 substances, derivatives, and their isomers with similar chemical
1119 structure and pharmacological activity, including, but not
1120 limited to, Delta 9 tetrahydrocannabinols and their optical
1121 isomers, Delta 8 tetrahydrocannabinols and their optical
1122 isomers, Delta 6a,10a tetrahydrocannabinols and their optical
1123 isomers, or any compound containing a tetrahydrobenzo[c]chromene
1124 structure with substitution at either or both the 3-position or
1125 9-position, with or without substitution at the 1-position with



1126 hydroxyl or alkoxy groups, including, but not limited to:

1127 (I) Tetrahydrocannabinol.

1128 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-

1129 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-

1130 ol).

1131 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-

1132 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-

1133 ol).

1134 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-

1135 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1136 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-

1137 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1138 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-

1139 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1140 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-

1141 (2,3-dimethylpentan-2-yl)-6a,7,10,10a-

1142 tetrahydrobenzo[c]chromene).

1143 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-

1144 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

1145 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-

1146 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

1147 (X) Parahexyl.

1148 b. Naphthoylindoles, Naphthoylindazoles,

1149 Naphthoylcarbazoles, Naphthylmethylindoles,

1150 Naphthylmethylindazoles, and Naphthylmethylcarbazoles.—Any



1151 compound containing a naphthoylindole, naphthoylindazole,
1152 naphthoylcarbazole, naphthylmethylindole,
1153 naphthylmethylindazole, or naphthylmethylcarbazole structure,
1154 with or without substitution on the indole, indazole, or
1155 carbazole ring to any extent, whether or not substituted on the
1156 naphthyl ring to any extent, including, but not limited to:

1157 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
1158 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
1159 naphthoyl)indole).
1160 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
1161 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
1162 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
1163 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
1164 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
1165 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
1166 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
1167 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
1168 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
1169 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
1170 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
1171 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
1172 naphthoyl)indole).
1173 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
1174 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
1175 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-



1176 naphthoyl) indole).

1177 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-

1178 naphthoyl) indole).

1179 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl) indole).

1180 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl) indole).

1181 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl) indole).

1182 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-

1183 naphthylmethyl] indole).

1184 (XXIII) JWH-193 (1-[2-(4-Morpholinyl) ethyl]-3-(4-methyl-1-

1185 naphthoyl) indole).

1186 (XXIV) JWH-198 (1-[2-(4-Morpholinyl) ethyl]-3-(4-methoxy-1-

1187 naphthoyl) indole).

1188 (XXV) JWH-200 (1-[2-(4-Morpholinyl) ethyl]-3-(1-

1189 naphthoyl) indole).

1190 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl) indole).

1191 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl) indole).

1192 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-

1193 naphthoyl) indole).

1194 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl) indole).

1195 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl) indole).

1196 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl) methyl]-3-(1-

1197 naphthoyl) indole).

1198 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-

1199 naphthoyl) indole).

1200 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-



1201 naphthoyl) indole).

1202 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-

1203 naphthoyl) indole).

1204 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-

1205 naphthoyl) indole).

1206 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl) indole).

1207 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-

1208 naphthoyl) indazole).

1209 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-

1210 naphthoyl) indole).

1211 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-

1212 naphthoyl) indole).

1213 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl) carbazole).

1214 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-

1215 naphthoyl) carbazole).

1216 c. Naphthoylpyrroles.—Any compound containing a

1217 naphthoylpyrrole structure, with or without substitution on the

1218 pyrrole ring to any extent, whether or not substituted on the

1219 naphthyl ring to any extent, including, but not limited to:

1220 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl) pyrrole).

1221 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl) pyrrole).

1222 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl) pyrrole).

1223 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl) pyrrole).

1224 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl) pyrrole).

1225 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-



1226 naphthoyl)pyrrole).

1227 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
1228 naphthoyl)pyrrole).

1229 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
1230 naphthoyl)pyrrole).

1231 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
1232 naphthoyl)pyrrole).

1233 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
1234 naphthoyl)pyrrole).

1235 d. Naphthylmethylenindenes.—Any compound containing a
1236 naphthylmethylenindene structure, with or without substitution
1237 at the 3-position of the indene ring to any extent, whether or
1238 not substituted on the naphthyl ring to any extent, including,
1239 but not limited to, JWH-176 (3-Pentyl-1-
1240 (naphthylmethylene)indene).

1241 e. Phenylacetylindoles and Phenylacetylindazoles.—Any
1242 compound containing a phenylacetylindole or phenylacetylindazole
1243 structure, with or without substitution on the indole or
1244 indazole ring to any extent, whether or not substituted on the
1245 phenyl ring to any extent, including, but not limited to:

1246 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).

1247 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).

1248 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).

1249 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).

1250 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).



1251 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).

1252 (VII) Cannabipiperidiethanone.

1253 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
1254 methoxyphenylacetyl)indole).

1255 f. Cyclohexylphenols.—Any compound containing a
1256 cyclohexylphenol structure, with or without substitution at the
1257 5-position of the phenolic ring to any extent, whether or not
1258 substituted on the cyclohexyl ring to any extent, including, but
1259 not limited to:

1260 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
1261 yl)phenol).

1262 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
1263 homologue).

1264 (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-
1265 methyloctan-2-yl)phenol).

1266 g. Benzoylindoles and Benzoylindazoles.—Any compound
1267 containing a benzoylindole or benzoylindazole structure, with or
1268 without substitution on the indole or indazole ring to any
1269 extent, whether or not substituted on the phenyl ring to any
1270 extent, including, but not limited to:

1271 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).

1272 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).

1273 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
1274 iodo-5-nitrobenzoyl)indole).

1275 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-



1276 (4-methoxybenzoyl) indole).

1277 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-

1278 iodobenzoyl) indole).

1279 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl) indole).

1280 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-

1281 methoxybenzoyl) indole).

1282 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-

1283 3-(4-methoxybenzoyl) indole).

1284 h. Tetramethylcyclopropanoylindoles and

1285 Tetramethylcyclopropanoylindazoles.—Any compound containing a

1286 tetramethylcyclopropanoylindole or

1287 tetramethylcyclopropanoylindazole structure, with or without

1288 substitution on the indole or indazole ring to any extent,

1289 whether or not substituted on the tetramethylcyclopropyl group

1290 to any extent, including, but not limited to:

1291 (I) UR-144 (1-Pentyl-3-(2,2,3,3-

1292 tetramethylcyclopropanoyl) indole).

1293 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-

1294 tetramethylcyclopropanoyl) indole).

1295 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-

1296 tetramethylcyclopropanoyl) indole).

1297 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-

1298 tetramethylcyclopropanoyl) indole).

1299 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-

1300 tetramethylcyclopropanoyl) indole).



- 1301 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
- 1302 tetramethylcyclopropanoyl)indole).
- 1303 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
- 1304 tetramethylcyclopropanoyl)indole).
- 1305 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 1306 tetramethylcyclopropanoyl)indazole).
- 1307 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
- 1308 tetramethylcyclopropanoyl)indole).
- 1309 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-
- 1310 tetramethylcyclopropanoyl)indole).
- 1311 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
- 1312 carboxamides, and Adamantylindazole carboxamides.—Any compound
- 1313 containing an adamantoyl indole, adamantoyl indazole, adamantyl
- 1314 indole carboxamide, or adamantyl indazole carboxamide structure,
- 1315 with or without substitution on the indole or indazole ring to
- 1316 any extent, whether or not substituted on the adamantyl ring to
- 1317 any extent, including, but not limited to:
- 1318 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 1319 (II) Fluoro AKB48 (N-Adamant-1-yl 1-
- 1320 (fluoropentyl)indazole-3-carboxamide).
- 1321 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
- 1322 carboxamide).
- 1323 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-
- 1324 adamantoyl)indole).
- 1325 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).



- 1326 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).
1327 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
1328 adamantoyl)indole).
- 1329 j. Quinolinyndolecarboxylates,
1330 Quinolinyndazolecarboxylates, Quinolinyndolecarboxamides,
1331 and Quinolinyndazolecarboxamides.—Any compound containing a
1332 quinolinyndole carboxylate, quinolinyndazole carboxylate,
1333 isoquinolinyndole carboxylate, isoquinolinyndazole
1334 carboxylate, quinolinyndole carboxamide, quinolinyndazole
1335 carboxamide, isoquinolinyndole carboxamide, or
1336 isoquinolinyndazole carboxamide structure, with or without
1337 substitution on the indole or indazole ring to any extent,
1338 whether or not substituted on the quinoline or isoquinoline ring
1339 to any extent, including, but not limited to:
- 1340 (I) PB-22 (8-Quinolinyndyl 1-pentylindole-3-carboxylate).
1341 (II) Fluoro PB-22 (8-Quinolinyndyl 1-(fluoropentyl)indole-3-
1342 carboxylate).
1343 (III) BB-22 (8-Quinolinyndyl 1-(cyclohexylmethyl)indole-3-
1344 carboxylate).
1345 (IV) FUB-PB-22 (8-Quinolinyndyl 1-(4-fluorobenzyl)indole-3-
1346 carboxylate).
1347 (V) NPB-22 (8-Quinolinyndyl 1-pentylindazole-3-carboxylate).
1348 (VI) Fluoro NPB-22 (8-Quinolinyndyl 1-(fluoropentyl)indazole-
1349 3-carboxylate).
1350 (VII) FUB-NPB-22 (8-Quinolinyndyl 1-(4-fluorobenzyl)indazole-



1351 3-carboxylate).

1352 (VIII) THJ (8-Quinoliny 1-pentylindazole-3-carboxamide).

1353 (IX) Fluoro THJ (8-Quinoliny 1-(fluoropentyl)indazole-3-

1354 carboxamide).

1355 k. Naphthylindolecarboxylates and

1356 Naphthylindazolecarboxylates.—Any compound containing a

1357 naphthylindole carboxylate or naphthylindazole carboxylate

1358 structure, with or without substitution on the indole or

1359 indazole ring to any extent, whether or not substituted on the

1360 naphthyl ring to any extent, including, but not limited to:

1361 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-

1362 carboxylate).

1363 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-

1364 carboxylate).

1365 (III) Fluoro SDB-005 (1-Naphthalenyl 1-

1366 (fluoropentyl)indazole-3-carboxylate).

1367 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-

1368 carboxylate).

1369 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-

1370 carboxylate).

1371 1. Naphthylindole carboxamides and Naphthylindazole

1372 carboxamides.—Any compound containing a naphthylindole

1373 carboxamide or naphthylindazole carboxamide structure, with or

1374 without substitution on the indole or indazole ring to any

1375 extent, whether or not substituted on the naphthyl ring to any



1376 extent, including, but not limited to:

1377 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

1378 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-

1379 (fluoropentyl)indole-3-carboxamide).

1380 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-

1381 (chloropentyl)indole-3-carboxamide).

1382 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-

1383 carboxamide).

1384 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-

1385 (fluoropentyl)indazole-3-carboxamide).

1386 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl

1387 indazole carboxamides, Alkylcarbonyl indole carboxylates, and

1388 Alkylcarbonyl indazole carboxylates.—Any compound containing an

1389 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,

1390 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-

1391 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an

1392 indole carboxamide, indazole carboxamide, indole carboxylate, or

1393 indazole carboxylate, with or without substitution on the indole

1394 or indazole ring to any extent, whether or not substituted on

1395 the alkylcarbonyl group to any extent, including, but not

1396 limited to:

1397 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-

1398 pentylindole-3-carboxamide).

1399 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

1400 yl)-1-(fluoropentyl)indole-3-carboxamide).



- 1401 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
1402 1-(fluoropentyl)indole-3-carboxamide).
- 1403 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1404 pentylindazole-3-carboxamide).
- 1405 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
1406 yl)-1-(fluoropentyl)indazole-3-carboxamide).
- 1407 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
1408 1-pentylindazole-3-carboxamide).
- 1409 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
1410 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).
- 1411 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
1412 1-(4-fluorobenzyl)indazole-3-carboxamide).
- 1413 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1414 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 1415 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1416 (cyclohexylmethyl)indazole-3-carboxamide).
- 1417 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-
1418 1-(cyclohexylmethyl)indazole-3-carboxamide).
- 1419 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1420 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 1421 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
1422 pentylindazole-3-carboxamide).
- 1423 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-
1424 1-(fluoropentyl)indazole-3-carboxamide).
- 1425 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-



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1426 fluorobenzyl) indazole-3-carboxamide) .

1427 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-

1428 2-yl)-1-(cyclohexylmethyl) indazole-3-carboxamide) .

1429 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-

1430 oxobutan-2-yl)-1-(4-fluorobenzyl) indazole-3-carboxamide) .

1431 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-

1432 2-yl)-1-(cyclohexylmethyl) indole-3-carboxamide) .

1433 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-

1434 fluoropentyl) indole-3-carboxamide) .

1435 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-

1436 fluoropentyl) indazole-3-carboxamide) .

1437 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-

1438 (cyclohexylmethyl) indazole-3-carboxamide) .

1439 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-

1440 fluorobenzyl) indazole-3-carboxamide) .

1441 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-

1442 2-yl)-1-(cyclohexylmethyl) indazole-3-carboxylate) .

1443 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-

1444 Any compound containing a N-(2-phenylpropan-2-yl) indole

1445 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide

1446 structure, with or without substitution on the indole or

1447 indazole ring to any extent, whether or not substituted on the

1448 phenyl ring of the cumyl group to any extent, including, but not

1449 limited to:

1450 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-



1451 carboxamide).

1452 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-
1453 (fluoropentyl)indole-3-carboxamide).

1454 o. Other Synthetic Cannabinoids.—Any material, compound,
1455 mixture, or preparation that contains any quantity of a
1456 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

1457 (I) With or without modification or replacement of a
1458 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage
1459 between either two core rings, or linkage between a core ring
1460 and group structure, with or without the addition of a carbon or
1461 replacement of a carbon;

1462 (II) With or without replacement of a core ring or group
1463 structure, whether or not substituted on the ring or group
1464 structures to any extent; and

1465 (III) Is a cannabinoid receptor agonist, unless
1466 specifically excepted or unless listed in another schedule or
1467 contained within a pharmaceutical product approved by the United
1468 States Food and Drug Administration.

1469 191. Substituted Cathinones.—Unless specifically excepted,
1470 listed in another schedule, or contained within a pharmaceutical
1471 product approved by the United States Food and Drug
1472 Administration, any material, compound, mixture, or preparation,
1473 including its salts, isomers, esters, or ethers, and salts of
1474 isomers, esters, or ethers, whenever the existence of such salts
1475 is possible within any of the following specific chemical



1476 designations:

1477 a. Any compound containing a 2-amino-1-phenyl-1-propanone
1478 structure;

1479 b. Any compound containing a 2-amino-1-naphthyl-1-
1480 propanone structure; or

1481 c. Any compound containing a 2-amino-1-thiophenyl-1-
1482 propanone structure,
1483

1484 whether or not the compound is further modified:

1485 (I) With or without substitution on the ring system to any
1486 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
1487 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
1488 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
1489 substituents;

1490 (II) With or without substitution at the 3-propanone
1491 position with an alkyl substituent or removal of the methyl
1492 group at the 3-propanone position;

1493 (III) With or without substitution at the 2-amino nitrogen
1494 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1495 not further substituted in the ring system; or

1496 (IV) With or without inclusion of the 2-amino nitrogen
1497 atom in a cyclic structure, including, but not limited to:

1498 (A) Methcathinone.

1499 (B) Ethcathinone.

1500 (C) Methydone (3,4-Methylenedioxy-methcathinone).



- 1501 (D) 2,3-Methylenedioxy-methcathinone.
- 1502 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).
- 1503 (F) Methylenedioxy-methcathinone.
- 1504 (G) Methoxy-methcathinone.
- 1505 (H) Fluoro-methcathinone.
- 1506 (I) Methylethcathinone.
- 1507 (J) Butylone (3,4-Methylenedioxy-alpha-
- 1508 methylenedioxy-amphetamine).
- 1509 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1510 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1511 (M) Naphyrone (Naphthylpyrovalerone).
- 1512 (N) Bromo-methcathinone.
- 1513 (O) Buphedrone (alpha-Methylenedioxy-amphetamine).
- 1514 (P) Etylone (3,4-Methylenedioxy-alpha-
- 1515 ethylenedioxy-amphetamine).
- 1516 (Q) Dimethylcathinone.
- 1517 (R) Dimethylmethcathinone.
- 1518 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1519 methylenedioxy-amphetamine).
- 1520 (T) Penthedrone (alpha-Methylenedioxy-amphetamine).
- 1521 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1522 pyrrolidinovalerophenone).
- 1523 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1524 pyrrolidinobutyrophenone).
- 1525 (W) MPPP (Methyl-alpha-pyrrolidinobutyrophenone).



