



HB 21: Florida's New Law on Controlled Substance Prescribing

Highlights of Key Provisions

Acute Pain:

The normal, predicted, physiological, and time-limited response to an adverse chemical, thermal, or mechanical stimulus associated with surgery, trauma, or acute illness.

Does not include pain related to (1) Cancer; (2) a Terminal Condition; (3) Palliative Care; or (4) a Traumatic Injury with an Injury Severity Score of 9 or greater.

Prescribing Limits:

When prescribing a Schedule II opioid for the treatment of acute pain, you may not exceed a 3-day supply. UNLESS, in your professional judgment, more than a 3-day supply is medically necessary to treat the patient's acute pain, AND you indicate "ACUTE PAIN EXCEPTION" on the prescription, AND you document in the patient's medical records the acute medical condition and lack of alternative treatment options that justify deviation from the 3 day supply, then you can prescribe up to a 7-day supply.

If you write a prescription for any Schedule II controlled substance (not just an opioid) for chronic pain, or for pain that is excluded from the definition of acute pain (see above), then you must indicate "NONACUTE PAIN" on the prescription.

Emergency Opioid Antagonist:

If you prescribe a Schedule II controlled substance for the treatment of pain related to a traumatic injury with an Injury Severity Score of 9 or greater, you must concurrently prescribe an emergency opioid antagonist.

Florida's Prescription Drug Monitoring Program:

Prior to prescribing or dispensing any controlled substance (except for a non-opioid Schedule V) to a patient 16 or older, you must first review the patient's controlled substance dispensing history in the E-FORCSE database. If the database is nonoperational or cannot be accessed because of a temporary technological or electrical failure, you do not have to check the database but you must document the reason why and you cannot prescribe more than a 3-day supply of the controlled substance.

Continuing Medical Education:

If you have a Florida license to practice medicine, and you are registered with the Drug Enforcement Administration to prescribe controlled substances, you must complete the mandatory 2-hour controlled substance prescribing course prior to January 31, 2019.

For more information on obtaining CME's through the FMA go to:

<http://www.flmedical.org/florida/> (CME cost: FMA members, free; non-members \$75)

(This is a summary of the provisions of HB 21, provided for convenience purposes only. For complete information please consult the text of the legislation at <https://www.flsenate.gov/Session/Bill/2018/21/BillText/er/PDF> or access the state-mandated course at <https://flmedical.inreachce.com>)

****GUIDE AVAILABLE****

The Opioid Practice Risk guide published by The Doctors Company is available upon request – contact Shelley Stiven at the IRCMS office at ircdocs@bellsouth.net or 772-562-0123.