



## Attorney General Pam Bondi Department of Legal Affairs

### Pill Mill Eradication Legislation

#### Problem

Florida leads the nation in diverted prescription drugs, resulting in seven Floridians dying every day and countless others throughout the nation. Our state has become the destination for distributors and abusers through the proliferation of pill mills.

While legitimate pain-management clinics do exist to serve those with chronic pain or terminal illness, other unscrupulous clinics, called pill mills, merely serve as drug traffickers. Common characteristics of pill mills include: cash-only/no insurance; no appointments; armed guards; little or no medical records; grossly inadequate physical examinations; and large prescription doses of narcotics that exceed the boundaries of acceptable medical care.

#### Solution

While the Legislature has already enacted several reforms to address this growing problem, the Attorney General has identified additional provisions that will provide law enforcement with enhanced tools to investigate and prosecute pill mills and crack down on doctors that engage in drug trafficking.

The provisions include:

- Strengthens administrative penalties for doctors or osteopaths that violate standards of care regarding controlled substances. Mandates a six-month suspension and a \$10,000 fine per incident.
- Creates a criminal penalty for doctors and osteopaths who fail to perform a physical examination before dispensing 72-hours worth of controlled substances. Makes it a second-degree misdemeanor for the first offense; first-degree misdemeanor for the second offense (within six months); and third-degree felony for the third offense (within six months).
- Creates a criminal penalty for any person that attempts to register or registers a pain-management clinic through misrepresentation or fraud. Makes it a third-degree felony.
- Requires anyone who maintains inventory of controlled substances to report the discovery of any theft of controlled substances to local law enforcement or FDLE within 48 hours. Failure to do so will result in administrative penalties and fines.
- Requires pharmacists to report fraudulent prescriptions of controlled substances and to maintain a record of the evidence. Failure to do so is a first-degree misdemeanor.
- Enhances the criminal penalty for a burglary with the intent to obtain controlled substances. Makes it a second-degree felony.
- Clarifies existing law that allows law enforcement officers to access pharmacy records without a subpoena.
- Clarifies that thefts of all controlled substances are felonies regardless of the wholesale value of each pill.