- 1526 (X) PPP (Pyrrolidinopropiophenone).
- 1527 (Y) PVP (Pyrrolidinovalerophenone) or
- 1528 (Pyrrolidinopentiophenone).
- 1529 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1530 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1531 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1532 (CC) Me-EABP (Methylethylaminobutyrophenone).
- 1533 (DD) PBP (Pyrrolidinobutyrophenone).
- 1534 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 1535 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 1536 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
- 1537 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
- 1538 dimethylcathinone).
- 1539 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
- 1540 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
- 1541 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
- 1542 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
- 1543 (MM) Methylbuphedrone (Methyl-alpha-
- 1544 methylaminobutyrophenone).
- 1545 (NN) Methyl-alpha-methylaminohexanophenone.
- 1546 (OO) N-Ethyl-N-methylcathinone.
- 1547 (PP) PHP (Pyrrolidinohexanophenone).
- 1548 (QQ) PV8 (Pyrrolidinoheptanophenone).
- 1549 (RR) Chloromethcathinone.
- 1550 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.



1551 192. Substituted Phenethylamines.—Unless specifically
1552 excepted or unless listed in another schedule, or contained
1553 within a pharmaceutical product approved by the United States
1554 Food and Drug Administration, any material, compound, mixture,
1555 or preparation, including its salts, isomers, esters, or ethers,
1556 and salts of isomers, esters, or ethers, whenever the existence
1557 of such salts is possible within any of the following specific
1558 chemical designations, any compound containing a phenethylamine
1559 structure, without a beta-keto group, and without a benzyl group
1560 attached to the amine group, whether or not the compound is
1561 further modified with or without substitution on the phenyl ring
1562 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
1563 halide, fused alkylendioxy, fused furan, fused benzofuran,
1564 fused dihydrofuran, or fused tetrahydropyran substituents,
1565 whether or not further substituted on a ring to any extent, with
1566 or without substitution at the alpha or beta position by any
1567 alkyl substituent, with or without substitution at the nitrogen
1568 atom, and with or without inclusion of the 2-amino nitrogen atom
1569 in a cyclic structure, including, but not limited to:
1570 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
1571 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
1572 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
1573 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
1574 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
1575 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).



- 1576 | g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1577 | h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1578 | i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1579 | j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1580 | k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1581 | l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1582 | m. MDMA (3,4-Methylenedioxyamphetamine).
- 1583 | n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 1584 | Methylenedioxy-N-methylbutanamine).
- 1585 | o. MDA (3,4-Methylenedioxyamphetamine).
- 1586 | p. 2,5-Dimethoxyamphetamine.
- 1587 | q. Fluoroamphetamine.
- 1588 | r. Fluoromethamphetamine.
- 1589 | s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1590 | t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 1591 | u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1592 | v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1593 | w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1594 | x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1595 | y. PMA (4-Methoxyamphetamine).
- 1596 | z. N-Ethylamphetamine.
- 1597 | aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 1598 | bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1599 | cc. PMMA (4-Methoxymethamphetamine).
- 1600 | dd. N,N-Dimethylamphetamine.



- 1601 ee. 3,4,5-Trimethoxyamphetamine.
- 1602 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1603 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1604 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1605 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1606 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1607 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1608 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1609 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1610 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1611 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1612 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1613 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1614 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1615 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1616 dihydrobenzofuran),

1617
 1618 which does not include phenethylamine, mescaline as described in
 1619 subparagraph 20., substituted cathinones as described in
 1620 subparagraph 191., N-Benzyl phenethylamine compounds as
 1621 described in subparagraph 193., or methamphetamine as described
 1622 in subparagraph (2)(c)5. ~~(2)(e)4.~~

1623 193. N-Benzyl Phenethylamine Compounds.—Unless
 1624 specifically excepted or unless listed in another schedule, or
 1625 contained within a pharmaceutical product approved by the United



1626 States Food and Drug Administration, any material, compound,
1627 mixture, or preparation, including its salts, isomers, esters,
1628 or ethers, and salts of isomers, esters, or ethers, whenever the
1629 existence of such salts is possible within any of the following
1630 specific chemical designations, any compound containing a
1631 phenethylamine structure without a beta-keto group, with
1632 substitution on the nitrogen atom of the amino group with a
1633 benzyl substituent, with or without substitution on the phenyl
1634 or benzyl ring to any extent with alkyl, alkoxy, thio,
1635 alkylthio, halide, fused alkylenedioxy, fused furan, fused
1636 benzofuran, or fused tetrahydropyran substituents, whether or
1637 not further substituted on a ring to any extent, with or without
1638 substitution at the alpha position by any alkyl substituent,
1639 including, but not limited to:

- 1640 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1641 methoxybenzyl)]phenethylamine).
- 1642 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1643 hydroxybenzyl)]phenethylamine).
- 1644 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1645 fluorobenzyl)]phenethylamine).
- 1646 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1647 methylenedioxybenzyl)]phenethylamine).
- 1648 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1649 methoxybenzyl)]phenethylamine).
- 1650 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-



1651 hydroxybenzyl)]phenethylamine) .
1652 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1653 fluorobenzyl)]phenethylamine) .
1654 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1655 methylenedioxybenzyl)]phenethylamine) .
1656 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
1657 methoxybenzyl)]phenethylamine) .
1658 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1659 methoxybenzyl)]phenethylamine) .
1660 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1661 methoxybenzyl)]phenethylamine) .
1662 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1663 methoxybenzyl)]phenethylamine) .
1664 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1665 hydroxybenzyl)]phenethylamine) .
1666 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1667 fluorobenzyl)]phenethylamine) .
1668 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1669 methylenedioxybenzyl)]phenethylamine) .
1670 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
1671 methoxybenzyl)]phenethylamine) .
1672 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1673 hydroxybenzyl)]phenethylamine) .
1674 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
1675 fluorobenzyl)]phenethylamine) .



1676 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1677 methoxybenzyl)]phenethylamine),
1678

1679 which does not include substituted cathinones as described in
1680 subparagraph 191.

1681 194. Substituted Tryptamines.—Unless specifically excepted
1682 or unless listed in another schedule, or contained within a
1683 pharmaceutical product approved by the United States Food and
1684 Drug Administration, any material, compound, mixture, or
1685 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1686 example tryptamine, structure with or without mono- or di-
1687 substitution of the amine nitrogen with alkyl or alkenyl groups,
1688 or by inclusion of the amino nitrogen atom in a cyclic
1689 structure, whether or not substituted at the alpha position with
1690 an alkyl group, whether or not substituted on the indole ring to
1691 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1692 groups, including, but not limited to:

- 1693 a. Alpha-Ethyltryptamine.
1694 b. Bufotenine.
1695 c. DET (Diethyltryptamine).
1696 d. DMT (Dimethyltryptamine).
1697 e. MET (N-Methyl-N-ethyltryptamine).
1698 f. DALT (N,N-Diallyltryptamine).
1699 g. EiPT (N-Ethyl-N-isopropyltryptamine).
1700 h. MiPT (N-Methyl-N-isopropyltryptamine).



- 1701 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 1702 j. 5-Hydroxy-N-methyltryptamine.
- 1703 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 1704 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 1705 m. Methyltryptamine.
- 1706 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 1707 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1708 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 1709 q. DiPT (N,N-Diisopropyltryptamine).
- 1710 r. DPT (N,N-Dipropyltryptamine).
- 1711 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1712 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1713 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1714 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1715 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1716 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1717 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1718 isopropyltryptamine).
- 1719 z. Methyl-alpha-ethyltryptamine.
- 1720 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),
- 1721
- 1722 which does not include tryptamine, psilocyn as described in
- 1723 subparagraph 34., or psilocybin as described in subparagraph 33.
- 1724 195. Substituted Phenylcyclohexylamines.—Unless
- 1725 specifically excepted or unless listed in another schedule, or



1726 contained within a pharmaceutical product approved by the United
1727 States Food and Drug Administration, any material, compound,
1728 mixture, or preparation containing a phenylcyclohexylamine
1729 structure, with or without any substitution on the phenyl ring,
1730 any substitution on the cyclohexyl ring, any replacement of the
1731 phenyl ring with a thiophenyl or benzothiophenyl ring, with or
1732 without substitution on the amine with alkyl, dialkyl, or alkoxy
1733 substituents, inclusion of the nitrogen in a cyclic structure,
1734 or any combination of the above, including, but not limited to:

- 1735 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
1736 (Benocyclidine).
- 1737 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
1738 of phencyclidine).
- 1739 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
1740 analog of phencyclidine).
- 1741 d. PCPr (Phenylcyclohexylpropylamine).
- 1742 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
1743 analog of phencyclidine).
- 1744 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1745 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1746 h. Methoxetamine.
- 1747 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1748 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1749 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1750 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).



- 1751 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
1752 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
1753 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
1754 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
1755 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
1756 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
1757 196. W-15, 4-chloro-N-[1-(2-phenylethyl)-2-
1758 piperidinylidene]-benzenesulfonamide.
1759 197. W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-
1760 piperidinylidene]-benzenesulfonamide.
1761 198. AH-7921, 3,4-dichloro-N-[[1-
1762 (dimethylamino)cyclohexyl]methyl]-benzamide.
1763 199. U47700, trans-3,4-dichloro-N-[2-
1764 (dimethylamino)cyclohexyl]-N-methyl-benzamide.
1765 200. MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-piperazine,
1766 dihydrochloride.
1767 (2) SCHEDULE II.—A substance in Schedule II has a high
1768 potential for abuse and has a currently accepted but severely
1769 restricted medical use in treatment in the United States, and
1770 abuse of the substance may lead to severe psychological or
1771 physical dependence. The following substances are controlled in
1772 Schedule II:
1773 (a) Unless specifically excepted or unless listed in
1774 another schedule, any of the following substances, whether
1775 produced directly or indirectly by extraction from substances of



1776 | vegetable origin or independently by means of chemical
1777 | synthesis:
1778 | 1. Opium and any salt, compound, derivative, or
1779 | preparation of opium, except nalmefene or isoquinoline alkaloids
1780 | of opium, including, but not limited to the following:
1781 | a. Raw opium.
1782 | b. Opium extracts.
1783 | c. Opium fluid extracts.
1784 | d. Powdered opium.
1785 | e. Granulated opium.
1786 | f. Tincture of opium.
1787 | g. Codeine.
1788 | h. Dihydroetorphine.
1789 | ~~i.h.~~ Ethylmorphine.
1790 | ~~j.i.~~ Etorphine hydrochloride.
1791 | ~~k.j.~~ Hydrocodone and hydrocodone combination products.
1792 | ~~l.k.~~ Hydromorphone.
1793 | ~~m.l.~~ Levo-alphaacetylmethadol (also known as levo-alpha-
1794 | acetylmethadol, levomethadyl acetate, or LAAM).
1795 | ~~n.m.~~ Metopon (methyldihydromorphinone).
1796 | ~~o.n.~~ Morphine.
1797 | p. Oripavine.
1798 | ~~q.o.~~ Oxycodone.
1799 | ~~r.p.~~ Oxymorphone.
1800 | ~~s.q.~~ Thebaine.



1801 2. Any salt, compound, derivative, or preparation of a
1802 substance which is chemically equivalent to or identical with
1803 any of the substances referred to in subparagraph 1., except
1804 that these substances shall not include the isoquinoline
1805 alkaloids of opium.

1806 3. Any part of the plant of the species *Papaver*
1807 *somniferum, L.*

1808 4. Cocaine or ecgonine, including any of their
1809 stereoisomers, and any salt, compound, derivative, or
1810 preparation of cocaine or ecgonine, except that these substances
1811 shall not include ioflupane I 123.

1812 (b) Unless specifically excepted or unless listed in
1813 another schedule, any of the following substances, including
1814 their isomers, esters, ethers, salts, and salts of isomers,
1815 esters, and ethers, whenever the existence of such isomers,
1816 esters, ethers, and salts is possible within the specific
1817 chemical designation:

- 1818 1. Alfentanil.
- 1819 2. Alphaprodine.
- 1820 3. Anileridine.
- 1821 4. Bezitramide.
- 1822 5. Bulk propoxyphene (nondosage forms).
- 1823 6. Carfentanil.
- 1824 7. Dihydrocodeine.
- 1825 8. Diphenoxylate.



- 1826 | 9. Fentanyl.
- 1827 | 10. Isomethadone.
- 1828 | 11. Levomethorphan.
- 1829 | 12. Levorphanol.
- 1830 | 13. Metazocine.
- 1831 | 14. Methadone.
- 1832 | 15. Methadone-Intermediate, 4-cyano-2-
- 1833 | dimethylamino-4,4-diphenylbutane.
- 1834 | 16. Moramide-Intermediate, 2-methyl-
- 1835 | 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1836 | 17. Nabilone.
- 1837 | 18. Pethidine (meperidine).
- 1838 | 19. Pethidine-Intermediate-A, 4-cyano-1-
- 1839 | methyl-4-phenylpiperidine.
- 1840 | 20. Pethidine-Intermediate-B, ethyl-4-
- 1841 | phenylpiperidine-4-carboxylate.
- 1842 | 21. Pethidine-Intermediate-C, 1-methyl-4- phenylpiperidine-
- 1843 | 4-carboxylic acid.
- 1844 | 22. Phenazocine.
- 1845 | 23. Phencyclidine.
- 1846 | 24. 1-Phenylcyclohexylamine.
- 1847 | 25. Piminodine.
- 1848 | 26. 1-Piperidinocyclohexanecarbonitrile.
- 1849 | 27. Racemethorphan.
- 1850 | 28. Racemorphan.



1851 29. Remifentanil.

1852 ~~30.29.~~ Sufentanil.

1853 31. Tapentadol.

1854 32. Thiafentanil.

1855 (c) Unless specifically excepted or unless listed in
 1856 another schedule, any material, compound, mixture, or
 1857 preparation which contains any quantity of the following
 1858 substances, including their salts, isomers, optical isomers,
 1859 salts of their isomers, and salts of their optical isomers:

1860 1. Amobarbital.

1861 2. Amphetamine.

1862 3. Glutethimide.

1863 4. Lisdexamfetamine.

1864 ~~5.4.~~ Methamphetamine.

1865 ~~6.5.~~ Methylphenidate.

1866 ~~7.6.~~ Pentobarbital.

1867 ~~8.7.~~ Phenmetrazine.

1868 ~~9.8.~~ Phenylacetone.

1869 ~~10.9.~~ Secobarbital.

1870 (d) Dronabinol (synthetic THC) in oral solution in a drug
 1871 product approved by the United States Food and Drug
 1872 Administration.

1873 (3) SCHEDULE III.—A substance in Schedule III has a
 1874 potential for abuse less than the substances contained in
 1875 Schedules I and II and has a currently accepted medical use in



1876 treatment in the United States, and abuse of the substance may
 1877 lead to moderate or low physical dependence or high
 1878 psychological dependence or, in the case of anabolic steroids,
 1879 may lead to physical damage. The following substances are
 1880 controlled in Schedule III:

1881 (a) Unless specifically excepted or unless listed in
 1882 another schedule, any material, compound, mixture, or
 1883 preparation which contains any quantity of the following
 1884 substances having a depressant or stimulant effect on the
 1885 nervous system:

1886 1. Any substance which contains any quantity of a
 1887 derivative of barbituric acid, including thiobarbituric acid, or
 1888 any salt of a derivative of barbituric acid or thiobarbituric
 1889 acid, including, but not limited to, butabarbital and
 1890 butalbital.

1891 2. Benzphetamine.

1892 3. Buprenorphine.

1893 ~~4.3.~~ Chlorhexadol.

1894 ~~5.4.~~ Chlorphentermine.

1895 ~~6.5.~~ Clortermine.

1896 7. Embutramide.

1897 ~~8.6.~~ Lysergic acid.

1898 ~~9.7.~~ Lysergic acid amide.

1899 ~~10.8.~~ Methyprylon.

1900 11. Perampanel.



1901 12.9. Phendimetrazine.

1902 13.10. Sulfondiethylmethane.

1903 14.11. Sulfonethylmethane.

