



## FLORIDA

### State-Specific Controlled Substance Requirements

**Updated 5/31/23**

<b>Biennial Inventory (DEA):</b>	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. <a href="#">[21 CFR 1304.11]</a></p> <p>NOTE:</p> <ul style="list-style-type: none"> <li>• Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances.</li> <li>• Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your annual inventory for the state.</li> <li>• Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness.</li> </ul> <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p> <p><b>Florida follows DEA biennial inventory requirements</b></p>
<b>CE:</b>	<p><b>Veterinarians:</b> 30 hours every 2 years.</p> <ul style="list-style-type: none"> <li>▪ Completion of 30 hours of continuing professional education in veterinary medicine every two years.</li> <li>▪ No less than one hour of CE in the area of dispensing legend drugs</li> <li>▪ No less than two hours of CE in the area of the laws and rules governing the practice of veterinary medicine (Chapters 455 and 474, F.S. and Rule Title 61G18, F.A.C.)</li> <li>▪ Not more than fifteen hours are to be non-interactive, correspondence courses.</li> <li>▪ Computer online courses that involve online, real-time, live or delayed participatory questioning or responses are not correspondence courses.</li> <li>▪ Not more than five hours in complementary and alternative medicine modalities.</li> <li>▪ Not more than five hours of CE in business or practice management courses.</li> <li>▪ Not more than five hours of CE in wellbeing seminars.</li> <li>▪ Five hours of CE in laws and rules may be obtained once during the biennium by attending a full day or eight hours of a Board of Veterinary Medicine meeting where disciplinary hearings are conducted by the board. The attendee must sign in with the executive director of the board or designee before the meeting begins; must remain in continuous attendance; must sign out with the executive director of the board or designee at the end of the meeting day or at a time earlier as affirmatively authorized by the board. <a href="http://flrules.elaws.us/fac/61g18-16.002">http://flrules.elaws.us/fac/61g18-16.002</a></li> </ul> <p><b>Beginning on June 1, 2012, no less than one (1) hour of continuing education shall be in the area of dispensing legend drugs and no less than two (2) hours of continuing education shall be in the area of the laws and rules governing the practice of veterinary medicine.</b></p> <p><b>Veterinary Technicians:</b> Vet techs: The FVTA requires 15 RACE approved CE credits every 2 years for certification renewal. <a href="https://thefvta.net/page-1126262">https://thefvta.net/page-1126262</a></p> <p>(6) Failure to document compliance with the continuing education requirements or the furnishing of false or misleading information regarding compliance shall be grounds for disciplinary action up to and including license revocation.</p> <p>Keep records of continuing education certificates for <b>three years</b>.</p>



## FLORIDA

### State-Specific Controlled Substance Requirements

<p><b>Compounding:</b></p>	<p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> <li>• Mixing two injectable drugs in the same syringe</li> <li>• Creating an oral suspension from crushed tablets or an injectable solution</li> <li>• Adding flavoring to a commercially available drug</li> <li>• Creating a transdermal gel for a drug typically taken through other routes</li> <li>• Mixing two solutions for instilling into the ear</li> </ul> <p>FL Compounding: <a href="#">HB 1049</a>, effective July 1, 2015, clarifies that <u>veterinarians are authorized to dispense compound drugs</u>. Specifically, HB 1049 amended 465.0276 F.S. to state that the pharmacy statutes and regulations do not prohibit a veterinarian from administering a compounded drug to a patient (i.e. any animal for which the veterinarian practices veterinary medicine), or dispensing a compounded drug to the patient's owner or caretaker. The amended 465.0276 F.S. gives Florida veterinarians the clear ability to utilize compounded drugs when in the best interests of their patients.</p>
<p><b>Dispensing:</b></p>	<p>"<u>Dispenser</u>" means a pharmacy, dispensing pharmacist, or dispensing health care practitioner.</p> <p>(1)(c) A veterinarian may prescribe, administer, dispense, mix, or prepare a controlled substance for use on animals only, and may cause the controlled substance to be administered by an assistant or orderly under the veterinarian's direction and supervision only.</p> <p><u>Labels:</u> (2) When any controlled substance is dispensed by a practitioner, there shall be affixed to the original container in which the controlled substance is delivered a label on which appears:</p> <ul style="list-style-type: none"> <li>(a) The date of delivery.</li> <li>(b) The directions for use of such controlled substance.</li> <li>(c) The name and address of such practitioner.</li> <li>(d) The name of the patient and, if such controlled substance is prescribed for an animal, a statement describing the species of the animal.</li> <li>(e) A clear, concise warning that it is a crime to transfer the controlled substance to any person other than the patient for whom prescribed.</li> </ul> <p><a href="#">FL STATS Title XLVI, Chap. 893.05</a></p> <p>(e) A pharmacist may not dispense more than a 30-day supply of a controlled substance listed in Schedule III upon an oral prescription issued in this state.</p> <p><a href="#">893.04(2)(e)</a></p>
<p><b>Diversion Reporting:</b></p>	<p>(b) In the event of the discovery of the theft or significant loss of controlled substances, <b>report such theft or significant loss to the sheriff of that county within 24 hours after discovery</b>. A person who fails to report a theft or significant loss of a substance listed in s. <a href="#">893.03(3)</a>, (4), or (5) within 24 hours after discovery as required in this paragraph commits a misdemeanor of the second degree, punishable as provided in s. <a href="#">775.082</a> or s. <a href="#">775.083</a>. A person who fails to report a theft or significant loss of a substance listed in s. <a href="#">893.03(2)</a> within 24 hours after discovery as required in this paragraph commits a misdemeanor of the first degree, punishable as provided in s. <a href="#">775.082</a> or s. <a href="#">775.083</a>.</p> <p><a href="#">Florida Statutes Chapter 893</a></p>
<p><b>Electronic-Florida Online Reporting of Controlled Substance Evaluation (E-FORCSE):</b></p>	<p><b>Veterinarians are exempted from enrollment as data reporters, and their access is not authorized.</b></p> <p><u>Use by healthcare practitioners:</u> Any health care practitioner who has dispensed a controlled substance in schedule II, III, and IV, as defined in <a href="#">section 893.03, F.S.</a> (i.e., OxyContin®, Percocet®, Vicodin®, Klonopin®, Xanax®, and Valium®), is required to report to E-FORCSE.</p>



