

ENROLLED

CS/CS/HB 451, Engrossed 1

2019 Legislature

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 2 An act relating to nonopioid alternatives; amending s.  
 3 456.44, F.S.; providing legislative intent; requiring  
 4 the Department of Health to develop and publish on its  
 5 website an educational pamphlet regarding the use of  
 6 nonopioid alternatives for the treatment of pain;  
 7 requiring the pamphlet to include specified  
 8 information, including the advantages and  
 9 disadvantages of the use of such alternatives;  
 10 providing requirements for health care practitioners;  
 11 providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15 Section 1. Subsection (7) is added to section 456.44,  
 16 Florida Statutes, to read:

17 456.44 Controlled substance prescribing.—

18 (7) NONOPIOID ALTERNATIVES.—

19 (a) The Legislature finds that every competent adult has  
 20 the fundamental right of self-determination regarding decisions  
 21 pertaining to his or her own health, including the right to  
 22 refuse an opioid drug listed as a Schedule II controlled  
 23 substance in s. 893.03 or 21 U.S.C. s. 812.

24 (b) The department shall develop and publish on its  
 25 website an educational pamphlet regarding the use of nonopioid

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26 | alternatives for the treatment of pain. The pamphlet shall, at a  
 27 | minimum, include:

28 | 1. Information on available nonopioid alternatives for the  
 29 | treatment of pain, including nonopioid medicinal drugs or drug  
 30 | products and nonpharmacological therapies.

31 | 2. The advantages and disadvantages of the use of  
 32 | nonopioid alternatives.

33 | (c) Except in the provision of emergency services and  
 34 | care, as defined in s. 395.002, before providing anesthesia or  
 35 | prescribing, ordering, dispensing, or administering an opioid  
 36 | drug listed as a Schedule II controlled substance in s. 893.03  
 37 | or 21 U.S.C. s. 812 for the treatment of pain, a health care  
 38 | practitioner, excluding those licensed under chapter 465, must:

39 | 1. Inform the patient of available nonopioid alternatives  
 40 | for the treatment of pain, which may include nonopioid medicinal  
 41 | drugs or drug products, interventional procedures or treatments,  
 42 | acupuncture, chiropractic treatments, massage therapy, physical  
 43 | therapy, occupational therapy, or any other appropriate therapy  
 44 | as determined by the health care practitioner.

45 | 2. Discuss the advantages and disadvantages of the use of  
 46 | nonopioid alternatives, including whether the patient is at a  
 47 | high risk of, or has a history of, controlled substance abuse or  
 48 | misuse and the patient's personal preferences.

49 | 3. Provide the patient with the educational pamphlet  
 50 | described in paragraph (b).

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51           4. Document the nonopioid alternatives considered in the  
52 patient's record.

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