



MEMORANDUM

Agenda Item No. 11(A) (12)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 15, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to adopt legislation
mandating the use of the prescription
drug monitoring program database by
pharmacies, pharmacists and
practitioners prior to dispensing
controlled substances

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

A handwritten signature in black ink, appearing to read "RAC", written over a horizontal line.

R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 15, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(12)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(12)
11-15-11

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ADOPT LEGISLATION MANDATING THE USE OF THE
PRESCRIPTION DRUG MONITORING PROGRAM
DATABASE BY PHARMACIES, PHARMACISTS AND
PRACTITIONERS PRIOR TO DISPENSING CONTROLLED
SUBSTANCES

WHEREAS, the Florida Legislature created the Prescription Drug Monitoring Program,
Section 893.055 of Florida Statutes; and

WHEREAS, a dispensing pharmacy, dispensing pharmacist or dispensing practitioner is
required to submit information to the Prescription Drug Monitoring Program database about
him/herself, the patient, and the prescription within seven (7) days of dispensing a controlled
substance; and

WHEREAS, a dispensing pharmacist or dispensing practitioner is not required to query
the Prescription Drug Monitoring Program database prior to prescribing or dispensing a
controlled substance; and

WHEREAS, Section 893.055 of Florida Statute merely states that the Prescription Drug
Monitoring Program will provide “prescription information to a patient’s health care practitioner
and pharmacist who inform the department that they wish the patient advisory report provided to
them. Otherwise, the patient advisory report will not be sent to the practitioner, pharmacy or
pharmacist”; and

WHEREAS, mandating that prescribing or dispensing practitioners, pharmacies and
pharmacists query the Prescription Drug Monitoring Program database prior to prescribing or

dispensing would strengthen the role of the Prescription Drug Monitoring Program database as a tool to reduce the abuse of prescription controlled substances,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to adopt legislation that would require all prescribing and dispensing pharmacists, pharmacies and practitioners to query the Prescription Drug Monitoring Program database prior to prescribing or dispensing controlled substances.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to support the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2012 state legislative package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of November, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Karon M. Coleman