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2 An act relating to dispensing medicinal drugs;
3 amending s. 465.019, F.S.; authorizing certain
4 hospitals to dispense supplies of prescribed medicinal
5 drugs in a specified amount to emergency department
6 patients or inpatients upon discharge under certain
7 circumstances; authorizing a greater specified supply
8 of medicinal drugs to be prescribed and dispensed in
9 areas in which a state of emergency has been declared
10 and is in effect; authorizing a prescriber to provide
11 a patient with a prescription for medicinal drugs
12 beyond the initial prescription period under certain
13 circumstances; providing an effective date.

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

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17 Section 1. Subsection (4) of section 465.019, Florida
18 Statutes, is amended to read:

19 465.019 Institutional pharmacies; permits.—

20 (4) (a) Medicinal drugs shall be dispensed in an
21 institutional pharmacy to outpatients only when that institution
22 has secured a community pharmacy permit from the department.
23 ~~However, an individual licensed to prescribe medicinal drugs in~~
24 ~~this state may be dispensed by dispense up to a 24-hour supply~~
25 ~~of a medicinal drug to any patient of an emergency department of~~
26 ~~a hospital that operates a Class II or Class III institutional~~
27 ~~pharmacy to a patient of the hospital's emergency department or~~
28 ~~a hospital inpatient upon discharge if a prescriber, as defined~~
29 ~~in s. 465.025(1), provided that the physician treating the~~

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30 patient in such hospital ~~hospital's emergency department~~
31 determines that the medicinal drug is warranted and that
32 community pharmacy services are not readily accessible,
33 geographically or otherwise, to the patient. Such prescribing
34 and dispensing ~~from the emergency department must be in~~
35 ~~accordance with the procedures of the hospital~~ must be for a
36 supply of the drug that will last for the greater of the
37 following:

38 1. Up to 48 hours; or

39 2. Through the end of the next business day.

40 (b) Notwithstanding subparagraph (a)1., if a state of
41 emergency has been declared and is in effect for an area of this
42 state pursuant to s. 252.36, a supply of a medicinal drug which
43 will last up to 72 hours may be prescribed and dispensed under
44 paragraph (a) in that area ~~For any such patient for whom a~~
45 ~~medicinal drug is warranted for a period to exceed 24 hours, an~~
46 ~~individual licensed to prescribe such drug must dispense a 24-~~
47 ~~hour supply of such drug to the patient and must provide the~~
48 ~~patient with a prescription for such drug for use after the~~
49 ~~initial 24-hour period.~~

50 (c) A prescriber as defined in s. 465.025(1) who prescribes
51 medicinal drugs under this subsection may provide the patient
52 with a prescription for such drug for use beyond the initial
53 prescription period if the prescriber determines that such use
54 is warranted. Any prescribing or dispensing of a controlled
55 substance under this subsection must comply with the applicable
56 requirements of ss. 456.44 and 465.0276.

57 (d) The board may adopt rules necessary to implement ~~carry~~
58 ~~out the provisions of this subsection.~~

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Section 2. This act shall take effect July 1, 2021.