



An Important Message from DBPR for Prescription Drug and Medical Gas Wholesalers

In anticipation of Hurricane Helene making landfall in Florida, Governor Ron DeSantis has declared a State of Emergency for many Florida counties through Executive Orders 24-208 and 24-209 (copies of these orders are attached). With this declared state of emergency, certain provisions of Chapter 499, Florida Statutes, are waived to allow for the distribution of prescription drugs and medical gas to mitigate supply chain difficulties that may arise during this emergency. We have provided reference to two rules that further clarify some specific exceptions. A brief summary of each rule can be found below.

61N-1.011 Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized

This rule allows for various exemptions and specific distributions during a declared state of emergency to allow temporary medical facilities and other emergency services to acquire prescription drugs. A copy of Rule Chapter 61N-1, F.A.C., is attached for reference.

61N-1.027 Distribution of Medical Oxygen for Emergency Use

This rule allows medical gas wholesale distributors to directly supply facilities and individuals with oxygen when such a distribution would normally require a medical oxygen retail establishment permit. In addition, this rule allows for exceptions to the prescription requirements for delivery of medical gases under certain provisions and also provides distributors an opportunity to circumvent some of the requirements related to medical containers (gas bottles) during a medical emergency. A copy of Rule Chapter 61N-1, F.A.C., is attached for reference.

Please share this communication with anyone in your organization or within the industry that may be impacted during this state of emergency and please be safe.

Sincerely,

Anthony Coniglio

Interim Division Director and Chief of Compliance

Division of Drugs, Devices and Cosmetics

Florida Department of Business and Professional Regulation

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