1904 15.12. Sulfonmethane.

1905 16.13. Tiletamine and zolazepam or any salt thereof.

1906 (b) Nalorphine.

1907 (c) Unless specifically excepted or unless listed in

1908 another schedule, any material, compound, mixture, or

1909 preparation containing limited quantities of any of the

1910 following controlled substances or any salts thereof:

1911 1. Not more than 1.8 grams of codeine per 100 milliliters

1912 or not more than 90 milligrams per dosage unit, with an equal or

1913 greater quantity of an isoquinoline alkaloid of opium.

1914 2. Not more than 1.8 grams of codeine per 100 milliliters

1915 or not more than 90 milligrams per dosage unit, with recognized

1916 therapeutic amounts of one or more active ingredients which are

1917 not controlled substances.

1918 3. Not more than 300 milligrams of hydrocodone per 100

1919 milliliters or not more than 15 milligrams per dosage unit, with

1920 a fourfold or greater quantity of an isoquinoline alkaloid of

1921 opium.

1922 4. Not more than 300 milligrams of hydrocodone per 100

1923 milliliters or not more than 15 milligrams per dosage unit, with

1924 recognized therapeutic amounts of one or more active ingredients

1925 that are not controlled substances.



1926 5. Not more than 1.8 grams of dihydrocodeine per 100
 1927 milliliters or not more than 90 milligrams per dosage unit, with
 1928 recognized therapeutic amounts of one or more active ingredients
 1929 which are not controlled substances.

1930 6. Not more than 300 milligrams of ethylmorphine per 100
 1931 milliliters or not more than 15 milligrams per dosage unit, with
 1932 one or more active, nonnarcotic ingredients in recognized
 1933 therapeutic amounts.

1934 7. Not more than 50 milligrams of morphine per 100
 1935 milliliters or per 100 grams, with recognized therapeutic
 1936 amounts of one or more active ingredients which are not
 1937 controlled substances.

1938
 1939 For purposes of charging a person with a violation of s. 893.135
 1940 involving any controlled substance described in subparagraph 3.
 1941 or subparagraph 4., the controlled substance is a Schedule III
 1942 controlled substance pursuant to this paragraph but the weight
 1943 of the controlled substance per milliliters or per dosage unit
 1944 is not relevant to the charging of a violation of s. 893.135.
 1945 The weight of the controlled substance shall be determined
 1946 pursuant to s. 893.135(6).

1947 (d) Anabolic steroids.

1948 1. The term "anabolic steroid" means any drug or hormonal
 1949 substance, chemically and pharmacologically related to
 1950 testosterone, other than estrogens, progestins, and



- 1951 corticosteroids, that promotes muscle growth and includes:
- 1952 a. Androsterone.
 - 1953 b. Androsterone acetate.
 - 1954 c. Boldenone.
 - 1955 d. Boldenone acetate.
 - 1956 e. Boldenone benzoate.
 - 1957 f. Boldenone undecylenate.
 - 1958 g. Chlorotestosterone (Clostebol).
 - 1959 h. Dehydrochlormethyltestosterone.
 - 1960 i. Dihydrotestosterone (Stanolone).
 - 1961 j. Drostanolone.
 - 1962 k. Ethylestrenol.
 - 1963 l. Fluoxymesterone.
 - 1964 m. Formebolone (Formebolone).
 - 1965 n. Mesterolone.
 - 1966 o. Methandrostenolone (Methandienone).
 - 1967 p. Methandranone.
 - 1968 q. Methandriol.
 - 1969 r. Methenolone.
 - 1970 s. Methyltestosterone.
 - 1971 t. Mibolerone.
 - 1972 u. Nortestosterone (Nandrolone).
 - 1973 v. Norethandrolone.
 - 1974 w. Nortestosterone decanoate.
 - 1975 x. Nortestosterone phenylpropionate.



1976 y. Nortestosterone propionate.
 1977 z. Oxandrolone.
 1978 aa. Oxymesterone.
 1979 bb. Oxymetholone.
 1980 cc. Stanozolol.
 1981 dd. Testolactone.
 1982 ee. Testosterone.
 1983 ff. Testosterone acetate.
 1984 gg. Testosterone benzoate.
 1985 hh. Testosterone cypionate.
 1986 ii. Testosterone decanoate.
 1987 jj. Testosterone enanthate.
 1988 kk. Testosterone isocaproate.
 1989 ll. Testosterone oleate.
 1990 mm. Testosterone phenylpropionate.
 1991 nn. Testosterone propionate.
 1992 oo. Testosterone undecanoate.
 1993 pp. Trenbolone.
 1994 qq. Trenbolone acetate.
 1995 rr. Any salt, ester, or isomer of a drug or substance
 1996 described or listed in this subparagraph if that salt, ester, or
 1997 isomer promotes muscle growth.
 1998 2. The term does not include an anabolic steroid that is
 1999 expressly intended for administration through implants to cattle
 2000 or other nonhuman species and that has been approved by the



2001 United States Secretary of Health and Human Services for such
2002 administration. However, any person who prescribes, dispenses,
2003 or distributes such a steroid for human use is considered to
2004 have prescribed, dispensed, or distributed an anabolic steroid
2005 within the meaning of this paragraph.

2006 (e) Ketamine, including any isomers, esters, ethers,
2007 salts, and salts of isomers, esters, and ethers, whenever the
2008 existence of such isomers, esters, ethers, and salts is possible
2009 within the specific chemical designation.

2010 (f) Dronabinol (synthetic THC) in sesame oil and
2011 encapsulated in a soft gelatin capsule in a drug product
2012 approved by the United States Food and Drug Administration.

2013 (g) Any drug product containing gamma-hydroxybutyric acid,
2014 including its salts, isomers, and salts of isomers, for which an
2015 application is approved under s. 505 of the Federal Food, Drug,
2016 and Cosmetic Act.

2017 (4) (a) SCHEDULE IV.—A substance in Schedule IV has a low
2018 potential for abuse relative to the substances in Schedule III
2019 and has a currently accepted medical use in treatment in the
2020 United States, and abuse of the substance may lead to limited
2021 physical or psychological dependence relative to the substances
2022 in Schedule III.

2023 (b) Unless specifically excepted or unless listed in
2024 another schedule, any material, compound, mixture, or
2025 preparation which contains any quantity of the following



2026 substances, including its salts, isomers, and salts of isomers
2027 whenever the existence of such salts, isomers, and salts of
2028 isomers is possible within the specific chemical designation,
2029 are controlled in Schedule IV:

- 2030 1. Alfaxalone.
2031 2.~~(a)~~ Alprazolam.
2032 3.~~(b)~~ Barbital.
2033 4.~~(c)~~ Bromazepam.
2034 5.~~(iii)~~ Butorphanol tartrate.
2035 6.~~(d)~~ Camazepam.
2036 7.~~(jjj)~~ Carisoprodol.
2037 8.~~(e)~~ Cathine.
2038 9.~~(f)~~ Chloral betaine.
2039 10.~~(g)~~ Chloral hydrate.
2040 11.~~(h)~~ Chlordiazepoxide.
2041 12.~~(i)~~ Clobazam.
2042 13.~~(j)~~ Clonazepam.
2043 14.~~(k)~~ Clorazepate.
2044 15.~~(l)~~ Clotiazepam.
2045 16.~~(m)~~ Cloxazolam.
2046 17. Dexfenfluramine.
2047 18.~~(n)~~ Delorazepam.
2048 19. Dichloralphenazone.
2049 20.~~(p)~~ Diazepam.
2050 21.~~(q)~~ Diethylpropion.



- 2051 | 22. Eluxadoline.
- 2052 | 23.~~(r)~~ Estazolam.
- 2053 | 24. Eszopiclone.
- 2054 | 25.~~(s)~~ Ethchlorvynol.
- 2055 | 26.~~(t)~~ Ethinamate.
- 2056 | 27.~~(u)~~ Ethyl loflazepate.
- 2057 | 28.~~(v)~~ Fencamfamin.
- 2058 | 29.~~(w)~~ Fenfluramine.
- 2059 | 30.~~(x)~~ Fenproporex.
- 2060 | 31.~~(y)~~ Fludiazepam.
- 2061 | 32.~~(z)~~ Flurazepam.
- 2062 | 33. Fospropofol.
- 2063 | 34.~~(aa)~~ Halazepam.
- 2064 | 35.~~(bb)~~ Haloxazolam.
- 2065 | 36.~~(cc)~~ Ketazolam.
- 2066 | 37.~~(dd)~~ Loprazolam.
- 2067 | 38.~~(ee)~~ Lorazepam.
- 2068 | 39. Lorcaserin.
- 2069 | 40.~~(ff)~~ Lormetazepam.
- 2070 | 41.~~(gg)~~ Mazindol.
- 2071 | 42.~~(hh)~~ Mebutamate.
- 2072 | 43.~~(ii)~~ Medazepam.
- 2073 | 44.~~(jj)~~ Mefenorex.
- 2074 | 45.~~(kk)~~ Meprobamate.
- 2075 | 46.~~(ll)~~ Methohexital.



- 2076 | 47.~~(mm)~~ Methylphenobarbital.
- 2077 | 48.~~(nn)~~ Midazolam.
- 2078 | 49. Modafinil.
- 2079 | 50.~~(oo)~~ Nimetazepam.
- 2080 | 51.~~(pp)~~ Nitrazepam.
- 2081 | 52.~~(qq)~~ Nordiazepam.
- 2082 | 53.~~(rr)~~ Oxazepam.
- 2083 | 54.~~(ss)~~ Oxazolam.
- 2084 | 55.~~(tt)~~ Paraldehyde.
- 2085 | 56.~~(uu)~~ Pemoline.
- 2086 | 57.~~(vv)~~ Pentazocine.
- 2087 | 58. Petrichloral.
- 2088 | 59.~~(ww)~~ Phenobarbital.
- 2089 | 60.~~(xx)~~ Phentermine.
- 2090 | 61.~~(yy)~~ Pinazepam.
- 2091 | 62.~~(zz)~~ Pipradrol.
- 2092 | 63.~~(aaa)~~ Prazepam.
- 2093 | 64.~~(o)~~ Propoxyphene (dosage forms).
- 2094 | 65.~~(bbb)~~ Propylhexedrine, excluding any patent or
- 2095 | proprietary preparation containing propylhexedrine, unless
- 2096 | otherwise provided by federal law.
- 2097 | 66.~~(ccc)~~ Quazepam.
- 2098 | 67. Sibutramine.
- 2099 | 68.~~(eee)~~ SPA[(-)-1 dimethylamino-1, 2
- 2100 | diphenylethane].



2101 69. Suvorexant.

2102 70.~~(fff)~~ Temazepam.

2103 71.~~(ddd)~~ Tetrazepam.

2104 72. Tramadol.

2105 73.~~(ggg)~~ Triazolam.

2106 74. Zaleplon.

2107 75. Zolpidem.

2108 76. Zopiclone.

2109 77.~~(hhh)~~ Not more than 1 milligram of difenoxin and not
 2110 less than 25 micrograms of atropine sulfate per dosage unit.

2111 (5) SCHEDULE V.—A substance, compound, mixture, or
 2112 preparation of a substance in Schedule V has a low potential for
 2113 abuse relative to the substances in Schedule IV and has a
 2114 currently accepted medical use in treatment in the United
 2115 States, and abuse of such compound, mixture, or preparation may
 2116 lead to limited physical or psychological dependence relative to
 2117 the substances in Schedule IV.

2118 (a) Substances controlled in Schedule V include any
 2119 compound, mixture, or preparation containing any of the
 2120 following limited quantities of controlled substances, which
 2121 must ~~shall~~ include one or more active medicinal ingredients that
 2122 ~~which~~ are not controlled substances in sufficient proportion to
 2123 confer upon the compound, mixture, or preparation valuable
 2124 medicinal qualities other than those possessed by the controlled
 2125 substance alone:



- 2126 1. Not more than 200 milligrams of codeine per 100
 2127 milliliters or per 100 grams.
- 2128 2. Not more than 100 milligrams of dihydrocodeine per 100
 2129 milliliters or per 100 grams.
- 2130 3. Not more than 100 milligrams of ethylmorphine per 100
 2131 milliliters or per 100 grams.
- 2132 4. Not more than 2.5 milligrams of diphenoxylate and not
 2133 less than 25 micrograms of atropine sulfate per dosage unit.
- 2134 5. Not more than 100 milligrams of opium per 100
 2135 milliliters or per 100 grams.
- 2136 6. Not more than 0.5 milligrams of difenoxin and not less
 2137 than 25 micrograms of atropine sulfate per dosage unit.
- 2138 (b) Unless a specific exception exists or unless listed in
 2139 another schedule, any material, compound, mixture, or
 2140 preparation that contains any quantity of the following
 2141 substances is controlled in Schedule V:
- 2142 1. Brivaracetam.
- 2143 2. Ezogabine.
- 2144 3. Lacosamide.
- 2145 4. Pregabalin ~~Narcotic drugs. Unless specifically excepted~~
 2146 ~~or unless listed in another schedule, any material, compound,~~
 2147 ~~mixture, or preparation containing any of the following narcotic~~
 2148 ~~drugs and their salts: Buprenorphine.~~
- 2149 (c) Stimulants. Unless specifically excepted or unless
 2150 listed in another schedule, any material, compound, mixture, or



2151 preparation which contains any quantity of the following
2152 substances having a stimulant effect on the central nervous
2153 system, including its salts, isomers, and salts of isomers:
2154 Pyrovalerone.

2155 Section 9. Subsection (1) of section 893.04, Florida
2156 Statutes, is amended to read:

2157 893.04 Pharmacist and practitioner.—

2158 (1) A pharmacist, in good faith and in the course of
2159 professional practice only, may dispense controlled substances
2160 upon a written, ~~or~~ oral, or electronic prescription of a
2161 practitioner, under the following conditions:

2162 (a) Oral prescriptions must be promptly reduced to writing
2163 by the pharmacist or recorded electronically if permitted by
2164 federal law.

2165 (b) The written prescription must be dated and signed by
2166 the prescribing practitioner on the day when issued.

2167 (c) There shall appear on the face of the prescription or
2168 written record thereof for the controlled substance the
2169 following information:

2170 1. The full name and address of the person for whom, or
2171 the owner of the animal for which, the controlled substance is
2172 dispensed.

2173 2. The full name and address of the prescribing
2174 practitioner and the practitioner's federal controlled substance
2175 registry number shall be printed thereon.



2176 3. If the prescription is for an animal, the species of
2177 animal for which the controlled substance is prescribed.

2178 4. The name of the controlled substance prescribed and the
2179 strength, quantity, and directions for use thereof.

2180 5. The number of the prescription, as recorded in the
2181 prescription files of the pharmacy in which it is filled.

2182 6. The initials of the pharmacist filling the prescription
2183 and the date filled.

2184 (d) The prescription shall be retained on file by the
2185 proprietor of the pharmacy in which it is filled for a period of
2186 2 years.

2187 (e) Affixed to the original container in which a
2188 controlled substance is delivered upon a prescription or
2189 authorized refill thereof, as hereinafter provided, there shall
2190 be a label bearing the following information:

2191 1. The name and address of the pharmacy from which such
2192 controlled substance was dispensed.

2193 2. The date on which the prescription for such controlled
2194 substance was filled.

2195 3. The number of such prescription, as recorded in the
2196 prescription files of the pharmacy in which it is filled.

2197 4. The name of the prescribing practitioner.

2198 5. The name of the patient for whom, or of the owner and
2199 species of the animal for which, the controlled substance is
2200 prescribed.



2201 6. The directions for the use of the controlled substance
2202 prescribed in the prescription.

2203 7. A clear, concise warning that it is a crime to transfer
2204 the controlled substance to any person other than the patient
2205 for whom prescribed.

2206 (f) A prescription for a controlled substance listed in
2207 Schedule II may be dispensed only upon a written or electronic
2208 prescription of a practitioner, except that in an emergency
2209 situation, as defined by regulation of the Department of Health,
2210 such controlled substance may be dispensed upon oral
2211 prescription but is limited to a 72-hour supply. A prescription
2212 for a controlled substance listed in Schedule II may not be
2213 refilled.

2214 (g) A prescription for a controlled substance listed in
2215 Schedule III, Schedule IV, or Schedule V may not be filled or
2216 refilled more than five times within a period of 6 months after
2217 the date on which the prescription was written unless the
2218 prescription is renewed by a practitioner.

