

By Senator Pizzo

38-00233-19

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1                   A bill to be entitled  
2       An act relating to drug safety; amending s. 893.04,  
3       F.S.; prohibiting a pharmacist or practitioner from  
4       dispensing specified opioids unless the prescription  
5       bottle or container has a warning sticker meeting  
6       certain requirements; amending s. 893.055, F.S.;  
7       requiring pharmacies to offer for sale prescription  
8       lock boxes; requiring pharmacies to display a certain  
9       sign; defining the term "prescription lock box";  
10      authorizing the Department of Health to develop and  
11      distribute a pamphlet containing certain information;  
12      requiring the distribution of the pamphlet by  
13      pharmacists under certain circumstances; prohibiting a  
14      pharmacy from charging a fee for the pamphlet;  
15      providing an effective date.

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

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19       Section 1. Present subsection (4) of section 893.04,  
20       Florida Statutes, is renumbered as subsection (5) and a new  
21       subsection (4) is added to that section, to read:

22       893.04 Pharmacist and practitioner.—

23       (4) A pharmacist or practitioner may not dispense a newly  
24       prescribed prescription opioid listed in Schedule II of s.  
25       893.03, including one that is compounded by a pharmacist under a  
26       prescription or by a practitioner, unless the prescription  
27       bottle or container in which the opioid is delivered to the user  
28       bears a warning sticker approved by the department which warns  
29       users about the addictive nature of opioids and the risks of

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30 overdoses. Such a sticker may also refer users to additional  
31 resources about opioid addiction. The sticker must be red with  
32 text large enough to be legible and placed on the cap of the  
33 bottle in which the opioid is dispensed. If a bottle is not used  
34 to dispense the opioid, the sticker must be on a noticeable area  
35 of the container in which the opioid is dispensed.

36 Section 2. Present subsections (16) and (17) of section  
37 893.055, Florida Statutes, are renumbered as subsections (18)  
38 and (19), respectively, and new subsections (16) and (17) are  
39 added to that section, to read:

40 893.055 Prescription drug monitoring program.—

41 (16) Pharmacies shall offer for sale prescription lock  
42 boxes at each store location. Pharmacies shall make customers  
43 aware of the availability of the prescription lock boxes by  
44 displaying a sign on or near the pharmacy counter which measures  
45 at least 4 inches by 5 inches and includes the statement, in a  
46 legibly printed font, "Prescription Lock Boxes for Securing Your  
47 Prescription Medications Are Available at This Pharmacy." As  
48 used in this subsection, the term "prescription lock box" means  
49 a box or a bag with a locking mechanism that cannot be tampered  
50 with or opened without the application of extreme force.

51 (17) (a) The department may develop a pamphlet relating to  
52 controlled substances which includes educational information  
53 about the following:

54 1. Precautions regarding the use of pain management  
55 prescriptions.

56 2. The potential for misuse and abuse of controlled  
57 substances by adults and children.

58 3. The risk of controlled substance dependency and

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59 addiction.

60 4. The proper storage and disposal of controlled  
61 substances.

62 5. Controlled substance addiction support and treatment  
63 resources.

64 6. Telephone helplines and links to websites that provide  
65 counseling and emergency assistance for individuals dealing with  
66 substance abuse.

67 (b) If the department develops a pamphlet relating to  
68 controlled substances, the department shall distribute copies of  
69 the pamphlet to pharmacies throughout the state and make the  
70 contents of the pamphlet available in electronic form on its  
71 website. If copies of the pamphlet are provided by the  
72 department, a pharmacist shall distribute the pamphlet to a  
73 consumer when dispensing a prescription or a controlled  
74 substance and shall offer them to consumers in a display.  
75 Pharmacies may not charge consumers a fee for the pamphlet.

76 Section 3. This act shall take effect January 1, 2020.