

By Senator Passidomo

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1 A bill to be entitled
2 An act relating to emergency services for an
3 unintentional drug overdose; amending s. 395.1041,
4 F.S.; requiring a hospital providing emergency
5 services to a person suffering from an unintentional
6 drug overdose to provide certain services and
7 information; providing conditions for transfer of a
8 patient to a licensed detoxification or addictions
9 receiving facility; providing responsibilities of the
10 attending physician; providing an effective date.
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12 Be It Enacted by the Legislature of the State of Florida:
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14 Section 1. Subsection (6) of section 395.1041, Florida
15 Statutes, is amended to read:

16 395.1041 Access to emergency services and care.—

17 (6) RIGHTS OF PERSONS BEING TREATED.—

18 (a) A hospital providing emergency services and care to a
19 person who is being involuntarily examined under the provisions
20 of s. 394.463 shall adhere to the rights of patients specified
21 in part I of chapter 394 and the involuntary examination
22 procedures provided in s. 394.463, regardless of whether the
23 hospital, or any part thereof, is designated as a receiving or
24 treatment facility under part I of chapter 394 and regardless of
25 whether the person is admitted to the hospital.

26 (b) A patient may not be transferred to a licensed
27 detoxification or addictions receiving facility until the
28 patient is stabilized. Before the patient is discharged or
29 transferred, the attending physician shall attempt to:

30 1. Identify and contact the patient's primary care
31 physician and all practitioners who prescribed a controlled
32 substance to the patient within the past 12 months and inform

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33 the physician and prescribers that the patient has suffered an
34 unintentional overdose and may require treatment for a substance
35 use disorder.

36 2. If the patient is currently receiving treatment for a
37 substance use disorder, identify and contact the substance abuse
38 treatment provider's medical director or the patient's addiction
39 medicine specialist and the patient's primary care physician and
40 inform them that the patient has suffered an unintentional
41 overdose and the patient's treatment plan may need to be
42 reevaluated.

43 3. Provide the patient's adult next of kin or emergency
44 contact with the following information:

45 a. The name and address of the hospital where the patient
46 is receiving emergency services and care.

47 b. That the patient has suffered an unintentional overdose.

48 c. The nature and properties of the substance or substances
49 that the attending physician believes the patient ingested that
50 may have contributed to the overdose.

51 d. A list of substance abuse treatment and addiction-
52 recovery service providers, including licensed facilities
53 pursuant to s. 397.6774, voluntary admissions procedures under
54 part IV of chapter 397, involuntary admissions procedures under
55 part V of chapter 397, and involuntary commitment procedures
56 under chapter 394.

57 4. Encourage the patient to voluntarily seek treatment for
58 a substance use disorder.

59 5. Establish face-to-face contact between the patient and a
60 substance abuse treatment provider.

61 Section 2. This act shall take effect July 1, 2017.