2219 Section 10. Section 893.055, Florida Statutes, is amended
2220 to read:

2221 (Substantial rewording of section. See
2222 s. 893.055, F.S., for present text.)

2223 893.055 Prescription drug monitoring program.-

2224 (1) As used in this section, the term:

2225 (a) "Active investigation" means an investigation that is



2226 being conducted with a reasonable, good faith belief that it
2227 could lead to the filing of administrative, civil, or criminal
2228 proceedings, or that is ongoing and continuing and for which
2229 there is a reasonable, good faith anticipation of securing an
2230 arrest or prosecution in the foreseeable future.

2231 (b) "Administration" means the obtaining and giving of a
2232 single dose of a controlled substance by a legally authorized
2233 person to a patient for her or his consumption.

2234 (c) "Controlled substance" means a controlled substance
2235 listed in Schedule II, Schedule III, Schedule IV, or Schedule V
2236 of s. 893.03 or 21 U.S.C. s. 812.

2237 (d) "Dispense" means the transfer of possession of one or
2238 more doses of a controlled substance by a dispenser to the
2239 ultimate consumer or to his or her agent.

2240 (e) "Dispenser" means a dispensing health care
2241 practitioner, pharmacy, or pharmacist licensed to dispense
2242 controlled substances in or into this state.

2243 (f) "Health care practitioner" or "practitioner" means any
2244 practitioner licensed under chapter 458, chapter 459, chapter
2245 461, chapter 463, chapter 464, chapter 465, or chapter 466.

2246 (g) "Health care regulatory board" has the same meaning as
2247 in s. 456.001(1).

2248 (h) "Law enforcement agency" means the Department of Law
2249 Enforcement, a sheriff's office in this state, a police
2250 department in this state, or a law enforcement agency of the



2251 Federal Government which enforces the laws of this state or the
2252 United States relating to controlled substances and whose agents
2253 and officers are empowered by law to conduct criminal
2254 investigations and make arrests.

2255 (i) "Pharmacy" includes a community pharmacy, an
2256 institutional pharmacy, a nuclear pharmacy, a special pharmacy,
2257 or an Internet pharmacy that is licensed by the department under
2258 chapter 465 and that dispenses or delivers controlled substances
2259 to an individual or address in this state.

2260 (j) "Prescriber" means a prescribing physician,
2261 prescribing practitioner, or other prescribing health care
2262 practitioner authorized by the laws of this state to order
2263 controlled substances.

2264 (k) "Program manager" means an employee of or a person
2265 contracted by the department who is designated to ensure the
2266 integrity of the prescription drug monitoring program in
2267 accordance with the requirements established in this section.

2268 (2) (a) The department shall maintain an electronic system
2269 to collect and store controlled substance dispensing information
2270 and shall release the information as authorized in this section
2271 and s. 893.0551. The electronic system must:

2272 1. Not infringe upon the legitimate prescribing or
2273 dispensing of a controlled substance by a prescriber or
2274 dispenser acting in good faith and in the course of professional
2275 practice.



2276 2. Be consistent with standards of the American Society
2277 for Automation in Pharmacy.

2278 3. Comply with the Health Insurance Portability and
2279 Accountability Act as it pertains to protected health
2280 information, electronic protected health information, and all
2281 other relevant state and federal privacy and security laws and
2282 regulations.

2283 4. Purge or cause to be purged information in the database
2284 that is more than 4 years old.

2285 (b) The department may collaborate with professional
2286 health care regulatory boards, appropriate organizations, and
2287 other state agencies to identify indicators of controlled
2288 substance abuse.

2289 (3) (a) For each controlled substance dispensed to a
2290 patient in this state, the following information must be
2291 reported by the dispenser to the system as soon thereafter as
2292 possible but no later than the close of the next business day
2293 after the day the controlled substance is dispensed unless an
2294 extension or exemption is approved by the department:

2295 1. The name of the prescribing practitioner, the
2296 practitioner's federal Drug Enforcement Administration
2297 registration number, the practitioner's National Provider
2298 Identification or other appropriate identifier, and the date of
2299 the prescription.

2300 2. The date the prescription was filled and the method of



2301 payment, such as cash by an individual, insurance coverage
2302 through a third party, or Medicaid payment. This paragraph does
2303 not authorize the department to include individual credit card
2304 numbers or other account numbers in the system.

2305 3. The full name, address, telephone number, and date of
2306 birth of the person for whom the prescription was written.

2307 4. The name, national drug code, quantity, and strength of
2308 the controlled substance dispensed.

2309 5. The full name, federal Drug Enforcement Administration
2310 registration number, State of Florida Department of Health
2311 issued pharmacy permit number, and address of the pharmacy or
2312 other location from which the controlled substance was
2313 dispensed. If the controlled substance was dispensed by a
2314 practitioner other than a pharmacist, the practitioner's full
2315 name, address, federal Drug Enforcement Administration
2316 registration number, State of Florida Department of Health
2317 issued license number, and National Provider Identification.

2318 6. Whether the drug was dispensed as an initial
2319 prescription or a refill, and the number of refills ordered.

2320 7. The name of the individual picking up the controlled
2321 substance prescription and type and issuer of the identification
2322 provided.

2323 8. Other appropriate identifying information as determined
2324 by department rule.

2325 (b) The following acts of administration or dispensing are



2326 exempt from the reporting requirements of this subsection:

2327 1. All acts of administration of a controlled substance.

2328 2. The dispensing of a controlled substance in the health

2329 care system of the Department of Corrections.

2330 3. The dispensing of a controlled substance to a person

2331 under the age of 16.

2332 (4) The following persons must be provided direct access

2333 to information in the system:

2334 (a) A prescriber or dispenser or his or her designee.

2335 (b) An employee of the United States Department of

2336 Veterans Affairs, the United States Department of Defense, or

2337 the Indian Health Service who provides health care services

2338 pursuant to such employment and who has the authority to

2339 prescribe or dispense controlled substances shall have access to

2340 the information in the program's system upon verification of

2341 employment.

2342 (c) The program manager or designated program and support

2343 staff to administer the system.

2344 1. In order to calculate performance measures pursuant to

2345 subsection (14), the program manager or program and support

2346 staff members who have been directed by the program manager to

2347 calculate performance measures may have direct access to

2348 information that contains no identifying information of any

2349 patient, physician, health care practitioner, prescriber, or

2350 dispenser.



2351 2. The program manager or designated program and support
2352 staff must provide the department, upon request, data that does
2353 not contain patient, physician, health care practitioner,
2354 prescriber, or dispenser identifying information for public
2355 health care and safety initiatives purposes.

2356 3. The program manager, upon determining a pattern
2357 consistent with the department's rules established under
2358 subsection (16), may provide relevant information to the
2359 prescriber and dispenser.

2360 4. The program manager, upon determining a pattern
2361 consistent with the rules established under subsection (16) and
2362 having cause to believe a violation of s. 893.13(7)(a)8.,
2363 (8)(a), or (8)(b) has occurred, may provide relevant information
2364 to the applicable law enforcement agency.

2365
2366 The program manager and designated program and support staff
2367 must complete a level II background screening.

2368 (5) The following entities may not directly access
2369 information in the system, but may request information from the
2370 program manager or designated program and support staff:

2371 (a) The department and its health care regulatory boards,
2372 as appropriate, for investigations involving licensees
2373 authorized to prescribe or dispense controlled substances.

2374 (b) The Attorney General for Medicaid fraud cases
2375 involving prescribed controlled substances.



2376 (c) A law enforcement agency during active investigations
2377 of potential criminal activity, fraud, or theft regarding
2378 prescribed controlled substances.

2379 (d) A medical examiner when conducting an authorized
2380 investigation under s. 406.11, to determine the cause of death
2381 of an individual.

2382 (e) An impaired practitioner consultant who is retained by
2383 the department under s. 456.076 to review the system information
2384 of an impaired practitioner program participant or a referral
2385 who has agreed to be evaluated or monitored through the program
2386 and who has separately agreed in writing to the consultant's
2387 access to and review of such information.

2388 (f) A patient or the legal guardian or designated health
2389 care surrogate of an incapacitated patient who submits a written
2390 and notarized request that includes the patient's full name,
2391 address, phone number, date of birth, and a copy of a
2392 government-issued photo identification.

2393 (6) The department may enter into one or more reciprocal
2394 agreements or contracts to share prescription drug monitoring
2395 information with other states, districts, or territories if the
2396 prescription drug monitoring programs of such other states,
2397 districts, or territories are compatible with the Florida
2398 program.

2399 (a) In determining compatibility, the department shall
2400 consider:



- 2401 1. The safeguards for privacy of patient records and the
2402 success of the program in protecting patient privacy.
- 2403 2. The persons authorized to view the data collected by
2404 the program. Comparable entities and licensed health care
2405 practitioners in other states, districts, or territories of the
2406 United States, law enforcement agencies, the Attorney General's
2407 Medicaid Fraud Control Unit, medical regulatory boards, and, as
2408 needed, management staff that have similar duties as management
2409 staff who work with the prescription drug monitoring program as
2410 authorized in s. 893.0551 are authorized access upon approval by
2411 the department.
- 2412 3. The schedules of the controlled substances that are
2413 monitored by the program.
- 2414 4. The data reported to or included in the program's
2415 system.
- 2416 5. Any implementing criteria deemed essential for a
2417 thorough comparison.
- 2418 6. The costs and benefits to the state of sharing
2419 prescription information.
- 2420 (b) The department shall assess the prescription drug
2421 monitoring program's continued compatibility with other states',
2422 districts', or territories' programs every 4 years.
- 2423 (c) Any agreements or contracts for sharing of
2424 prescription drug monitoring information between the department
2425 and other states, districts, or territories shall contain the



2426 same restrictions and requirements as this section or s.
2427 893.0551, and the information must be provided according to the
2428 department's determination of compatibility.

2429 (7) The department may enter into agreements or contracts
2430 to establish secure connections between the system and a
2431 prescribing or dispensing health care practitioner's electronic
2432 health recordkeeping system. The electronic health recordkeeping
2433 system owner or license holder will be responsible for ensuring
2434 that only authorized individuals have access to prescription
2435 drug monitoring program information.

2436 (8) A prescriber or dispenser or a designee of a
2437 prescriber or dispenser must consult the system to review a
2438 patient's controlled substance dispensing history before
2439 prescribing or dispensing a controlled substance for a patient
2440 age 16 or older. This requirement does not apply when
2441 prescribing or dispensing a nonopioid controlled substance
2442 listed in Schedule V of s. 893.03 or 21 U.S.C. 812. For purposes
2443 of this subsection, a "nonopioid controlled substance" is a
2444 controlled substance that does not contain any amount of a
2445 substance listed as an opioid in s. 893.03 or 21 U.S.C. 812.

2446 (a) The duty to consult the system does not apply when the
2447 system:

- 2448 1. Is determined by the department to be nonoperational;
2449 or
2450 2. Cannot be accessed by the prescriber or dispenser or a



2451 designee of the prescriber or dispenser because of a temporary
2452 technological or electrical failure.

2453 (b) A prescriber or dispenser or designee of a prescriber
2454 or dispenser who does not consult the system under this
2455 subsection shall document the reason he or she did not consult
2456 the system in the patient's medical record or prescription
2457 record and shall not prescribe or dispense greater than a 3-day
2458 supply of a controlled substance to the patient.

2459 (c) The department shall issue a nondisciplinary citation
2460 to any prescriber or dispenser who fails to consult the system
2461 as required by this subsection for an initial offense. Each
2462 subsequent offense is subject to disciplinary action pursuant to
2463 s. 456.073.

2464 (9) A person who willfully and knowingly fails to report
2465 the dispensing of a controlled substance as required by this
2466 section commits a misdemeanor of the first degree, punishable as
2467 provided in s. 775.082 or s. 775.083.

2468 (10) Information in the prescription drug monitoring
2469 program's system may be released only as provided in this
2470 section and s. 893.0551. The content of the system is intended
2471 to be informational only. Information in the system is not
2472 subject to discovery or introduction into evidence in any civil
2473 or administrative action against a prescriber, dispenser,
2474 pharmacy, or patient arising out of matters that are the subject
2475 of information in the system. The program manager and authorized



2476 persons who participate in preparing, reviewing, issuing, or any
2477 other activity related to management of the system may not be
2478 permitted or required to testify in any such civil or
2479 administrative action as to any findings, recommendations,
2480 evaluations, opinions, or other actions taken in connection with
2481 management of the system.

2482 (11) A prescriber or dispenser, or his or her designee,
2483 may have access to the information under this section which
2484 relates to a patient of that prescriber or dispenser as needed
2485 for the purpose of reviewing the patient's controlled drug
2486 prescription history. A prescriber or dispenser acting in good
2487 faith is immune from any civil, criminal, or administrative
2488 liability that might otherwise be incurred or imposed for
2489 receiving or using information from the prescription drug
2490 monitoring program. This subsection does not create a private
2491 cause of action, and a person may not recover damages against a
2492 prescriber or dispenser authorized to access information under
2493 this subsection for accessing or failing to access such
2494 information.

2495 (12) (a) All costs incurred by the department in
2496 administering the prescription drug monitoring program shall be
2497 funded through federal grants, private funding applied for or
2498 received by the state, or state funds appropriated in the
2499 General Appropriations Act. The department may not:

2500 1. Commit funds for the monitoring program without



2501 ensuring funding is available; or

2502 2. Use funds provided, directly or indirectly, by
2503 prescription drug manufacturers to implement the program.

2504 (b) The department shall cooperate with the direct-support
2505 organization established under subsection (15) in seeking
2506 federal grant funds, other nonstate grant funds, gifts,
2507 donations, or other private moneys for the department if the
2508 costs of doing so are immaterial. Immaterial costs include, but
2509 are not limited to, the costs of mailing and personnel assigned
2510 to research or apply for a grant. The department may
2511 competitively procure and contract pursuant to s. 287.057 for
2512 any goods and services required by this section.

2513 (13) The department shall conduct or participate in
2514 studies to examine the feasibility of enhancing the prescription
2515 drug monitoring program for the purposes of public health
2516 initiatives and statistical reporting. Such studies shall
2517 respect the privacy of the patient, the prescriber, and the
2518 dispenser. Such studies may be conducted by the department or a
2519 contracted vendor in order to:

2520 (a) Improve the quality of health care services and safety
2521 by improving prescribing and dispensing practices for controlled
2522 substances;

2523 (b) Take advantage of advances in technology;

2524 (c) Reduce duplicative prescriptions and the
2525 overprescribing of controlled substances; and



2526 (d) Reduce drug abuse.

2527 (14) The department shall annually report on performance
2528 measures to the Governor, the President of the Senate, and the
2529 Speaker of the House of Representatives by December 1.
2530 Performance measures may include, but are not limited to, the
2531 following outcomes:

2532 (a) Reduction of the rate of inappropriate use of
2533 controlled substances through department education and safety
2534 efforts.

2535 (b) Reduction of the quantity of controlled substances
2536 obtained by individuals attempting to engage in fraud and
2537 deceit.

2538 (c) Increased coordination among partners participating in
2539 the prescription drug monitoring program.

2540 (d) Involvement of stakeholders in achieving improved
2541 patient health care and safety and reduction of controlled
2542 substance abuse and controlled substance diversion.

2543 (15) The department may establish a direct-support
2544 organization to provide assistance, funding, and promotional
2545 support for the activities authorized for the prescription drug
2546 monitoring program.

2547 (a) As used in this subsection, the term "direct-support
2548 organization" means an organization that is:

2549 1. A Florida corporation not for profit incorporated under
2550 chapter 617, exempted from filing fees, and approved by the



2551 Department of State.

2552 2. Organized and operated to conduct programs and
2553 activities; raise funds; request and receive grants, gifts, and
2554 bequests of money; acquire, receive, hold, and invest, in its
2555 own name, securities, funds, objects of value, or other
2556 property, either real or personal; and make expenditures or
2557 provide funding to or for the direct or indirect benefit of the
2558 department in the furtherance of the prescription drug
2559 monitoring program.

2560 (b) The State Surgeon General shall appoint a board of
2561 directors for the direct-support organization.

2562 1. The board of directors shall consist of no fewer than
2563 five members who shall serve at the pleasure of the State
2564 Surgeon General.