## FLORIDA

### State-Specific Controlled Substance Requirements

	<p>A healthcare practitioner is not required to report to E-FORCSE if he/she:</p> <ul style="list-style-type: none"> <li>▪ administers a controlled substance directly to a patient if the amount is adequate to treat the patient during that particular treatment session;</li> <li>▪ administers a controlled substance to a patient or resident receiving care as a patient at a hospital, nursing home, ambulatory surgical center, hospice or intermediate care facility for the developmentally disabled;</li> <li>▪ administers or dispenses a controlled substance in the health care system of the Florida Department of Corrections;</li> <li>▪ administers a controlled substance in the Emergency Room of a licensed hospital;</li> <li>▪ administers or dispenses a controlled substance to a patient under the age of 16; or</li> <li>▪ dispenses a one-time, 72-hour re-supply of controlled substances.</li> </ul> <p>A health care practitioner must report to the database as soon as possible, within seven (7) days of dispensing a controlled substance.</p> <p>Schedule V controlled substances are required to be reported.</p> <p><u>If you are licensed in Florida to dispense but never dispense you are not required to report to E-FORCSE but you have to notify E-FORCSE in writing by submitting a Notification of Exemption from Reporting.</u> The Notification of Exemption from Reporting must be renewed biennially on or before February 28 in odd years. Link to form: <a href="https://www.floridahealth.gov/statistics-and-data/e-forcse/dispenser/fl-data-submission-dispenser-guide-asap4.2a-v2.4.pdf">https://www.floridahealth.gov/statistics-and-data/e-forcse/dispenser/fl-data-submission-dispenser-guide-asap4.2a-v2.4.pdf</a></p>
<p><b>Euthanasia:</b></p>	<p>The FVMA representative advised that only a licensed veterinarian may perform euthanasia on an animal in Florida. Further, the representative advised that the technician certification course would not apply to Lap of Love. The Florida administrative code is specific to an agent of a public or private agency, animal shelter or other facility that is operated for the collection and care of stray, neglected, abandoned or unwanted animals.</p> <p>Euthanasia shall be performed only by: (a) A licensed veterinarian; or (b) An employee or agent of a public or private agency, animal shelter or other facility that is operated for the collection and care of stray, neglected, abandoned or unwanted animals... (<a href="#">Fla. Admin. Code r. 61G18-16.005(1)</a>); also see <a href="#">West's F.S.A. § 828.058(4)(a)</a></p>
<p><b>FL Veterinary Medical Professional License:</b></p>	<p>The Florida Board of Veterinary Medicine is governed by the State Department of Professional Regulation (DBPR).</p> <p><u>Renewal:</u> Licensed veterinarians must renew every <b>2 years on even numbered years.</b></p> <ul style="list-style-type: none"> <li>▪ <u>Fee:</u> \$260</li> </ul> <p><a href="#">Florida online licensing forum</a></p>
<p><b>FL State CS License:</b></p>	<p>Florida <b>does not</b> require DEA registrant practitioners to obtain a second state controlled substance license, just a DEA registration and an active Veterinary Medical Professional License to practice in Florida.</p>
<p><b>Ownership:</b></p>	<p>Non-veterinarian practice ownership is allowed but a licensed veterinarian is required to be on the clinics veterinary premise permit as the responsible licensee for the clinic.</p>
<p><b>Power of Attorney Notarization:</b></p>	<p>In order to be effective, <u>a Florida power of attorney must be signed by the principal and by two witnesses, and be notarized.</u> In the event the principal is physically unable to sign, the notary public may sign the principal's name on the document.</p> <p><a href="#">Section 709.2101</a></p>



