

## MEMORANDUM

Agenda Item No. 11(A)(3)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

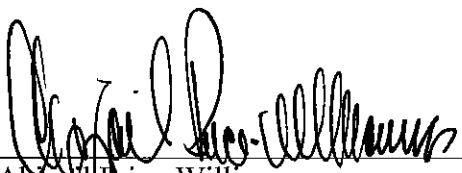
**DATE:** December 19, 2017

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution supporting Senate Bill 458 or similar legislation filed for consideration by the Florida Legislature that would (1) limit an initial prescription for opioids to a 7-day supply, (2) limit refill prescriptions for opioids to a 30-day supply for certain patients, (3) require certain prescribers of controlled substances to access patients' drug histories in the Prescription Drug Monitoring Program's database, and (4) mandate prescribers of controlled substances complete continuing education courses as a condition for licensure

Resolution No. R-1247-17

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.

  
Abigail Price-Williams  
County Attorney

APW/smm



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** December 19, 2017

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(3)

**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**
- Statement of social equity required**
- Ordinance creating a new board requires detailed County Mayor'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)(3)  
12-19-17

RESOLUTION NO. R-1247-17

RESOLUTION SUPPORTING SENATE BILL 458 OR SIMILAR LEGISLATION FILED FOR CONSIDERATION BY THE FLORIDA LEGISLATURE THAT WOULD (1) LIMIT AN INITIAL PRESCRIPTION FOR OPIOIDS TO A 7-DAY SUPPLY, (2) LIMIT REFILL PRESCRIPTIONS FOR OPIOIDS TO A 30-DAY SUPPLY FOR CERTAIN PATIENTS, (3) REQUIRE CERTAIN PRESCRIBERS OF CONTROLLED SUBSTANCES TO ACCESS PATIENTS' DRUG HISTORIES IN THE PRESCRIPTION DRUG MONITORING PROGRAM'S DATABASE, AND (4) MANDATE PRESCRIBERS OF CONTROLLED SUBSTANCES COMPLETE CONTINUING EDUCATION COURSES AS A CONDITION FOR LICENSURE

**WHEREAS**, this Board wishes to express its support for Senate Bill ("SB") 458 introduced by Senator Aaron Bean (R-Jacksonville), related to opioids; and

**WHEREAS**, SB 458 would amend the Controlled Substance Prescribing Act, section 456.44, Florida Statutes, to:

1. Limit initial prescriptions for opioids to a 7-day supply;
  2. Limit refill prescriptions for opioids to a 30-day supply for certain patients;
  3. Mandate certain prescribers of controlled substances access patients' drug histories in the Prescription Drug Monitoring Program's database before the initial prescription and every 90 days thereafter, for as long as the prescription is refilled; and
  4. Beginning in January 2019, require health care practitioners who prescribe controlled substances to complete a two-hour continuing education course on current standards for prescribing controlled substances and the risks associated therewith for initial licensure and licensure renewal;
- and

**WHEREAS**, SB 458 is an alternative proposal to SB 8 filed by Senator Lizbeth Benacquisto (R-Fort Myers) and House Bill (“HB”) 21 filed by Representative Jim Boyd (R-Bradenton), which is the Governor’s proposal; and

**WHEREAS**, SB 458, SB 8 and HB 21 all propose additional licensure requirements for practitioners that prescribe opioids, imposition of limitations on opioid prescriptions and reporting requirements linked to opioid prescriptions; and

**WHEREAS**, SB 458 proposes to limit initial prescriptions for opioids to a 7-day supply, by contrast, SB 8 and HB 21 both propose a 3-day supply for initial prescriptions with some exceptions; and

**WHEREAS**, additionally, SB 458 is narrower in scope than SB 8 and HB 21 and is harmonious with directives from this Board; and

**WHEREAS**, specifically, through Resolution No. R-199-17, this Board created the Miami-Dade Opioid Addiction Task Force (“Task Force”), which developed comprehensive opioid addiction action and implementation plans to halt the opioid addiction epidemic in Miami-Dade County; and

**WHEREAS**, a number of recommendations made by the Task Force, including, but not limited to: (1) advocating for mandatory continuing educations for physicians, dentists, and clinical providers on opiate misuse and heroin abuse, prescribing, and substance abuse; (2) reviewing and developing regulations to promote safe prescribing and dispensing of controlled substances; and (3) encouraging medical providers utilize the Prescription Drug Monitoring Program database are congruent with provisions in SB 458; and

**WHEREAS**, additionally, on October 17, 2017, this Board adopted Resolution No. R-936-17, which urged the Florida Board of Medicine to implement a continuing education course on opioid abuse and Florida Department of Health to implement regulations promoting safe prescribing and dispensing methods for controlled substances; and

**WHEREAS**, due to the ravaging impact opioid abuse and misuse has had on Miami-Dade County and other communities throughout the state, additional legislation geared toward safe prescribing methods and preventing over prescribing of opioids and other controlled substances is necessary,

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

**Section 1.** Approves the foregoing recitals, which are incorporated herein by reference.

**Section 2.** Supports Senate Bill 458 or similar legislation filed for consideration by the Florida Legislature that would (1) limit an initial prescription for opioids to a 7-day supply, (2) limit refill prescriptions for opioids to a 30-day supply for certain patients, (3) require certain prescribers of controlled substances to access patients' drug histories in the Prescription Drug Monitoring Program's database before the initial prescription and every 90 days thereafter, for as long as the prescription is refilled and (4) mandate prescribers of controlled substances to complete a two hour continuing education course on current standards for prescribing controlled substances and the risks associated therewith for initial licensure and licensure renewal.

**Section 3.** Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Senator Aaron Bean, Senator Lizbeth Benacquisto, Representative Jim Boyd and the Chair and Members of the Miami-Dade State Legislative Delegation.

**Section 4.** Directs the County’s state lobbyists to advocate for the issues identified in Section 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2018 State Legislative Package to include this item.

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

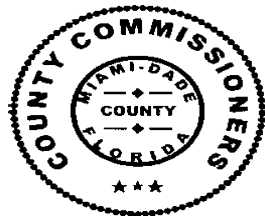
	Esteban L. Bovo, Jr., Chairman	<b>aye</b>
	Audrey M. Edmonson, Vice Chairwoman	<b>absent</b>
Bruno A. Barreiro	<b>aye</b>	Daniella Levine Cava <b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Sally A. Heyman <b>aye</b>
Barbara J. Jordan	<b>aye</b>	Joe A. Martinez <b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss <b>aye</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto <b>aye</b>
Xavier L. Suarez	<b>aye</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 19<sup>th</sup> day of December, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**  
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

Shanika A. Graves