



Justice Appropriations Subcommittee

Wednesday, April 13, 2011

8:30 a.m.

Reed Hall

ACTION PACKET

Dean Cannon
Speaker

Richard Glorioso
Chair

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/13/2011 8:30:00AM

Location: Reed Hall (102 HOB)

Summary:

Justice Appropriations Subcommittee

Wednesday April 13, 2011 08:30 am

CS/HB 17 Favorable With Committee Substitute Yeas: 14 Nays: 0

HB 1039 Favorable With Committee Substitute Yeas: 14 Nays: 0

Committee meeting was reported out: Wednesday, April 13, 2011 9:20:07AM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/13/2011 8:30:00AM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Richard Glorioso (Chair)	X		
Dennis Baxley	X		
Dwight Bullard	X		
Eric Eisnaugle	X		
James Grant			X
Doug Holder	X		
Charles McBurney	X		
Larry Metz	X		
W. Keith Perry	X		
Ray Pilon	X		
Ronald Renuart	X		
Darryl Rouson	X		
Irving Slosberg	X		
Darren Soto	X		
Cynthia Stafford	X		
Totals:	14	0	1

Committee meeting was reported out: Wednesday, April 13, 2011 9:20:07AM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/13/2011 8:30:00AM

Location: Reed Hall (102 HOB)

CS/HB 17 : Military Veterans Convicted of Criminal Offenses

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Dwight Bullard	X				
Eric Eisnaugle	X				
James Grant			X		
Doug Holder	X				
Charles McBurney	X				
Larry Metz	X				
W. Keith Perry	X				
Ray Pilon	X				
Ronald Renuart	X				
Darryl Rouson	X				
Irving Slosberg	X				
Darren Soto	X				
Cynthia Stafford	X				
Richard Glorioso (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Appearances:

Chritine Franzetti (Lobbyist) - Proponent
 Florida Alcohol & Drug Abuse Association
 2868 Mahan Drive, Suite 1
 Tallahassee FL 32308
 Phone: 850878-2196

Brad Delensi (State Employee) - Proponent
 Florida Department of Veterans Affairs

Committee meeting was reported out: Wednesday, April 13, 2011 9:20:07AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 17 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee
3 Representative(s) Nelson offered the following:

4

5 **Amendment**

6 Remove line 248 and insert:

7 Section 5. This act shall take effect January 1, 2012.

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/13/2011 8:30:00AM

Location: Reed Hall (102 HOB)

HB 1039 : Controlled Substances

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dennis Baxley	X				
Dwight Bullard	X				
Eric Eisnaugle	X				
James Grant			X		
Doug Holder	X				
Charles McBurney	X				
Larry Metz	X				
W. Keith Perry	X				
Ray Pilon	X				
Ronald Renuart	X				
Darryl Rouson	X				
Irving Slosberg	X				
Darren Soto	X				
Cynthia Stafford	X				
Richard Glorioso (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Committee meeting was reported out: Wednesday, April 13, 2011 9:20:07AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1039 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee
3 Representative Patronis offered the following:
4

Amendment

6 Remove lines 94-99 and insert:

7 40. 3,4-Methylenedioxy methcathinone.

8 41. 3,4-Methylenedioxy pyrovalerone (MDPV).

9 42. Methy methcathinone.

10 43. Methoxy methcathinone.

11 44. Fluoro methcathinone.

12 45. Methylethcathinone.
13

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1039 (2011)

Amendment No. 02

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee

3 Representative Renuart offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 14 and 15, insert:

7 Section 1. Subsection (2) of section 465.025, Florida
8 Statutes, is amended, and subsection(9) is added to that
9 section; to read:

10 465.025 Substitution of drugs.—

11 (2) A pharmacist who receives a prescription for a brand
12 name drug shall, unless requested otherwise by the purchaser,
13 substitute a less expensive, generically equivalent drug product
14 that is:

15 (a) Distributed by a business entity doing business, and
16 subject to suit and service of legal process, in the United
17 States; and

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18 (b) Listed in the formulary of generic and brand name drug
19 products as provided in subsection (5) for the brand name drug
20 prescribed,

21
22 unless the prescriber writes the words "MEDICALLY NECESSARY," in
23 her or his own handwriting, on the face of a written
24 prescription; unless, in the case of an oral prescription, the
25 prescriber expressly indicates to the pharmacist that the brand
26 name drug prescribed is medically necessary; or unless, in the
27 case of a prescription that is electronically generated and
28 transmitted, the prescriber makes an overt act when transmitting
29 the prescription to indicate that the brand name drug prescribed
30 is medically necessary. When done in conjunction with the
31 electronic transmission of the prescription, the prescriber's
32 overt act indicates to the pharmacist that the brand name drug
33 prescribed is medically necessary. Notwithstanding this
34 subsection, a pharmacist may not substitute an opioid analgesic
35 drug, brand or generic, for an opioid analgesic drug
36 incorporating a tamper-resistance technology which was
37 originally prescribed and is listed by the Board of Pharmacy
38 under subsection (9).

39 (9) The Board of Pharmacy shall establish by rule a list
40 of opioid drugs which incorporate tamper-resistant technology.
41 Inclusion of a drug on the list does not require that the drug
42 bear a labeling claim with respect to reduction of tampering,
43 abuse, or abuse potential at the time of listing. The Board
44 shall make a determination whether to include a drug on the list

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45 based on a submission of evidence by the drug manufacturer or
46 distributor that the drug:

47 (a) Incorporates a tamper-resistance technology; and

48 (b) Has been approved by the United States Food and Drug
49 Administration pursuant to an application that includes at least
50 one study on human tampering or abuse potential or a laboratory
51 study comparing the tamper- or abuse-resistant properties of the
52 drug to one or more opioid drugs that has been approved by the
53 United States Food and Drug Administration and serves as a
54 positive control.

55
56
57 -----
58 **T I T L E A M E N D M E N T**

59 Remove line 2 and insert:

60 An act relating to controlled substances; amending s.
61 465.025, F.S.; requiring the Board of Pharmacy to establish
62 a list of opioid drugs which incorporate tamper-resistant
63 technology; prohibiting substitution of a generic opioid
64 analgesic drug for an opioid analgesic drug incorporating a
65 tamper-resistance technology that is on the list; amending
66 s.