## FLORIDA

### State-Specific Controlled Substance Requirements

<b>Permits:</b>	<p><u>VETERINARY ESTABLISHMENT (PREMISE PERMIT) (VM 2)</u>: application for individuals that want to open a permanent or mobile animal hospital or clinic. The applicant must submit the name of a licensed veterinarian who will be responsible for the management of the hospital or clinic. A temporary license will be issued, it will be valid for 120 days or until the required inspection has been successfully completed.</p> <p>*Do not apply more than 90 days before premise will be ready for inspection, expired temporary permits cannot be extended and a new application will be required.  <a href="#">Veterinary Establishment Premise Permit</a></p> <p><u>Premises permits:</u></p> <p>(1) Any establishment, permanent or mobile, where a licensed veterinarian practices must have a premises permit issued by the department. Upon application and payment of a fee not to exceed \$250, as set by rule of the board, the department shall cause such establishment to be inspected. A premises permit shall be issued if the establishment meets minimum standards, to be adopted by rule of the board, as to sanitary conditions, recordkeeping, equipment, radiation monitoring, services required, and physical plant.</p> <p>(2) Each application for a premises permit shall set forth the name of the licensed veterinarian who will be responsible for the management of the establishment and the name and address of the owners of the establishment.</p> <p>(3) The premises permit may be revoked, suspended, or denied when inspection reveals that the establishment does not meet the standards set by rule or when the license of the responsible veterinarian has been suspended or revoked.</p> <p>(4) Any practitioner who provides veterinary service on a house-call basis and who does not maintain a veterinary establishment for receipt of patients shall not be required to obtain a premises permit, but must provide for minimum equipment and facilities as established by rule.  <a href="#">FDL STATS Title XXXII 474.215</a></p>
<b>Prescriptions:</b>	<p><u>Electronic prescribing: Florida's E-prescribing Law does not apply to veterinarians.</u> Federal law requires that on or after January 1, 2021, every prescription for a covered Part D Schedule II, III, IV or V controlled substance must be transmitted electronically unless a specific exemption applies.</p> <p>(f) A prescription for a controlled substance listed in Schedule II may be dispensed only upon a written or electronic prescription of a practitioner, except that in an emergency situation, as defined by regulation of the Department of Health, such controlled substance may be dispensed upon oral prescription but is limited to a 72-hour supply. A prescription for a controlled substance listed in Schedule II may not be refilled.</p> <p>(g) A prescription for a controlled substance listed in Schedule III, Schedule IV, or Schedule V may not be filled or refilled more than five times within a period of 6 months after the date on which the prescription was written unless the prescription is renewed by a practitioner.  <a href="#">893.04(1)(f)(g)</a></p> <p>Each prescription written by a practitioner in this state for a controlled substance listed in Schedule II, Schedule III, or Schedule IV must include a written and a numerical notation of the quantity of the controlled substance prescribed and a notation of the date in numerical, month/day/year format, or with the abbreviated month written out, or the month written out in whole. A pharmacist may, upon verification by the prescriber, document any information required by this paragraph. If the prescriber is not available to verify a prescription, the pharmacist may dispense the controlled substance, but may insist that the person to whom the controlled substance is dispensed provide valid photographic identification. If a prescription includes a numerical notation of the quantity of the controlled substance or date, but does not include the quantity or date written out in textual</p>



