

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Jones, M. offered the following:

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3 **Amendment to Amendment (874629) (with title amendment)**

4 Between lines 4 and 5 of the amendment, insert:

5 Section 5. Section 381.0044, Florida Statutes, is created
6 to read:

7 381.0044 Hepatitis C testing.-

8 (1) As used in this section, the term:

9 (a) "Health care practitioner" means a person licensed
10 under chapter 458 or chapter 459, or an advanced registered
11 nurse practitioner certified under part I of chapter 464.

12 (b) "Hepatitis C diagnostic test" means a laboratory test
13 that detects the presence of the hepatitis C virus in the blood
14 and provides confirmation of a hepatitis C virus infection.

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15 (c) "Hepatitis C screening test" means a laboratory
16 screening test, rapid point-of-care test, or other test approved
17 by the federal Food and Drug Administration that detects the
18 presence of hepatitis C antibodies in the blood.

19 (2) A person born between January 1, 1945, and December
20 31, 1965, who receives health care services as an inpatient in a
21 general hospital as defined in s. 395.002, primary care services
22 in a hospital inpatient or outpatient setting, or primary care
23 services from a health care practitioner should be offered a
24 hepatitis C screening test, as recommended by the Centers for
25 Disease Control and Prevention in its 2012 expanded hepatitis C
26 screening guidelines for the 1945-1965 age cohort, unless the
27 health care practitioner providing these services reasonably
28 believes that the person:

29 (a) Is being treated for a life-threatening emergency;

30 (b) Has previously been offered or has been the subject of
31 a hepatitis C screening test; however, if the person's medical
32 condition indicates the need for additional testing, a test
33 shall be offered;

34 (c) Lacks the capacity to consent to a hepatitis C
35 screening test.

36 (3) If a person accepts the offer of a hepatitis C
37 screening test and receives a positive test result, the health
38 care practitioner shall forward the results to the person's
39 primary care health care practitioner who can provide the

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40 appropriate counseling and followup health care. The followup
41 health care must include a hepatitis C diagnostic test.

42 (4) The Department of Health shall:

43 (a) Adopt rules that provide procedures for culturally and
44 linguistically offering hepatitis C screening in accordance with
45 this section; and

46 (b) Make available to health care practitioners a standard
47 hepatitis C information sheet to use when discussing and
48 offering the screening test to patients.

49 (5) This section does not affect the scope of practice of
50 a health care practitioner or diminish the authority or legal or
51 professional obligation of a health care practitioner to offer a
52 hepatitis C screening test or hepatitis C diagnostic test or to
53 provide services or followup health care to the subject of a
54 hepatitis C screening test or hepatitis C diagnostic test.

55 (6) The State Surgeon General shall submit a status report
56 evaluating the effectiveness of the hepatitis C testing program
57 established in this section by January 1, 2016. The State
58 Surgeon General shall submit the report to the Governor, the
59 President of the Senate, the Speaker of the House of
60 Representatives, and the chairs of the appropriate substantive
61 committees of the Legislature.

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64 **T I T L E A M E N D M E N T**

65 Between lines 91 and 92 of the amendment, insert:

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66 creating s. 381.0044, F.S.; providing definitions;
67 providing that specified persons should be offered
68 hepatitis C testing; providing exceptions; requiring a
69 health care practitioner to provide followup health
70 care to persons who receive a positive test result;
71 requiring the Department of Health to adopt rules and
72 make standard hepatitis C information sheets available
73 to health care practitioners; providing applicability
74 with respect to hepatitis C testing by health care
75 practitioners; requiring a report to the Governor and
76 the Legislature;

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