



422752

LEGISLATIVE ACTION

Senate

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House

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The Committee on Health Policy (Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (7) is added to section 456.44,  
Florida Statutes, to read:

456.44 Controlled substance prescribing.—

(7) NONOPIOID ALTERNATIVES.—

(a) The Legislature finds that every competent adult has  
the fundamental right of self-determination regarding decisions



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11 pertaining to his or her own health, including the right to  
12 refuse an opioid drug listed as a Schedule II controlled  
13 substance in s. 893.03 or 21 U.S.C. s. 812.

14 (b) The department shall develop and publish on its website  
15 an educational pamphlet regarding the use of nonopioid  
16 alternatives for the treatment of pain. The pamphlet must, at a  
17 minimum, include:

18 1. Information on available nonopioid alternatives for the  
19 treatment of pain, including nonopioid medicinal drugs or drug  
20 products and nonpharmacological therapies; and

21 2. The advantages and disadvantages of the use of nonopioid  
22 alternatives.

23 (c) Except in the provision of emergency services and care,  
24 as defined in s. 395.002, before providing medical treatment or  
25 anesthesia or prescribing an opioid drug listed as a Schedule II  
26 controlled substance in s. 893.03 or 21 U.S.C. s. 812 for the  
27 treatment of pain, a health care practitioner shall:

28 1. Inform the patient of available nonopioid alternatives  
29 for the treatment of pain, which may include nonopioid medicinal  
30 drugs or drug products, acupuncture, chiropractic treatments,  
31 massage therapy, physical therapy, occupational therapy, or any  
32 other appropriate therapy as determined by the health care  
33 practitioner;

34 2. Discuss the advantages and disadvantages of the use of  
35 nonopioid alternatives, including whether the patient is at a  
36 high risk of, or has a history of, controlled substance abuse or  
37 misuse and the patient's personal preferences;

38 3. Provide the patient with the educational pamphlet  
39 described in paragraph (b); and



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40           4. Document the nonopioid alternatives considered in the  
41 patient's record.

42           Section 2. This act shall take effect July 1, 2019.

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44 ===== T I T L E   A M E N D M E N T =====

45 And the title is amended as follows:

46           Delete everything before the enacting clause  
47 and insert:

48                                 A bill to be entitled  
49           An act relating to nonopioid alternatives; amending s.  
50           456.44, F.S.; providing a legislative finding;  
51           requiring the Department of Health to develop and  
52           publish on its website an educational pamphlet  
53           regarding the use of nonopioid alternatives for the  
54           treatment of pain; requiring that the pamphlet include  
55           specified information, including the advantages and  
56           disadvantages of the use of such alternatives;  
57           providing requirements for health care practitioners;  
58           providing an exception; providing an effective date.