2565 2. The State Surgeon General shall provide guidance to
2566 members of the board to ensure that moneys received by the
2567 direct-support organization are not received from inappropriate
2568 sources. Inappropriate sources include, but are not limited to,
2569 donors, grantors, persons, prescription drug manufacturers, or
2570 organizations that may monetarily or substantively benefit from
2571 the purchase of goods or services by the department in
2572 furtherance of the prescription drug monitoring program.

2573 (c) The direct-support organization shall operate under
2574 written contract with the department. The contract must, at a
2575 minimum, provide for:



2576 | 1. Approval of the articles of incorporation and bylaws of
2577 | the direct-support organization by the department.

2578 | 2. Submission of an annual budget for the approval of the
2579 | department.

2580 | 3. The reversion, without penalty, to the department's
2581 | grants and donations trust fund for the administration of the
2582 | prescription drug monitoring program of all moneys and property
2583 | held in trust by the direct-support organization for the benefit
2584 | of the prescription drug monitoring program if the direct-
2585 | support organization ceases to exist or if the contract is
2586 | terminated.

2587 | 4. The fiscal year of the direct-support organization,
2588 | which must begin July 1 of each year and end June 30 of the
2589 | following year.

2590 | 5. The disclosure of the material provisions of the
2591 | contract to donors of gifts, contributions, or bequests,
2592 | including such disclosure on all promotional and fundraising
2593 | publications, and an explanation to such donors of the
2594 | distinction between the department and the direct-support
2595 | organization.

2596 | 6. The direct-support organization's collecting,
2597 | expending, and providing of funds to the department for the
2598 | development, implementation, and operation of the prescription
2599 | drug monitoring program as described in this section. The
2600 | direct-support organization may collect and expend funds to be



2601 used for the functions of the direct-support organization's
2602 board of directors, as necessary and approved by the department.
2603 In addition, the direct-support organization may collect and
2604 provide funding to the department in furtherance of the
2605 prescription drug monitoring program by:

2606 a. Establishing and administering the prescription drug
2607 monitoring program's electronic system, including hardware and
2608 software.

2609 b. Conducting studies on the efficiency and effectiveness
2610 of the program to include feasibility studies as described in
2611 subsection (13).

2612 c. Providing funds for future enhancements of the program
2613 within the intent of this section.

2614 d. Providing user training of the prescription drug
2615 monitoring program, including distribution of materials to
2616 promote public awareness and education and conducting workshops
2617 or other meetings for health care practitioners, pharmacists,
2618 and others as appropriate.

2619 e. Providing funds for travel expenses.

2620 f. Providing funds for administrative costs, including
2621 personnel, audits, facilities, and equipment.

2622 g. Fulfilling all other requirements necessary to
2623 implement and operate the program as outlined in this section.

2624 7. Certification by the department that the direct-support
2625 organization is complying with the terms of the contract in a



2626 manner consistent with and in furtherance of the goals and
2627 purposes of the prescription drug monitoring program and in the
2628 best interests of the state. Such certification must be made
2629 annually and reported in the official minutes of a meeting of
2630 the direct-support organization.

2631 (d) The activities of the direct-support organization must
2632 be consistent with the goals and mission of the department, as
2633 determined by the department, and in the best interests of the
2634 state. The direct-support organization must obtain written
2635 approval from the department for any activities in support of
2636 the prescription drug monitoring program before undertaking
2637 those activities.

2638 (e) The direct-support organization shall provide for an
2639 independent annual financial audit in accordance with s.
2640 215.981. Copies of the audit shall be provided to the department
2641 and the Office of Policy and Budget in the Executive Office of
2642 the Governor.

2643 (f) The direct-support organization may not exercise any
2644 power under s. 617.0302(12) or (16).

2645 (g) The direct-support organization is not considered a
2646 lobbying firm within the meaning of s. 11.045.

2647 (h) The department may permit, without charge, appropriate
2648 use of administrative services, property, and facilities of the
2649 department by the direct-support organization, subject to this
2650 section. The use must be directly in keeping with the approved



2651 purposes of the direct-support organization and may not be made
2652 at times or places that would unreasonably interfere with
2653 opportunities for the public to use such facilities for
2654 established purposes. Any moneys received from rentals of
2655 facilities and properties managed by the department may be held
2656 in a separate depository account in the name of the direct-
2657 support organization and subject to the provisions of the letter
2658 of agreement with the department. The letter of agreement must
2659 provide that any funds held in the separate depository account
2660 in the name of the direct-support organization must revert to
2661 the department if the direct-support organization is no longer
2662 approved by the department to operate in the best interests of
2663 the state.

2664 (i) The department may adopt rules under s. 120.54 to
2665 govern the use of administrative services, property, or
2666 facilities of the department or office by the direct-support
2667 organization.

2668 (j) The department may not permit the use of any
2669 administrative services, property, or facilities of the state by
2670 a direct-support organization if that organization does not
2671 provide equal membership and employment opportunities to all
2672 persons regardless of race, color, religion, gender, age, or
2673 national origin.

2674 (k) This subsection is repealed October 1, 2027, unless
2675 reviewed and saved from repeal by the Legislature.



2676 (16) The department shall adopt rules necessary to
 2677 implement this section.

2678 Section 11. Section 893.0551, Florida Statutes, is amended
 2679 to read:

2680 893.0551 Public records exemption for the prescription
 2681 drug monitoring program.—

2682 (1) For purposes of this section, the terms used in this
 2683 section have the same meanings as provided in s. 893.055.

2684 (2) The following information of a patient or patient's
 2685 agent, a health care practitioner, a dispenser, an employee of
 2686 the practitioner who is acting on behalf of and at the direction
 2687 of the practitioner, a pharmacist, or a pharmacy that is
 2688 contained in records held by the department under s. 893.055 is
 2689 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 2690 of the State Constitution:

- 2691 (a) Name.
- 2692 (b) Address.
- 2693 (c) Telephone number.
- 2694 (d) Insurance plan number.
- 2695 (e) Government-issued identification number.
- 2696 (f) Provider number.
- 2697 (g) Drug Enforcement Administration number.
- 2698 (h) Any other unique identifying information or number.

2699 (3) The department shall disclose such ~~confidential and~~
 2700 ~~exempt~~ information to the following persons or entities upon



2701 request and after using a verification process to ensure the
2702 legitimacy of the request as provided in s. 893.055:

2703 (a) A health care practitioner, or his or her designee,
2704 who certifies that the information is necessary to provide
2705 medical treatment to a current patient in accordance with ss.
2706 893.04, 893.05, and 893.055.

2707 (b) An employee of the United States Department of
2708 Veterans Affairs, the United States Department of Defense, or
2709 the Indian Health Service who provides health care services
2710 pursuant to such employment and who has the authority to
2711 prescribe or dispense controlled substances shall have access to
2712 the information in the program's system upon verification of
2713 such employment.

2714 (c) The program manager and designated support staff for
2715 administration of the program, and to provide relevant
2716 information to the prescriber, dispenser, and appropriate law
2717 enforcement agencies, in accordance with s. 893.055.

2718 (d) The department and its relevant health care regulatory
2719 boards for investigations involving licensees authorized to
2720 prescribe or dispense controlled substances. The department or
2721 health care regulatory board may request information from the
2722 program but may not have direct access to its system. The
2723 department may provide to a law enforcement agency pursuant to
2724 ss. 456.066 and 456.073 only information that is relevant to the
2725 specific controlled substances investigation that prompted the



2726 | request for the information.

2727 | (e)-(a) The Attorney General or his or her designee when
2728 | working on Medicaid fraud cases involving prescribed controlled
2729 | substances ~~prescription drugs~~ or when the Attorney General has
2730 | initiated a review of specific identifiers of Medicaid fraud or
2731 | specific identifiers that warrant a Medicaid investigation
2732 | regarding prescribed controlled substances ~~prescription drugs~~.
2733 | The Attorney General's Medicaid fraud investigators may not have
2734 | direct access to the department's system ~~database~~. The Attorney
2735 | General or his or her designee may disclose to a criminal
2736 | justice agency, as defined in s. 119.011, only the ~~confidential~~
2737 | ~~and exempt~~ information received from the department that is
2738 | relevant to an identified active investigation that prompted the
2739 | request for the information.

2740 | ~~(b) The department's relevant health care regulatory~~
2741 | ~~boards responsible for the licensure, regulation, or discipline~~
2742 | ~~of a practitioner, pharmacist, or other person who is authorized~~
2743 | ~~to prescribe, administer, or dispense controlled substances and~~
2744 | ~~who is involved in a specific controlled substances~~
2745 | ~~investigation for prescription drugs involving a designated~~
2746 | ~~person. The health care regulatory boards may request~~
2747 | ~~information from the department but may not have direct access~~
2748 | ~~to its database. The health care regulatory boards may provide~~
2749 | ~~to a law enforcement agency pursuant to ss. 456.066 and 456.073~~
2750 | ~~only information that is relevant to the specific controlled~~



2751 ~~substances investigation that prompted the request for the~~
2752 ~~information.~~

2753 (f)~~(e)~~ A law enforcement agency that has initiated an
2754 active investigation involving a specific violation of law
2755 regarding prescription drug abuse or diversion of prescribed
2756 controlled substances and that has entered into a user agreement
2757 with the department. A law enforcement agency may request
2758 information from the department but may not have direct access
2759 to its system database. The law enforcement agency may disclose
2760 to a criminal justice agency, as defined in s. 119.011, only
2761 ~~confidential and exempt~~ information received from the department
2762 that is relevant to an identified active investigation that
2763 prompted the request for such information.

2764 (g) A district medical examiner or associate medical
2765 examiner, as described in s. 406.06, pursuant to his or her
2766 official duties, as required by s. 406.11, to determine the
2767 cause of death of an individual. Such medical examiners may
2768 request information from the department but may not have direct
2769 access to the system

2770 ~~(d) A health care practitioner, or his or her designee,~~
2771 ~~who certifies that the information is necessary to provide~~
2772 ~~medical treatment to a current patient in accordance with ss.~~
2773 ~~893.05 and 893.055.~~

2774 ~~(e) A pharmacist, or his or her designee, who certifies~~
2775 ~~that the requested information will be used to dispense~~



2776 ~~controlled substances to a current patient in accordance with~~
2777 ~~ss. 893.04 and 893.055.~~

2778 ~~(f) A patient or the legal guardian or designated health~~
2779 ~~care surrogate for an incapacitated patient, if applicable,~~
2780 ~~making a request as provided in s. 893.055(7)(c)4.~~

2781 ~~(g) The patient's pharmacy, prescriber, or dispenser, or~~
2782 ~~the designee of the pharmacy, prescriber, or dispenser, who~~
2783 ~~certifies that the information is necessary to provide medical~~
2784 ~~treatment to his or her current patient in accordance with s.~~
2785 ~~893.055.~~

2786 (h) An impaired practitioner consultant who has been
2787 authorized in writing by a participant in, or by a referral to,
2788 the impaired practitioner program to access and review
2789 information as provided in s. 893.055(5)(e) ~~893.055(7)(e)5.~~

2790 (i) A patient or the legal guardian or designated health
2791 care surrogate for an incapacitated patient, if applicable,
2792 making a request as provided in s. 893.055(5)(f).

2793 (4) If the department determines consistent with its rules
2794 that a pattern of controlled substance abuse exists, the
2795 department may disclose such confidential and exempt information
2796 to the applicable law enforcement agency in accordance with s.
2797 893.055. The law enforcement agency may disclose to a criminal
2798 justice agency, as defined in s. 119.011, only ~~confidential and~~
2799 ~~exempt~~ information received from the department that is relevant
2800 to an identified active investigation that is specific to a



2801 violation of s. 893.13(7)(a)8., s. 893.13(8)(a), or s.
2802 893.13(8)(b).

2803 (5) Before disclosing ~~confidential and exempt~~ information
2804 to a criminal justice agency or a law enforcement agency
2805 pursuant to this section, the disclosing person or entity must
2806 take steps to ensure the continued confidentiality of all
2807 ~~confidential and exempt~~ information. At a minimum, these steps
2808 must include redacting any nonrelevant information.

2809 (6) An agency or person who obtains any ~~confidential and~~
2810 ~~exempt~~ information pursuant to this section must maintain the
2811 confidential and exempt status of that information and may not
2812 disclose such information unless authorized by law. Information
2813 shared with a state attorney pursuant to paragraph (3)(f) ~~(3)(a)~~
2814 or paragraph (3)(h) ~~(3)(e)~~ may be released only in response to a
2815 discovery demand if such information is directly related to the
2816 criminal case for which the information was requested. Unrelated
2817 information may be released only upon an order of a court of
2818 competent jurisdiction.

2819 (7) A person who willfully and knowingly violates this
2820 section commits a felony of the third degree, punishable as
2821 provided in s. 775.082, s. 775.083, or s. 775.084.

2822 Section 12. Paragraphs (a), (c), (d), (e), (f), and (h) of
2823 subsection (1), subsection (2), paragraphs (a) and (b) of
2824 subsection (4), and subsections (5) and (7) of section 893.13,
2825 Florida Statutes, are amended to read:



2826 893.13 Prohibited acts; penalties.—

2827 (1) (a) Except as authorized by this chapter and chapter

2828 499, a person may not sell, manufacture, or deliver, or possess

2829 with intent to sell, manufacture, or deliver, a controlled

2830 substance. A person who violates this provision with respect to:

2831 1. A controlled substance named or described in s.

2832 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5.

2833 ~~(2) (e) 4.~~ commits a felony of the second degree, punishable as

2834 provided in s. 775.082, s. 775.083, or s. 775.084.

2835 2. A controlled substance named or described in s.

2836 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., ~~(2) (e) 5.,~~ (2) (c) 6.,

2837 (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) commits a

2838 felony of the third degree, punishable as provided in s.

2839 775.082, s. 775.083, or s. 775.084.

2840 3. A controlled substance named or described in s.

2841 893.03(5) commits a misdemeanor of the first degree, punishable

2842 as provided in s. 775.082 or s. 775.083.

2843 (c) Except as authorized by this chapter, a person may not

2844 sell, manufacture, or deliver, or possess with intent to sell,

2845 manufacture, or deliver, a controlled substance in, on, or

2846 within 1,000 feet of the real property comprising a child care

2847 facility as defined in s. 402.302 or a public or private

2848 elementary, middle, or secondary school between the hours of 6

2849 a.m. and 12 midnight, or at any time in, on, or within 1,000

2850 feet of real property comprising a state, county, or municipal



2851 park, a community center, or a publicly owned recreational
2852 facility. As used in this paragraph, the term "community center"
2853 means a facility operated by a nonprofit community-based
2854 organization for the provision of recreational, social, or
2855 educational services to the public. A person who violates this
2856 paragraph with respect to:

2857 1. A controlled substance named or described in s.
2858 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2859 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2860 provided in s. 775.082, s. 775.083, or s. 775.084. The defendant
2861 must be sentenced to a minimum term of imprisonment of 3
2862 calendar years unless the offense was committed within 1,000
2863 feet of the real property comprising a child care facility as
2864 defined in s. 402.302.

2865 2. A controlled substance named or described in s.
2866 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.~~, (2)(c)6.,
2867 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2868 felony of the second degree, punishable as provided in s.
2869 775.082, s. 775.083, or s. 775.084.

2870 3. Any other controlled substance, except as lawfully
2871 sold, manufactured, or delivered, must be sentenced to pay a
2872 \$500 fine and to serve 100 hours of public service in addition
2873 to any other penalty prescribed by law.

2874
2875 This paragraph does not apply to a child care facility unless



2876 the owner or operator of the facility posts a sign that is not
2877 less than 2 square feet in size with a word legend identifying
2878 the facility as a licensed child care facility and that is
2879 posted on the property of the child care facility in a
2880 conspicuous place where the sign is reasonably visible to the
2881 public.

2882 (d) Except as authorized by this chapter, a person may not
2883 sell, manufacture, or deliver, or possess with intent to sell,
2884 manufacture, or deliver, a controlled substance in, on, or
2885 within 1,000 feet of the real property comprising a public or
2886 private college, university, or other postsecondary educational
2887 institution. A person who violates this paragraph with respect
2888 to:

2889 1. A controlled substance named or described in s.
2890 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2891 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2892 provided in s. 775.082, s. 775.083, or s. 775.084.

2893 2. A controlled substance named or described in s.
2894 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2895 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2896 felony of the second degree, punishable as provided in s.
2897 775.082, s. 775.083, or s. 775.084.

