

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1373 (2018)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Stevenson offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 393.506, Florida Statutes, is amended
8 to read:

9 393.506 Administration of medication.—

10 (1) An unlicensed direct service provider ~~who is not~~
11 ~~currently licensed to administer medication~~ may supervise the
12 self-administration of medication or may administer oral,
13 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
14 topical prescription medications to a client if the unlicensed
15 direct service provider meets the requirements of as provided in
16 this section.

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17 (2) In order to supervise the self-administration of
18 medication or to administer medications as provided in
19 subsection (1), an unlicensed direct service provider must
20 satisfactorily complete an initial a training course conducted
21 by an agency-approved trainer of not less than 6 4 hours in
22 medication administration and be found competent to supervise
23 the self-administration of medication by a client and ~~or~~ to
24 administer medication to a client in a safe and sanitary manner.
25 ~~Competency must be assessed and validated at least annually in~~
26 ~~an onsite setting and must include personally observing the~~
27 ~~direct service provider satisfactorily:~~

28 ~~(a) Supervising the self-administration of medication by a~~
29 ~~client; and~~

30 ~~(b) Administering medication to a client.~~

31 (a) The competency of the unlicensed direct service
32 provider to supervise and administer otic, transdermal, and
33 topical medication must be assessed and validated using
34 simulation during the initial training course, and need not be
35 revalidated annually.

36 (b) Competency must be validated initially and revalidated
37 annually for oral, enteral, ophthalmic, rectal, and inhaled
38 medication administration. The initial validation and annual
39 revalidations of medication administration must be performed
40 onsite with an actual client using the client's actual
41 medication and must include the validating practitioner

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42 personally observing the unlicensed direct service provider
43 satisfactorily:

44 1. Supervising the oral, enteral, ophthalmic, rectal, or
45 inhaled self-administration of medication by a client; and

46 2. Administering medication to a client by oral, enteral,
47 ophthalmic, rectal, or inhaled medication routes.

48 (c)1. Any unlicensed direct service provider who completes
49 the required initial training course and is validated in the
50 oral or enteral route of medication administration is not
51 required to retake the initial training course unless he or she
52 fails to maintain annual validation in the oral or enteral
53 route, in which case, the provider must complete again the
54 initial 6-hour training course and any additional validations
55 before he or she may supervise the self-administration of
56 medication by a client or administer medication to a client.

57 2. If the unlicensed direct service provider has already
58 completed an initial training course of at least 4 hours and has
59 a current validation for oral or enteral routes of medication
60 administration on or before July 1, 2018, then he or she is not
61 required to complete the initial 6-hour training course. If for
62 any reason the unlicensed direct service provider fails to meet
63 the annual validation requirement for oral or enteral medication
64 administration, or the annual inservice training requirement in
65 subsection (4), then the unlicensed direct service provider must
66 satisfactorily retake the initial training course and obtain all

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67 required validations before he or she may supervise the self-
68 administration of medication by a client or administer
69 medication to a client.

70 3. If an unlicensed direct service provider has completed
71 an initial training course of at least 4 hours but has not
72 received validation for otic, transdermal, or topical medication
73 administration before July 1, 2018, then that direct service
74 provider must obtain validation before administering otic,
75 transdermal, and topical medication, which may be performed
76 through simulation.

77 (3) Only an unlicensed direct service provider who has met
78 the training requirements of this section and who has been
79 validated as competent may administer medication to a client. In
80 addition, a direct service provider who is not currently
81 licensed to administer medication may supervise the self-
82 administration of medication by a client or may administer
83 medication to a client only if the client, or the client's
84 guardian or legal representative, has given his or her informed
85 written consent

86 ~~(3) A direct service provider may supervise the self-~~
87 ~~administration of medication by a client or may administer~~
88 ~~medication to a client only if the client, or the client's~~
89 ~~guardian or legal representative, has given his or her informed~~
90 ~~consent to self-administering medication under the supervision~~
91 ~~of an unlicensed direct service provider or to receiving~~

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92 ~~medication administered by an unlicensed direct service~~
93 ~~provider. Such informed consent must be based on a description~~
94 ~~of the medication routes and procedures that the direct service~~
95 ~~provider is authorized to supervise or administer. Only a~~
96 ~~provider who has received appropriate training and has been~~
97 ~~validated as competent may supervise the self-administration of~~
98 ~~medication by a client or may administer medication to a client.~~

99 (4) An unlicensed direct service provider must annually
100 and satisfactorily complete a 2-hour agency-developed inservice
101 training course in medication administration and medication
102 error prevention conducted by an agency-approved trainer. The
103 inservice training course will count toward annual inservice
104 training hours required by agency rules or by the rules of the
105 Agency for Health Care Administration. This subsection may not
106 be construed to require an increase in the total number of hours
107 required for annual inservice training for direct service
108 providers.

109 (5)(4) The training, determination of competency, and
110 initial and annual validations validation ~~validation~~ required in this
111 section shall be conducted by a registered nurse licensed
112 pursuant to chapter 464 or by a licensed practical nurse in
113 accordance with the requirements of chapter 464. A physician
114 licensed pursuant to chapter 458 or chapter 459 may validate or
115 revalidate competency.

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141 requiring unlicensed direct service providers to complete an
142 annual inservice training course in medication administration
143 and medication error prevention developed by the Agency for
144 Persons with Disabilities; providing construction; requiring the
145 validation and revalidation of competency for certain medication
146 administrations to be performed with an actual client; requiring
147 the agency to adopt specified rules; providing an effective
148 date.