

1                                   A bill to be entitled  
 2           An act relating to licensure of nurse registries;  
 3           amending s. 400.506, F.S.; providing that certain  
 4           nurses, nursing assistants, and home health aides are  
 5           independent contractors under certain conditions;  
 6           exempting a nurse registry from management of and  
 7           liability for such independent contractors; requiring  
 8           a nurse registry to maintain certain records;  
 9           providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Paragraph (d) is added to subsection (6) of  
 14           section 400.506, Florida Statutes, and subsections (19) and (20)  
 15           are added to that section, to read:

16           400.506 Licensure of nurse registries; requirements;  
 17           penalties.—

18           (6)

19           (d) A registered nurse, licensed practical nurse,  
 20           certified nursing assistant, or home health aide referred by a  
 21           nurse registry for contract in a private residence shall be  
 22           deemed an independent contractor and not an employee of the  
 23           nurse registry regardless of the requirements imposed on nurse  
 24           registries by this part.

25           (19) A nurse registry is not required to monitor,  
 26           supervise, manage, or train registered nurses, licensed

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27 practical nurses, certified nursing assistants, or home health  
28 aides referred under this part. If a registered nurse, licensed  
29 practical nurse, certified nursing assistant, or home health  
30 aide referred for contract in a private residence by a nurse  
31 registry violates any provision of this part or has a deficiency  
32 in credentials that comes to the attention of the nurse  
33 registry, the sole obligation of the nurse registry shall be to  
34 advise the patient to terminate the referred individual.

35 (20) A nurse registry shall maintain a repository of  
36 records required to be filed in accordance with this chapter and  
37 agency rules. A nurse registry is not required to review or act  
38 upon such records except as required under subsection (19).

39 Section 2. This act shall take effect July 1, 2014.