Agenda Item #: 5A-2

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date: March 15, 2011  Department: Legislative Affairs	[ ]	Consent [X] Regular [] Public Hearing
Submitted By: Legislative Affairs		
Submitted For: Legislative Affairs		

### I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A resolution of the Board of County Commissioners of Palm Beach County, Florida, requesting the Florida Legislature to support the continuance of the prescription drug monitoring program implemented in section 893.055, Florida Statutes.

Summary: In 2009, the Florida Legislature passed legislation establishing a prescription drug monitoring program (PDMP), including the implementation of a statewide database that would track prescription drug purchases in order to curb the abuse of prescription pain medication. The database is funded through private dollars; however, the PDMP has not yet begun due to contract delays. Recently, Governor Rick Scott announced his desire to eliminate the PDMP due to funding and privacy concerns. Because the tricounty portion of South Florida is home to 37 percent of the state's registered pain clinics: Broward (127), Palm Beach (108) and Miami-Dade (81), the Board of County Commissioners of Palm Beach County requests that the Florida Legislature continue to support the development and use of the PDMP and that the Legislature not support Governor Scott's recommendations.

The proliferation of pain management clinics and the drug-related deaths associated with overdosing are causing 7 Floridians per day to lose their lives. Law enforcement and medical providers are extremely supportive of Florida's PDMP. By not having one in Florida, Florida has grown to be one of the biggest suppliers of prescription drugs in the nation. According to the Florida Attorney General's Office, nearly 8.3 million oxycodone pills were sold in just the three South Florida counties alone – Palm Beach, Broward, and Dade – in 2009. We have become the nation's oxycodone capitol. Countywide (DW)

**Background and Policy Issues:** Florida Statute 893.055 provides for the design, establishment and implementation of a PDMP. This legislation passed in 2009. Florida Governor Rick Scott's FY2012 budget recommendations included a recommendation to repeal Florida Statute 893.055 due to funding and privacy concerns. The Board of County Commissioners of Palm Beach County is requesting the Florida Legislature to support the continuance of the PDMP.

#### Attachments:

1. Resolution		
Recommended by: _		
	Department Director	Date
Approved By:	Maker	3/4/2011
	County Administration	Date /

## II. FISCAL IMPACT ANALYSIS

A.	Five Year Summary of Fiscal Impact: N/A
	Fiscal Years 20 <u>11</u> 20 <u>12</u> 20 <u>13</u> 20 <u>14</u> 2015_
Ex Op Ex Pro In-	penditures erating Costs ternal Revenues ogram Income (County) Kind Match (County)  ET FISCAL IMPACT * -0000-
P	OSITIONS (Cumulative)
Bu	tem Included In Current Budget? Yes No dget Account No.: Fund Department Unit ject Reporting Category
В.	Recommended Sources of Funds/Summary of Fiscal Impact: N/A
	* There is no fiscal impact associated with this item.
C.	Departmental Fiscal Review:
	III. REVIEW COMMENTS
A.	OFMB Fiscal and/or Contract Dev. and Control Comments:
	OFMB  Contract Dev. and Control  Ship  Shi
В.	Legal Sufficiency:
	Assistant County Attorney
C.	Other Department Review:
	Department Director

REVISED 9/03 ADM FORM 01 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

#### Resolution No. 2011-\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REQUESTING THE LEGISLATURE TO SUPPORT THE CONTINUANCE OF THE PRESCRIPTION DRUG MONITORING PROGRAM IMPLEMENTED IN SECTION 893.055, FLORIDA STATUTES.

WHEREAS, Florida has a serious problem with the illegal diversion of prescription drugs; and

WHEREAS, approximately 7 people a day die in Florida from improper use of prescription drugs; and

WHEREAS, Florida Statute Section 893.055 establishes a prescription drug monitoring program; and

WHEREAS, the development of the prescription drug monitoring program database has been funded through grants and private funds; and

WHEREAS, the continuing operation of the prescription drug monitoring program is estimated to be \$500,000, which is less than one one-thousandth of the state's overall budget; and

WHEREAS, Florida is the largest population state without some type of prescription drug monitoring program; and

WHEREAS, nationally, Florida is perceived in a negative light for its proliferation of pill mills and out-of-state users flocking to Florida for the drugs; and

WHEREAS, prescription drug monitoring programs in other states have proven successful; and

WHEREAS, the Government Accounting Office issued a report as early as 1992 noting that prescription drug monitoring programs are beneficial; and

WHEREAS, the diversion of prescription drugs is a statewide problem calling for a statewide solution; and

WHEREAS, the Florida Medical Association supported the adoption of Senate Bill 462 in 2009 that established the prescription drug monitoring program; and

WHEREAS, counties are limited in their ability to prevent patients from traveling between counties to doctor shop and obtain multiple prescriptions; and

WHEREAS, the prescription drug monitoring program would provide a tool for doctors and pharmacists to use to determine if a patient is doctor shopping or has purchased an excessive amount of prescribed drugs.

# NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- The Board of County Commissioners does not support the Governor's Budget Recommendation Conforming Bill Office of Drug Control / Statewide Office for Suicide Prevention that repeals section 893.055 Florida Statutes.
- 2. The Board of County Commissioners supports the continued implementation of the prescription drug monitoring program and the associated database.
- 3. A copy of this resolution shall be forwarded to the Governor of Florida, members of the Palm Beach County Legislative Delegation, and the Florida Association of Counties.

The foregoing resolution was offered by adoption. The motion was seconded by Commissivote, the vote was as follows:	Commissioner, who moved its ioner, and upon being put to a	
Commissioner Karen T. Marcus, Chair Commissioner Shelley Vana, Vice Chair Commissioner Paulette Burdick Commissioner Burt Aaronson Commissioner Steven L. Abrams Commissioner Jess Santamaria Commissioner Priscilla Taylor  The Chair thereupon declared the Resolution, 2011.		
Approved as to Form And Legal Sufficiency	Palm Beach County, Florida by its Board of County Commissioners	
By: Assistant County Attorney	Sharon R. Bock, Clerk & Comptroller  By:  Deputy Clerk	