2898 3. Any other controlled substance, except as lawfully
2899 sold, manufactured, or delivered, must be sentenced to pay a
2900 \$500 fine and to serve 100 hours of public service in addition



2901 to any other penalty prescribed by law.

2902 (e) Except as authorized by this chapter, a person may not
2903 sell, manufacture, or deliver, or possess with intent to sell,
2904 manufacture, or deliver, a controlled substance not authorized
2905 by law in, on, or within 1,000 feet of a physical place for
2906 worship at which a church or religious organization regularly
2907 conducts religious services or within 1,000 feet of a
2908 convenience business as defined in s. 812.171. A person who
2909 violates this paragraph with respect to:

2910 1. A controlled substance named or described in s.
2911 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2912 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2913 provided in s. 775.082, s. 775.083, or s. 775.084.

2914 2. A controlled substance named or described in s.
2915 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2916 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2917 felony of the second degree, punishable as provided in s.
2918 775.082, s. 775.083, or s. 775.084.

2919 3. Any other controlled substance, except as lawfully
2920 sold, manufactured, or delivered, must be sentenced to pay a
2921 \$500 fine and to serve 100 hours of public service in addition
2922 to any other penalty prescribed by law.

2923 (f) Except as authorized by this chapter, a person may not
2924 sell, manufacture, or deliver, or possess with intent to sell,
2925 manufacture, or deliver, a controlled substance in, on, or



2926 within 1,000 feet of the real property comprising a public
2927 housing facility at any time. As used in this section, the term
2928 "real property comprising a public housing facility" means real
2929 property, as defined in s. 421.03(12), of a public corporation
2930 created as a housing authority pursuant to part I of chapter
2931 421. A person who violates this paragraph with respect to:

2932 1. A controlled substance named or described in s.
2933 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2934 ~~(2)(e)4.~~ commits a felony of the first degree, punishable as
2935 provided in s. 775.082, s. 775.083, or s. 775.084.

2936 2. A controlled substance named or described in s.
2937 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(e)5.,~~ (2)(c)6.,
2938 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2939 felony of the second degree, punishable as provided in s.
2940 775.082, s. 775.083, or s. 775.084.

2941 3. Any other controlled substance, except as lawfully
2942 sold, manufactured, or delivered, must be sentenced to pay a
2943 \$500 fine and to serve 100 hours of public service in addition
2944 to any other penalty prescribed by law.

2945 (h) Except as authorized by this chapter, a person may not
2946 sell, manufacture, or deliver, or possess with intent to sell,
2947 manufacture, or deliver, a controlled substance in, on, or
2948 within 1,000 feet of the real property comprising an assisted
2949 living facility, as that term is used in chapter 429. A person
2950 who violates this paragraph with respect to:



2951 1. A controlled substance named or described in s.
2952 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2953 ~~(2)(c)4.~~ commits a felony of the first degree, punishable as
2954 provided in s. 775.082, s. 775.083, or s. 775.084.

2955 2. A controlled substance named or described in s.
2956 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2957 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2958 felony of the second degree, punishable as provided in s.
2959 775.082, s. 775.083, or s. 775.084.

2960 3. Any other controlled substance, except as lawfully
2961 sold, manufactured, or delivered, must be sentenced to pay a
2962 \$500 fine and to serve 100 hours of public service in addition
2963 to any other penalty prescribed by law.

2964 (2)(a) Except as authorized by this chapter and chapter
2965 499, a person may not purchase, or possess with intent to
2966 purchase, a controlled substance. A person who violates this
2967 provision with respect to:

2968 1. A controlled substance named or described in s.
2969 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2970 ~~(2)(c)4.~~ commits a felony of the second degree, punishable as
2971 provided in s. 775.082, s. 775.083, or s. 775.084.

2972 2. A controlled substance named or described in s.
2973 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
2974 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
2975 felony of the third degree, punishable as provided in s.



2976 | 775.082, s. 775.083, or s. 775.084.

2977 | 3. A controlled substance named or described in s.
2978 | 893.03(5) commits a misdemeanor of the first degree, punishable
2979 | as provided in s. 775.082 or s. 775.083.

2980 | (b) Except as provided in this chapter, a person may not
2981 | purchase more than 10 grams of any substance named or described
2982 | in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any
2983 | mixture containing any such substance. A person who violates
2984 | this paragraph commits a felony of the first degree, punishable
2985 | as provided in s. 775.082, s. 775.083, or s. 775.084.

2986 | (4) Except as authorized by this chapter, a person 18
2987 | years of age or older may not deliver any controlled substance
2988 | to a person younger than 18 years of age, use or hire a person
2989 | younger than 18 years of age as an agent or employee in the sale
2990 | or delivery of such a substance, or use such person to assist in
2991 | avoiding detection or apprehension for a violation of this
2992 | chapter. A person who violates this subsection with respect to:

2993 | (a) A controlled substance named or described in s.
2994 | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
2995 | ~~(2)(e)4.~~ commits a felony of the first degree, punishable as
2996 | provided in s. 775.082, s. 775.083, or s. 775.084.

2997 | (b) A controlled substance named or described in s.
2998 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(e)5.,~~ (2)(c)6.,
2999 | (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
3000 | felony of the second degree, punishable as provided in s.



3001 775.082, s. 775.083, or s. 775.084.

3002

3003 Imposition of sentence may not be suspended or deferred, and the
3004 person so convicted may not be placed on probation.

3005 (5) A person may not bring into this state any controlled
3006 substance unless the possession of such controlled substance is
3007 authorized by this chapter or unless such person is licensed to
3008 do so by the appropriate federal agency. A person who violates
3009 this provision with respect to:

3010 (a) A controlled substance named or described in s.
3011 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
3012 ~~(2)(c)4.~~ commits a felony of the second degree, punishable as
3013 provided in s. 775.082, s. 775.083, or s. 775.084.

3014 (b) A controlled substance named or described in s.
3015 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., ~~(2)(c)5.,~~ (2)(c)6.,
3016 (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a
3017 felony of the third degree, punishable as provided in s.
3018 775.082, s. 775.083, or s. 775.084.

3019 (c) A controlled substance named or described in s.
3020 893.03(5) commits a misdemeanor of the first degree, punishable
3021 as provided in s. 775.082 or s. 775.083.

3022 (7)

3023 (e) A person or health care practitioner who violates the
3024 provisions of subparagraph (a)13. or paragraph (b) commits a
3025 felony of the second ~~third~~ degree, punishable as provided in s.



3026 775.082, s. 775.083, or s. 775.084, if any controlled substance
3027 that is the subject of the offense is listed in Schedule II,
3028 Schedule III, or Schedule IV.

3029 Section 13. Section 893.147, Florida Statutes, is amended,
3030 to read:

3031 893.147 Use, possession, manufacture, delivery,
3032 transportation, advertisement, or retail sale of drug
3033 paraphernalia, specified machines, and materials.—

3034 (1) USE OR POSSESSION OF DRUG PARAPHERNALIA.—It is
3035 unlawful for any person to use, or to possess with intent to
3036 use, drug paraphernalia:

3037 (a) To plant, propagate, cultivate, grow, harvest,
3038 manufacture, compound, convert, produce, process, prepare, test,
3039 analyze, pack, repack, store, contain, or conceal a controlled
3040 substance in violation of this chapter; or

3041 (b) To inject, ingest, inhale, or otherwise introduce into
3042 the human body a controlled substance in violation of this
3043 chapter.

3044
3045 Any person who violates this subsection is guilty of a
3046 misdemeanor of the first degree, punishable as provided in s.
3047 775.082 or s. 775.083.

3048 (2) MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA.—It is
3049 unlawful for any person to deliver, possess with intent to
3050 deliver, or manufacture with intent to deliver drug



3051 paraphernalia, knowing, or under circumstances where one
3052 reasonably should know, that it will be used:

3053 (a) To plant, propagate, cultivate, grow, harvest,
3054 manufacture, compound, convert, produce, process, prepare, test,
3055 analyze, pack, repack, store, contain, or conceal a controlled
3056 substance in violation of this act; or

3057 (b) To inject, ingest, inhale, or otherwise introduce into
3058 the human body a controlled substance in violation of this act.

3059

3060 Any person who violates this subsection is guilty of a felony of
3061 the third degree, punishable as provided in s. 775.082, s.
3062 775.083, or s. 775.084.

3063 (3) DELIVERY OF DRUG PARAPHERNALIA TO A MINOR.—

3064 (a) Any person 18 years of age or over who violates
3065 subsection (2) by delivering drug paraphernalia to a person
3066 under 18 years of age is guilty of a felony of the second
3067 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3068 775.084.

3069 (b) It is unlawful for any person to sell or otherwise
3070 deliver hypodermic syringes, needles, or other objects which may
3071 be used, are intended for use, or are designed for use in
3072 parenterally injecting substances into the human body to any
3073 person under 18 years of age, except that hypodermic syringes,
3074 needles, or other such objects may be lawfully dispensed to a
3075 person under 18 years of age by a licensed practitioner, parent,



3076 or legal guardian or by a pharmacist pursuant to a valid
3077 prescription for same. Any person who violates the provisions of
3078 this paragraph is guilty of a misdemeanor of the first degree,
3079 punishable as provided in s. 775.082 or s. 775.083.

3080 (4) TRANSPORTATION OF DRUG PARAPHERNALIA.—It is unlawful
3081 to use, possess with the intent to use, or manufacture with the
3082 intent to use drug paraphernalia, knowing or under circumstances
3083 in which one reasonably should know that it will be used to
3084 transport:

3085 (a) A controlled substance in violation of this chapter;
3086 or

3087 (b) Contraband as defined in s. 932.701(2)(a)1.

3088
3089 Any person who violates this subsection commits a felony of the
3090 third degree, punishable as provided in s. 775.082, s. 775.083,
3091 or s. 775.084.

3092 (5) ADVERTISEMENT OF DRUG PARAPHERNALIA.—It is unlawful
3093 for any person to place in any newspaper, magazine, handbill, or
3094 other publication any advertisement, knowing, or under
3095 circumstances where one reasonably should know, that the purpose
3096 of the advertisement, in whole or in part, is to promote the
3097 sale of objects designed or intended for use as drug
3098 paraphernalia. Any person who violates this subsection is guilty
3099 of a misdemeanor of the first degree, punishable as provided in
3100 s. 775.082 or s. 775.083.



3101 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

3102 (a) It is unlawful for a person to knowingly and willfully
3103 sell or offer for sale at retail any drug paraphernalia
3104 described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe
3105 that is primarily made of briar, meerschaum, clay, or corn cob.

3106 (b) A person who violates paragraph (a) commits a
3107 misdemeanor of the first degree, punishable as provided in s.
3108 775.082 or s. 775.083, and, upon a second or subsequent
3109 violation, commits a felony of the third degree, punishable as
3110 provided in s. 775.082, s. 775.083, or s. 775.084.

3111 (7) TABLETING MACHINES, ENCAPSULATING MACHINES, AND
3112 CONTROLLED SUBSTANCE COUNTERFEITING MATERIALS.—

3113 (a) Except as provided in paragraph (b), it is unlawful
3114 for any person to possess, purchase, deliver, sell, or possess
3115 with intent to sell or deliver a tableting machine, an
3116 encapsulating machine, or controlled substance counterfeiting
3117 materials knowing, intending, or having reasonable cause to
3118 believe that it will be used to manufacture a controlled
3119 substance or counterfeit controlled substance.

3120 (b)1. A regulated person may possess, purchase, deliver,
3121 sell, or possess with intent to deliver or sell a tableting
3122 machine or encapsulating machine as part of a regulated
3123 transaction with a regular customer or regular importer if he or
3124 she is in compliance with 21 U.S.C. s. 830. For purposes of this
3125 paragraph, the terms "regulated person," "regulated



3126 transaction," "regular customer," and "regular importer" have
3127 the same meanings as provided in 21 U.S.C. s. 802.

3128 2. A person registered under 21 U.S.C. s. 822 may possess,
3129 purchase, deliver, sell, or possess with intent to deliver or
3130 sell a tableting machine or encapsulating machine to manufacture
3131 a controlled substance pursuant to such registration.

3132 3. A person who holds an active, unencumbered license or a
3133 permit under s. 381.986 or chapter 465 may possess, purchase,
3134 deliver, sell, or possess with intent to sell or deliver a
3135 tableting machine or encapsulating machine to manufacture a
3136 controlled substance, if such person is performing functions in
3137 compliance with or under the authority of that license or
3138 permit.

3139 (c) For purposes of this subsection, the term:

3140 1. "Controlled substance" has the same meaning as provided
3141 in s. 893.02(4).

3142 2. "Controlled substance counterfeiting material" means a
3143 punch, die, plate, stone, or other item designed to print,
3144 imprint, or reproduce the trademark, trade name, or other
3145 identifying mark, imprint, or device of another or any likeness
3146 of any of the foregoing upon a drug or container or labeling
3147 thereof so as to render such drug a counterfeit controlled
3148 substance.

3149 3. "Counterfeit controlled substance" has the same meaning
3150 as provided in s. 831.31(2).



3151 4. "Encapsulating machine" means manual, semiautomatic, or
3152 fully automatic equipment that can be used to fill shells or
3153 capsules with powdered or granular solids or semisolid material
3154 to produce coherent solid tablets.

3155 5. "Tableting machine" means manual, semiautomatic, or
3156 fully automatic equipment that can be used to compact or mold
3157 powdered or granular solids or semisolid material to produce
3158 coherent solid tablets.

3159 (d)1. Except as provided in subparagraph 2., a person who
3160 violates this subsection commits a felony of the third degree,
3161 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3162 2. Any person who violates this subsection knowing,
3163 intending, or having reasonable cause to believe that such
3164 action will result in the unlawful manufacture of a controlled
3165 substance or counterfeit controlled substance that contains:

3166 a. A substance controlled under s. 893.03(1);

3167 b. Cocaine, as described in s. 893.03(2)(a)4.;

3168 c. Opium or any synthetic or natural salt, compound,
3169 derivative, or preparation of opium;

3170 d. Methadone;

3171 e. Alfentanil, as described in s. 893.03(2)(b)1.;

3172 f. Carfentanil, as described in s. 893.03(2)(b)6.;

3173 g. Fentanyl, as described in s. 893.03(2)(b)9.;

3174 h. Sufentanil, as described in s. 893.03(2)(b)30.; or

3175 i. A controlled substance analog, as described in s.



3176 | 893.0356, of any substance specified in sub-subparagraphs a.-h.,
3177 |
3178 | commits a felony of the second degree, punishable as provided in
3179 | s. 775.082, s. 775.083, or s. 775.084.

3180 | Section 14. Effective January 1, 2019, paragraphs (pp) and
3181 | (qq) of subsection (1) of section 458.331, Florida Statutes, are
3182 | amended to read:

3183 | 458.331 Grounds for disciplinary action; action by the
3184 | board and department.—

3185 | (1) The following acts constitute grounds for denial of a
3186 | license or disciplinary action, as specified in s. 456.072(2):

3187 | (pp) Applicable to a licensee who serves as the designated
3188 | physician of a pain-management clinic as defined in s. 458.3265
3189 | or s. 459.0137:

3190 | 1. Registering a pain-management clinic through
3191 | misrepresentation or fraud;

3192 | 2. Procuring, or attempting to procure, the registration
3193 | of a pain-management clinic for any other person by making or
3194 | causing to be made, any false representation;

3195 | 3. Failing to comply with any requirement of chapter 499,
3196 | the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the
3197 | Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq.,
3198 | the Drug Abuse Prevention and Control Act; or chapter 893, the
3199 | Florida Comprehensive Drug Abuse Prevention and Control Act;

3200 | 4. Being convicted or found guilty of, regardless of



3201 adjudication to, a felony or any other crime involving moral
3202 turpitude, fraud, dishonesty, or deceit in any jurisdiction of
3203 the courts of this state, of any other state, or of the United
3204 States;

3205 5. Being convicted of, or disciplined by a regulatory
3206 agency of the Federal Government or a regulatory agency of
3207 another state for, any offense that would constitute a violation
3208 of this chapter;

3209 6. Being convicted of, or entering a plea of guilty or
3210 nolo contendere to, regardless of adjudication, a crime in any
3211 jurisdiction of the courts of this state, of any other state, or
3212 of the United States which relates to the practice of, or the
3213 ability to practice, a licensed health care profession;

3214 7. Being convicted of, or entering a plea of guilty or
3215 nolo contendere to, regardless of adjudication, a crime in any
3216 jurisdiction of the courts of this state, of any other state, or
3217 of the United States which relates to health care fraud;

3218 8. Dispensing any medicinal drug based upon a
3219 communication that purports to be a prescription as defined in
3220 s. 465.003(14) or s. 893.02 if the dispensing practitioner knows
3221 or has reason to believe that the purported prescription is not
3222 based upon a valid practitioner-patient relationship; or

3223 9. Failing to timely notify the board of the date of his
3224 or her termination from a pain-management clinic as required by
3225 s. 458.3265(3) ~~458.3265(2)~~.