## FLORIDA

### State-Specific Controlled Substance Requirements

	<p>format, the pharmacist may dispense the controlled substance without verification by the prescriber of the quantity or date if the pharmacy previously dispensed another prescription for the person to whom the prescription was written.</p> <p><a href="#">893.04(2)(d)</a></p>
<p><b>Recordkeeping:</b></p>	<p>Controlled substance records shall be kept and made available for a period of at least <u>2 years</u> for inspection and copying by law enforcement officers whose duty it is to enforce the laws of this state relating to controlled substances. Law enforcement officers are not required to obtain a subpoena, court order, or search warrant in order to obtain access to or copies of such records.</p> <p><u>Patient records:</u> Florida law requires inventories and records to be made available for inspection and photocopying by authorized federal, state, or local officials for a period of <u>2 years following disposition of the drugs or 3 years after the date of last entry</u>, whichever period is longer.</p> <p><u>Records requests:</u> Records that are kept at a central location outside of this state and that are not electronically retrievable <u>must be made available for inspection within 2 working days after a request</u> by an authorized official of a federal, state, or local law enforcement agency. Records that are maintained at a central location within this state must be maintained at an establishment that is permitted pursuant to this part and must be readily available.</p> <p><a href="#">499.0121(6)(b)</a></p>
<p><b>State Scheduled CS's:</b></p>	<p><u>Xylazine:</u> In 2018, Florida scheduled xylazine as a <b>Schedule I</b> under the <a href="#">Florida Controlled Substance Act</a> due to its devastating effects on humans.</p>
<p><b>Supervision:</b></p>	<p>"<u>Immediate supervision</u>" or words of similar purport mean a licensed doctor of veterinary medicine is on the premises whenever veterinary services are being provided. <a href="#">474.202(5)</a></p> <p>(1) All tasks which may be delegated to a veterinary aide, nurse, laboratory technician, intern, or other employee of a licensed veterinarian shall be performed only under the "immediate supervision" of a licensed veterinarian as that phrase is defined in subsection <a href="#">474.202(5), F.S.</a>, with the exception of the following tasks which may be performed without the licensed veterinarian on the premises:</p> <ul style="list-style-type: none"> <li>(a) The administration of medication and treatment, excluding vaccinations, as directed by the licensed veterinarian; and</li> <li>(b) The obtaining of samples and the performance of those diagnostic tests, including radiographs, directed by the licensed veterinarian.</li> </ul> <p>(2) The administration of anesthesia and tranquilization by a veterinary aide, nurse, laboratory technician, intern, or other employee of a licensed veterinarian requires "immediate supervision" as that phrase is defined in subsection <a href="#">474.202(5), F.S.</a></p> <p>(3) The administration of any vaccination by a veterinary aide, nurse, technician, intern or other employee of a licensed veterinarian which is not specifically prohibited by Rule <a href="#">61G18-17.006</a>, F.A.C., requires "immediate supervision" as that phrase is defined in subsection <a href="#">474.202(5), F.S.</a></p> <p><a href="#">61G18-17.005</a>.</p> <p>"<u>Responsible supervision</u>" or words of similar purport mean the control, direction, and regulation by a licensed doctor of veterinary medicine of the duties involving veterinary services which she or he delegates to unlicensed personnel.</p> <p><a href="#">474.202(10)</a></p>
<p><b>Telemedicine:</b></p>	<p>The Board of Veterinary Medicine may discipline a licensee for using the privilege of ordering, prescribing, or making available medicinal drugs, drugs, or controlled substances for use other than for the specific treatment of animal patients for which there is a documented veterinarian/client/patient relationship. The veterinarian shall:</p> <ol style="list-style-type: none"> <li>1. Have sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, which means that the veterinarian is personally acquainted with the keeping and the caring of the animal and has recent</li> </ol>



## FLORIDA

### State-Specific Controlled Substance Requirements

	<p>contact with the animal or has made medically appropriate and timely visits to the premises where the animal is kept;</p> <p>2. Be available to provide for follow up care and treatment in case of adverse reactions or failure of the regimen or therapy; and</p> <p>3. Maintain records which document patient visits, diagnosis, treatment and other relevant information <a href="#">West's F.S.A. § 474.214</a>.</p>
<p><b>Veterinary Client Patient Relationship (VCPR):</b></p>	<p>VCPR must be established in-person and only applies to one veterinarian.</p> <p>A VCPR means a relationship where the veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and its need for medical treatment (<a href="#">West's F.S.A. § 474.202</a>).</p> <p>The documented veterinarian/client/patient relationship is defined as a veterinarian's record of a client's animal which documents that the veterinarian has seen the animal in a professional capacity within a period of 12 months or less (<a href="#">Fla. Admin. Code r. 61G18-30.001</a>).</p>

### Information and Resources

**FEDERAL:**

Drug Enforcement Administration, Miami Division  
 2100 North Commerce Parkway  
 Miami, FL 33326  
 Phone: (954) 660-4500

**Local DEA Offices:**

- Jacksonville: 904-348-5225
- Orlando: 407-333-7000
- Tampa: 813-287-5160
- West Palm Beach: 561-684-8000

Federal Law: [www.deadiversion.usdoj.gov](http://www.deadiversion.usdoj.gov)  
 Controlled Substances Act: [21 USC 801 – 904](#)  
 Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)  
 NDC drug: [www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829](http://www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829)  
 Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>

**STATE:**

Florida Veterinary Licensing Board website: <https://fvma.org/resources/florida-board-of-veterinary-medicine/>  
 Florida Pharmacy Board website: <https://floridaspharmacy.gov>  
 Florida Law: [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0400-0499/0474/0474.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0474/0474.html)