3226 (qq) Failing to timely notify the department of the theft
3227 of prescription blanks from a pain-management clinic or a breach
3228 of other methods for prescribing within 24 hours as required by
3229 s. 458.3265(3) ~~458.3265(2)~~.

3230 Section 15. Effective January 1, 2019, paragraphs (rr)
3231 and (ss) of subsection (1) of section 459.015, Florida Statutes,
3232 are amended to read:

3233 459.015 Grounds for disciplinary action; action by the
3234 board and department.—

3235 (1) The following acts constitute grounds for denial of a
3236 license or disciplinary action, as specified in s. 456.072(2):

3237 (rr) Applicable to a licensee who serves as the designated
3238 physician of a pain-management clinic as defined in s. 458.3265
3239 or s. 459.0137:

3240 1. Registering a pain-management clinic through
3241 misrepresentation or fraud;

3242 2. Procuring, or attempting to procure, the registration
3243 of a pain-management clinic for any other person by making or
3244 causing to be made, any false representation;

3245 3. Failing to comply with any requirement of chapter 499,
3246 the Florida Drug and Cosmetic Act; 21 U.S.C. ss. 301-392, the
3247 Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq.,
3248 the Drug Abuse Prevention and Control Act; or chapter 893, the
3249 Florida Comprehensive Drug Abuse Prevention and Control Act;

3250 4. Being convicted or found guilty of, regardless of



3251 adjudication to, a felony or any other crime involving moral
3252 turpitude, fraud, dishonesty, or deceit in any jurisdiction of
3253 the courts of this state, of any other state, or of the United
3254 States;

3255 5. Being convicted of, or disciplined by a regulatory
3256 agency of the Federal Government or a regulatory agency of
3257 another state for, any offense that would constitute a violation
3258 of this chapter;

3259 6. Being convicted of, or entering a plea of guilty or
3260 nolo contendere to, regardless of adjudication, a crime in any
3261 jurisdiction of the courts of this state, of any other state, or
3262 of the United States which relates to the practice of, or the
3263 ability to practice, a licensed health care profession;

3264 7. Being convicted of, or entering a plea of guilty or
3265 nolo contendere to, regardless of adjudication, a crime in any
3266 jurisdiction of the courts of this state, of any other state, or
3267 of the United States which relates to health care fraud;

3268 8. Dispensing any medicinal drug based upon a
3269 communication that purports to be a prescription as defined in
3270 s. 465.003(14) or s. 893.02 if the dispensing practitioner knows
3271 or has reason to believe that the purported prescription is not
3272 based upon a valid practitioner-patient relationship; or

3273 9. Failing to timely notify the board of the date of his
3274 or her termination from a pain-management clinic as required by
3275 s. 459.0137(3) ~~459.0137(2)~~.



3276 (ss) Failing to timely notify the department of the theft
3277 of prescription blanks from a pain-management clinic or a breach
3278 of other methods for prescribing within 24 hours as required by
3279 s. 459.0137(3) ~~459.0137(2)~~.

3280 Section 16. Paragraph (b) of subsection (4) of section
3281 463.0055, Florida Statutes, is amended to read:

3282 463.0055 Administration and prescription of ocular
3283 pharmaceutical agents.—

3284 (4) A certified optometrist shall be issued a prescriber
3285 number by the board. Any prescription written by a certified
3286 optometrist for an ocular pharmaceutical agent pursuant to this
3287 section shall have the prescriber number printed thereon. A
3288 certified optometrist may not administer or prescribe:

3289 (b) A controlled substance for the treatment of chronic
3290 nonmalignant pain as defined in s. 456.44(1)(f) ~~456.44(1)(e)~~.

3291 Section 17. Paragraph (a) of subsection (1) of section
3292 782.04, Florida Statutes, is amended to read:

3293 782.04 Murder.—

3294 (1)(a) The unlawful killing of a human being:

3295 1. When perpetrated from a premeditated design to effect
3296 the death of the person killed or any human being;

3297 2. When committed by a person engaged in the perpetration
3298 of, or in the attempt to perpetrate, any:

3299 a. Trafficking offense prohibited by s. 893.135(1),

3300 b. Arson,



- 3301 c. Sexual battery,
- 3302 d. Robbery,
- 3303 e. Burglary,
- 3304 f. Kidnapping,
- 3305 g. Escape,
- 3306 h. Aggravated child abuse,
- 3307 i. Aggravated abuse of an elderly person or disabled
- 3308 adult,
- 3309 j. Aircraft piracy,
- 3310 k. Unlawful throwing, placing, or discharging of a
- 3311 destructive device or bomb,
- 3312 l. Carjacking,
- 3313 m. Home-invasion robbery,
- 3314 n. Aggravated stalking,
- 3315 o. Murder of another human being,
- 3316 p. Resisting an officer with violence to his or her
- 3317 person,
- 3318 q. Aggravated fleeing or eluding with serious bodily
- 3319 injury or death,
- 3320 r. Felony that is an act of terrorism or is in furtherance
- 3321 of an act of terrorism, including a felony under s. 775.30, s.
- 3322 775.32, s. 775.33, s. 775.34, or s. 775.35, or
- 3323 s. Human trafficking; or
- 3324 3. Which resulted from the unlawful distribution by a
- 3325 person 18 years of age or older of any of the following



3326 substances, or mixture containing any of the following
 3327 substances, when such substance or mixture is proven to be the
 3328 proximate cause of the death of the user:

- 3329 a. A substance controlled under s. 893.03(1);
- 3330 b. Cocaine, as described in s. 893.03(2)(a)4.;
- 3331 c. Opium or any synthetic or natural salt, compound,
- 3332 derivative, or preparation of opium;
- 3333 d. Methadone;
- 3334 e. Alfentanil, as described in s. 893.03(2)(b)1.;
- 3335 f. Carfentanil, as described in s. 893.03(2)(b)6.;
- 3336 g. Fentanyl, as described in s. 893.03(2)(b)9.;
- 3337 h. Sufentanil, as described in s. 893.03(2)(b)30.
- 3338 ~~893.03(2)(b)29.~~; or
- 3339 i. A controlled substance analog, as described in s.
- 3340 893.0356, of any substance specified in sub-subparagraphs a.-h.,
- 3341
- 3342 is murder in the first degree and constitutes a capital felony,
- 3343 punishable as provided in s. 775.082.

3344 Section 18. Paragraphs (c) and (f) of subsection (1) of
 3345 section 893.135, Florida Statutes, are amended to read:

3346 893.135 Trafficking; mandatory sentences; suspension or
 3347 reduction of sentences; conspiracy to engage in trafficking.—

3348 (1) Except as authorized in this chapter or in chapter 499
 3349 and notwithstanding the provisions of s. 893.13:

3350 (c)1. A person who knowingly sells, purchases,



3351 manufactures, delivers, or brings into this state, or who is
3352 knowingly in actual or constructive possession of, 4 grams or
3353 more of any morphine, opium, hydromorphone, or any salt,
3354 derivative, isomer, or salt of an isomer thereof, including
3355 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or
3356 (3)(c)4., or 4 grams or more of any mixture containing any such
3357 substance, but less than 30 kilograms of such substance or
3358 mixture, commits a felony of the first degree, which felony
3359 shall be known as "trafficking in illegal drugs," punishable as
3360 provided in s. 775.082, s. 775.083, or s. 775.084. If the
3361 quantity involved:

3362 a. Is 4 grams or more, but less than 14 grams, such person
3363 shall be sentenced to a mandatory minimum term of imprisonment
3364 of 3 years and shall be ordered to pay a fine of \$50,000.

3365 b. Is 14 grams or more, but less than 28 grams, such
3366 person shall be sentenced to a mandatory minimum term of
3367 imprisonment of 15 years and shall be ordered to pay a fine of
3368 \$100,000.

3369 c. Is 28 grams or more, but less than 30 kilograms, such
3370 person shall be sentenced to a mandatory minimum term of
3371 imprisonment of 25 years and shall be ordered to pay a fine of
3372 \$500,000.

3373 2. A person who knowingly sells, purchases, manufactures,
3374 delivers, or brings into this state, or who is knowingly in
3375 actual or constructive possession of, 14 grams or more of



3376 hydrocodone, as described in s. 893.03(2)(a)1.k.
3377 ~~893.03(2)(a)1.j.~~, codeine, as described in s. 893.03(2)(a)1.g.,
3378 or any salt thereof, or 14 grams or more of any mixture
3379 containing any such substance, commits a felony of the first
3380 degree, which felony shall be known as "trafficking in
3381 hydrocodone," punishable as provided in s. 775.082, s. 775.083,
3382 or s. 775.084. If the quantity involved:

3383 a. Is 14 grams or more, but less than 28 grams, such
3384 person shall be sentenced to a mandatory minimum term of
3385 imprisonment of 3 years and shall be ordered to pay a fine of
3386 \$50,000.

3387 b. Is 28 grams or more, but less than 50 grams, such
3388 person shall be sentenced to a mandatory minimum term of
3389 imprisonment of 7 years and shall be ordered to pay a fine of
3390 \$100,000.

3391 c. Is 50 grams or more, but less than 200 grams, such
3392 person shall be sentenced to a mandatory minimum term of
3393 imprisonment of 15 years and shall be ordered to pay a fine of
3394 \$500,000.

3395 d. Is 200 grams or more, but less than 30 kilograms, such
3396 person shall be sentenced to a mandatory minimum term of
3397 imprisonment of 25 years and shall be ordered to pay a fine of
3398 \$750,000.

3399 3. A person who knowingly sells, purchases, manufactures,
3400 delivers, or brings into this state, or who is knowingly in



3401 actual or constructive possession of, 7 grams or more of
3402 oxycodone, as described in s. 893.03(2)(a)1.g. ~~893.03(2)(a)1.e.~~,
3403 or any salt thereof, or 7 grams or more of any mixture
3404 containing any such substance, commits a felony of the first
3405 degree, which felony shall be known as "trafficking in
3406 oxycodone," punishable as provided in s. 775.082, s. 775.083, or
3407 s. 775.084. If the quantity involved:

3408 a. Is 7 grams or more, but less than 14 grams, such person
3409 shall be sentenced to a mandatory minimum term of imprisonment
3410 of 3 years and shall be ordered to pay a fine of \$50,000.

3411 b. Is 14 grams or more, but less than 25 grams, such
3412 person shall be sentenced to a mandatory minimum term of
3413 imprisonment of 7 years and shall be ordered to pay a fine of
3414 \$100,000.

3415 c. Is 25 grams or more, but less than 100 grams, such
3416 person shall be sentenced to a mandatory minimum term of
3417 imprisonment of 15 years and shall be ordered to pay a fine of
3418 \$500,000.

3419 d. Is 100 grams or more, but less than 30 kilograms, such
3420 person shall be sentenced to a mandatory minimum term of
3421 imprisonment of 25 years and shall be ordered to pay a fine of
3422 \$750,000.

3423 4.a. A person who knowingly sells, purchases,
3424 manufactures, delivers, or brings into this state, or who is
3425 knowingly in actual or constructive possession of, 4 grams or



3426 | more of:

3427 | (I) Alfentanil, as described in s. 893.03(2)(b)1.;

3428 | (II) Carfentanil, as described in s. 893.03(2)(b)6.;

3429 | (III) Fentanyl, as described in s. 893.03(2)(b)9.;

3430 | (IV) Sufentanil, as described in s. 893.03(2)(b)30.

3431 | ~~893.03(2)(b)29.;~~

3432 | (V) A fentanyl derivative, as described in s.

3433 | 893.03(1)(a)62.;

3434 | (VI) A controlled substance analog, as described in s.

3435 | 893.0356, of any substance described in sub-sub-subparagraphs

3436 | (I)-(V); or

3437 | (VII) A mixture containing any substance described in sub-

3438 | sub-subparagraphs (I)-(VI),

3439 |

3440 | commits a felony of the first degree, which felony shall be

3441 | known as "trafficking in fentanyl," punishable as provided in s.

3442 | 775.082, s. 775.083, or s. 775.084.

3443 | b. If the quantity involved under sub-subparagraph a.:

3444 | (I) Is 4 grams or more, but less than 14 grams, such

3445 | person shall be sentenced to a mandatory minimum term of

3446 | imprisonment of 3 years, and shall be ordered to pay a fine of

3447 | \$50,000.

3448 | (II) Is 14 grams or more, but less than 28 grams, such

3449 | person shall be sentenced to a mandatory minimum term of

3450 | imprisonment of 15 years, and shall be ordered to pay a fine of



3451 \$100,000.

3452 (III) Is 28 grams or more, such person shall be sentenced
3453 to a mandatory minimum term of imprisonment of 25 years, and
3454 shall be ordered to pay a fine of \$500,000.

3455 5. A person who knowingly sells, purchases, manufactures,
3456 delivers, or brings into this state, or who is knowingly in
3457 actual or constructive possession of, 30 kilograms or more of
3458 any morphine, opium, oxycodone, hydrocodone, codeine,
3459 hydromorphone, or any salt, derivative, isomer, or salt of an
3460 isomer thereof, including heroin, as described in s.
3461 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
3462 more of any mixture containing any such substance, commits the
3463 first degree felony of trafficking in illegal drugs. A person
3464 who has been convicted of the first degree felony of trafficking
3465 in illegal drugs under this subparagraph shall be punished by
3466 life imprisonment and is ineligible for any form of
3467 discretionary early release except pardon or executive clemency
3468 or conditional medical release under s. 947.149. However, if the
3469 court determines that, in addition to committing any act
3470 specified in this paragraph:

3471 a. The person intentionally killed an individual or
3472 counseled, commanded, induced, procured, or caused the
3473 intentional killing of an individual and such killing was the
3474 result; or

3475 b. The person's conduct in committing that act led to a



3476 natural, though not inevitable, lethal result,
3477
3478 such person commits the capital felony of trafficking in illegal
3479 drugs, punishable as provided in ss. 775.082 and 921.142. A
3480 person sentenced for a capital felony under this paragraph shall
3481 also be sentenced to pay the maximum fine provided under
3482 subparagraph 1.

3483 6. A person who knowingly brings into this state 60
3484 kilograms or more of any morphine, opium, oxycodone,
3485 hydrocodone, codeine, hydromorphone, or any salt, derivative,
3486 isomer, or salt of an isomer thereof, including heroin, as
3487 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
3488 60 kilograms or more of any mixture containing any such
3489 substance, and who knows that the probable result of such
3490 importation would be the death of a person, commits capital
3491 importation of illegal drugs, a capital felony punishable as
3492 provided in ss. 775.082 and 921.142. A person sentenced for a
3493 capital felony under this paragraph shall also be sentenced to
3494 pay the maximum fine provided under subparagraph 1.

3495 (f)1. Any person who knowingly sells, purchases,
3496 manufactures, delivers, or brings into this state, or who is
3497 knowingly in actual or constructive possession of, 14 grams or
3498 more of amphetamine, as described in s. 893.03(2)(c)2., or
3499 methamphetamine, as described in s. 893.03(2)(c)5.
3500 ~~893.03(2)(c)4.~~, or of any mixture containing amphetamine or



3501 methamphetamine, or phenylacetone, phenylacetic acid,
3502 pseudoephedrine, or ephedrine in conjunction with other
3503 chemicals and equipment utilized in the manufacture of
3504 amphetamine or methamphetamine, commits a felony of the first
3505 degree, which felony shall be known as "trafficking in
3506 amphetamine," punishable as provided in s. 775.082, s. 775.083,
3507 or s. 775.084. If the quantity involved:

3508 a. Is 14 grams or more, but less than 28 grams, such
3509 person shall be sentenced to a mandatory minimum term of
3510 imprisonment of 3 years, and the defendant shall be ordered to
3511 pay a fine of \$50,000.

3512 b. Is 28 grams or more, but less than 200 grams, such
3513 person shall be sentenced to a mandatory minimum term of
3514 imprisonment of 7 years, and the defendant shall be ordered to
3515 pay a fine of \$100,000.

3516 c. Is 200 grams or more, such person shall be sentenced to
3517 a mandatory minimum term of imprisonment of 15 calendar years
3518 and pay a fine of \$250,000.

3519 2. Any person who knowingly manufactures or brings into
3520 this state 400 grams or more of amphetamine, as described in s.
3521 893.03(2)(c)2., or methamphetamine, as described in s.
3522 893.03(2)(c)5. ~~893.03(2)(c)4.~~, or of any mixture containing
3523 amphetamine or methamphetamine, or phenylacetone, phenylacetic
3524 acid, pseudoephedrine, or ephedrine in conjunction with other
3525 chemicals and equipment used in the manufacture of amphetamine



3526 or methamphetamine, and who knows that the probable result of
 3527 such manufacture or importation would be the death of any person
 3528 commits capital manufacture or importation of amphetamine, a
 3529 capital felony punishable as provided in ss. 775.082 and
 3530 921.142. Any person sentenced for a capital felony under this
 3531 paragraph shall also be sentenced to pay the maximum fine
 3532 provided under subparagraph 1.

3533 Section 19. Paragraphs (b) through (e) and (g) of
 3534 subsection (3) of section 921.0022, Florida Statutes, are
 3535 amended to read:

3536 921.0022 Criminal Punishment Code; offense severity
 3537 ranking chart.—

3538 (3) OFFENSE SEVERITY RANKING CHART

3539 (b) LEVEL 2

3540
 3541

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation

3542
 3543



3544	403.413 (6) (c)	3rd	of the Marine Turtle Protection Act.
3545	517.07 (2)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
3546	590.28 (1)	3rd	Failure to furnish a prospectus meeting requirements.
3547	784.05 (3)	3rd	Intentional burning of lands.
3548	787.04 (1)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
3549	806.13 (1) (b) 3.	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
			Criminal mischief; damage \$1,000 or more to public communication



3550			or any other public service.
	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
3551			
	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
3552			
	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
3553			
	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
3554			
	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
3555			
	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.



3556	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
3557	817.52 (3)	3rd	Failure to redeliver hired vehicle.
3558	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
3559	817.60 (5)	3rd	Dealing in credit cards of another.
3560	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
3561	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
3562	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom



			related.
3563	831.01	3rd	Forgery.
3564	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
3565	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
3566	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
3567	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
3568	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
3569	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
3570			



3571	843.08	3rd	False personation.
	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5. , (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or (4) drugs other than cannabis.
3572	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
3573			
3574			
3575			
3576			
3577	(c)	LEVEL 3	
3578			
3579			
	Florida	Felony	Description
	Statute	Degree	
3580	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
3581	316.066	3rd	Unlawfully obtaining or using



3582	(3) (b) - (d)		confidential crash reports.
3583	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
3584	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
3585	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
3586	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
3587	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
3588	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.



3589	327.35 (2) (b)	3rd	Felony BUI.
3590	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
3591	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
3592	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
3593	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.



3594	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
3595	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
3596	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
3597	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
3598	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.



3598	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
3599	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
3600	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
3601	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
3602	697.08	3rd	Equity skimming.
3603	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
3604	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or



			equipment used in firefighting.
3605	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
3606	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
3607	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
3608	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
3609	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
3610	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.



3611	817.233	3rd	Burning to defraud insurer.
3612	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
3613	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
3614	817.236	3rd	Filing a false motor vehicle insurance application.
3615	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
3616	817.413 (2)	3rd	Sale of used goods as new.
3617	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
3618	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to



3619			defraud or possessing a counterfeit payment instrument.
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
3620			
	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
3621			
	843.19	3rd	Injure, disable, or kill police dog or horse.
3622			
	860.15 (3)	3rd	Overcharging for repairs and parts.
3623			
	870.01 (2)	3rd	Riot; inciting or encouraging.
3624			
	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5. , (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., <u>(2) (c) 10.</u> , (3), or (4) drugs).



3630	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
3631	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
3632	893.13 (7) (a) 10.	3rd	Affix false or forged label to package of controlled substance.
3633	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
3634	893.13 (8) (a) 1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.



3635	893.13 (8) (a) 2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
3636	893.13 (8) (a) 3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
3637	893.13 (8) (a) 4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
3638	918.13 (1) (a)	3rd	Alter, destroy, or conceal investigation evidence.
3639	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.



3640	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
3641	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
3642			
3643			
3644			
3645	(d) LEVEL 4		
3646			
3647	Florida Statute	Felony Degree	Description
3648	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.



3649	499.0051 (1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
3650	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
3651	517.07 (1)	3rd	Failure to register securities.
3652	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
3653	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.



3654	784.075	3rd	Battery on detention or commitment facility staff.
3655	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
3656	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
3657	784.081 (3)	3rd	Battery on specified official or employee.
3658	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
3659	784.083 (3)	3rd	Battery on code inspector.
3660	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or



3661			materials.
	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
3662			
	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
3663			
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
3664			
	787.07	3rd	Human smuggling.
3665			
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
3666			
	790.115 (2) (b)	3rd	Possessing electric



3667	790.115 (2) (c)	3rd	<p>weapon or device, destructive device, or other weapon on school property.</p> <p>Possessing firearm on school property.</p>
3668	800.04 (7) (c)	3rd	<p>Lewd or lascivious exhibition; offender less than 18 years.</p>
3669	810.02 (4) (a)	3rd	<p>Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.</p>
3670	810.02 (4) (b)	3rd	<p>Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.</p>
3671	810.06	3rd	Burglary; possession of tools.



3672	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
3673	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
3674	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
3675	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
3676	817.505 (4) (a)	3rd	Patient brokering.
3677	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5)



			drugs.
3678	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
3679	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
3680	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
3681	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
3682	837.02 (1)	3rd	Perjury in official proceedings.
3683	837.021 (1)	3rd	Make contradictory statements in official proceedings.



3684	838.022	3rd	Official misconduct.
3685	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
3686	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
3687	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
3688	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
3689	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).



3690	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
3691	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
3692	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> (2) (c) 4. drugs).
3693	914.14 (2)	3rd	Witnesses accepting bribes.
3694	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
3695	914.23 (2)	3rd	Retaliation against a witness, victim, or



3696			informant, no bodily injury.
3697	918.12	3rd	Tampering with jurors.
3698	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
3699			
3700			
3701			
3702			
3703	(e)	LEVEL 5	
3704			
3705			
3706	Florida Statute	Felony Degree	Description
3707	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
3708	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.



3709	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
3710	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
3711	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
	379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone



3712	379.367 (4)	3rd	crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
3713	379.407 (5) (b) 3.	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
3714	381.0041 (11) (b)	3rd	Possession of 100 or more undersized spiny lobsters.
3715	440.10 (1) (g)	2nd	Donate blood, plasma, or organs knowing HIV positive.
3716	440.105 (5)	2nd	Failure to obtain workers' compensation coverage.
3717	440.381 (2)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
			Submission of false, misleading, or incomplete information with the purpose of avoiding or



			reducing workers' compensation premiums.
3718	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
3719	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
3720	790.01 (2)	3rd	Carrying a concealed firearm.
3721	790.162	2nd	Threat to throw or discharge destructive device.
3722	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
3723	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
3724	790.23	2nd	Felons in possession of



			firearms, ammunition, or electronic weapons or devices.
3725	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
3726	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
3727	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
3728	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
3729	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
3730	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one



			or more specified acts.
3731	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
3732	812.131 (2) (b)	3rd	Robbery by sudden snatching.
3733	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
3734	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
3735	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
3736	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
3737	817.568 (2) (b)	2nd	Fraudulent use of personal



3738	817.611(2)(a)	2nd	identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
3739	817.625(2)(b)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
3740	825.1025(4)	3rd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
3741	827.071(4)	2nd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
			Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a



3742	827.071 (5)	3rd	child. Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
3743	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
3744	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
3745	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
3746	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
3747			



3748	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
3749	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
3750	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
3751	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or <u>(2)(c)5.</u> (2)(c)4. drugs).
	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5. (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., <u>(2)(c)10.</u> , (3), or (4) drugs) within 1,000 feet of a



3752	893.13(1)(d)1.	1st	<p>child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p> <p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or <u>(2)(c)5.</u> (2)(e)4. drugs) within 1,000 feet of university.</p>
3753	893.13(1)(e)2.	2nd	<p>Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(e)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., <u>(2)(c)10.,</u> (3), or (4) within 1,000 feet of property used for religious services or a specified business site.</p>
3754	893.13(1)(f)1.	1st	<p>Sell, manufacture, or deliver cocaine (or other s.</p>



3755			893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or <u>(2)(c)5.</u> (2)(c)4. drugs) within 1,000 feet of public housing facility.
	893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
3756			
	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
3757			
3758			
3759			
3760			
3761	(g)	LEVEL 7	
3762			
	Florida	Felony	
	Statute	Degree	Description
3763			
	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
3764			



3765	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
3766	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
3767	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.



3768	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
3769	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
3770	456.065 (2)	3rd	Practicing a health care profession without a license.
3771	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
3772	458.327 (1)	3rd	Practicing medicine without a license.
3773	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
3774	460.411 (1)	3rd	Practicing chiropractic



3775			medicine without a license.
3776	461.012 (1)	3rd	Practicing podiatric medicine without a license.
3777	462.17	3rd	Practicing naturopathy without a license.
3778	463.015 (1)	3rd	Practicing optometry without a license.
3779	464.016 (1)	3rd	Practicing nursing without a license.
3780	465.015 (2)	3rd	Practicing pharmacy without a license.
3781	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
3782	467.201	3rd	Practicing midwifery without a license.



3783	468.366	3rd	Delivering respiratory care services without a license.
3784	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
3785	483.901 (7)	3rd	Practicing medical physics without a license.
3786	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
3787	484.053	3rd	Dispensing hearing aids without a license.
3788	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.



3789	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
3790	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
3791	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
3792	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.



3793	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
3794	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
3795	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
3796	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a



3797			reckless manner (vehicular homicide).
3798	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
3799	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
3800	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
3801	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
3802	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
	784.048 (7)	3rd	Aggravated stalking;



3803			violation of court order.
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
3804			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
3805			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
3806			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
3807			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
3808			
	784.083 (1)	1st	Aggravated battery on code inspector.
3809			



3810	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
3811	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
3812	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
3813	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
3814	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or



3815	790.166 (3)	2nd	<p>attempting to commit a felony.</p> <p>Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.</p>
3816	790.166 (4)	2nd	<p>Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.</p>
3817	790.23	1st, PBL	<p>Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.</p>
3818	794.08 (4)	3rd	<p>Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.</p>



3819	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
3820	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
3821	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
3822	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
3823	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years;



3824	806.01 (2)	2nd	offender 18 years or older; prior conviction for specified sex offense. Maliciously damage structure by fire or explosive.
3825	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
3826	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
3827	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
3828	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
3829	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed



3830	812.014 (2) (b) 2.	2nd	<p>by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.</p> <p>Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.</p>
3831	812.014 (2) (b) 3.	2nd	<p>Property stolen, emergency medical equipment; 2nd degree grand theft.</p>
3832	812.014 (2) (b) 4.	2nd	<p>Property stolen, law enforcement equipment from authorized emergency vehicle.</p>
3833	812.0145 (2) (a)	1st	<p>Theft from person 65 years of age or older; \$50,000 or</p>



			more.
3834	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
3835	812.131 (2) (a)	2nd	Robbery by sudden snatching.
3836	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
3837	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
3838	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
3839	817.234 (9)	2nd	Organizing, planning, or participating in an



3840	817.234 (11) (c)	intentional motor vehicle collision.
3841	817.2341 (2) (b) & (3) (b)	1st Insurance fraud; property value \$100,000 or more. 1st Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
3842	817.535 (2) (a)	3rd Filing false lien or other unauthorized document.
3843	817.611 (2) (b)	2nd Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
3844	825.102 (3) (b)	2nd Neglecting an elderly person



3845	825.103 (3) (b)	2nd	or disabled adult causing great bodily harm, disability, or disfigurement.
3846	827.03 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
3847	827.04 (3)	3rd	Neglect of a child causing great bodily harm, disability, or disfigurement.
3848	837.05 (2)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
3849			Giving false information about alleged capital felony to a law enforcement officer.



3850	838.015	2nd	Bribery.
3851	838.016	2nd	Unlawful compensation or reward for official behavior.
3852	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
3853	838.22	2nd	Bid tampering.
3854	843.0855 (2)	3rd	Impersonation of a public officer or employee.
3855	843.0855 (3)	3rd	Unlawful simulation of legal process.
3856	843.0855 (4)	3rd	Intimidation of a public officer or employee.
3857	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
	847.0135 (4)	2nd	Traveling to meet a minor to commit an



3858			unlawful sex act.
	872.06	2nd	Abuse of a dead human body.
3859			
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
3860			
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
3861			
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> (2) (e) 4.) within 1,000 feet of a child care facility, school, or



3862	893.13 (1) (e) 1.	1st	state, county, or municipal park or publicly owned recreational facility or community center.
3863	893.13 (4) (a)	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or <u>(2) (c) 5.</u> (2) (c) 4. , within 1,000 feet of property used for religious services or a specified business site.
3864	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.



3865	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
3866	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
3867	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
3868	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
3869	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
3870	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
3871			



3872	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
3873	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
3874	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
3875	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
3876	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5



3877	893.135 (1) (j) 1.a.	1st	kilograms. Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
3878	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
3879	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
3880	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
3881	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
3882	893.1351 (2)	2nd	Possession of place for trafficking in or



3883	896.101 (5) (a)	3rd	manufacturing of controlled substance.
3884	896.104 (4) (a) 1.	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
3885	943.0435 (4) (c)	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
3886	943.0435 (8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
			Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.



3887	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
3888	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
3889	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
3890	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
3891	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking



3892	944.607(12)	3rd	<p>of a digitized photograph.</p> <p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
3893	944.607(13)	3rd	<p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p>
3894	985.4815(10)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
3895	985.4815(12)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual</p>



offender.

3896

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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Section 20. For the 2018-2019 fiscal year:

3901

(1) The nonrecurring sum of \$27,035,532 is appropriated from the Federal Grants Trust Fund to the Department of Children and Families for expenditure of funds related to the second year of the State Targeted Response to the Opioid Crisis grant, to increase access to treatment, reduce unmet treatment needs, and reduce opioid overdose-related deaths through prevention, treatment, and recovery activities.

3908

(2) To enhance the entire substance abuse continuum of care, the sum of \$14,626,911 in recurring funds is appropriated from the General Revenue Fund to the Department of Children and Families for community-based services to address the opioid crisis, including, but not limited to, outreach, addiction treatment, and recovery support services. Funding under this

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3914 subsection shall be used to expand capacity to increase access
3915 to and reduce waitlists for treatment; increase efforts to
3916 effectively engage and retain in treatment youth, pregnant
3917 women, high-risk populations, and high utilizers of acute care
3918 services; and further develop a recovery-based model of care.
3919 Funding for specific services may include, but are not limited
3920 to, case management, residential services, outpatient services,
3921 aftercare services, and medication-assisted treatment.
3922 Medication-assisted treatment may include, but is not limited
3923 to, methadone, buprenorphine, and naltrexone extended release
3924 injectable.

3925 (3) The recurring sum of \$5,000,000 from the General
3926 Revenue Fund is appropriated to the Department of Health for the
3927 purchase of emergency opioid antagonists to be made available to
3928 emergency responders.

3929 (4) The recurring sum of \$6 million from the General
3930 Revenue Fund is appropriated to the Office of State Court
3931 Administrator for medication-assisted treatment of substance
3932 abuse disorders in individuals involved in the criminal justice
3933 system, individuals who have a high likelihood of becoming
3934 involved in the criminal justice system, or individuals who are
3935 in court-ordered, community-based drug treatment. Such
3936 medication-assisted treatment may include, but is not limited
3937 to, methadone, buprenorphine, and naltrexone extended release
3938 injectable.



CS/CS/HB 21, Engrossed 2

2018

3939 | (5) The sums of \$873,089 in recurring funds and \$117,700
3940 | in nonrecurring funds are appropriated from the General Revenue
3941 | Fund to the Department of Health for improvements to the
3942 | Prescription Drug Monitoring Program system pursuant to s.
3943 | 893.055, Florida Statutes.
3944 | Section 21. Except as otherwise expressly provided in this
3945 | act, this act shall take effect July 1, 2018.