

By Senator Klein

28-264-98

1 A bill to be entitled
2 An act relating to paramedics and emergency
3 medical technicians; creating s. 401.272, F.S.;
4 authorizing paramedics and emergency medical
5 technicians to conduct certain delegated tasks;
6 providing legislative intent; specifying the
7 limited services to be rendered under specific
8 arrangements; requiring the verification of
9 certain training and experience; providing a
10 construction clause; amending s. 401.265, F.S.;
11 specifying additional liability provisions for
12 medical directors under certain circumstances;
13 amending s. 401.411, F.S.; modifying an action
14 for which certain personnel may be disciplined;
15 providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:
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19 Section 1. Section 401.272, Florida Statutes, is
20 created to read:

21 401.272 Limited preventive health care tasks; emergency
22 medical technicians and paramedics.--

23 (1) LEGISLATIVE INTENT.--The purpose of this section
24 is to encourage the more effective use of the skills of
25 paramedics and emergency medical technicians by enabling
26 emergency medical services' medical directors to delegate
27 limited preventive health care tasks to qualified paramedics
28 and emergency medical technicians when such delegation is
29 consistent with improving the public's health and welfare.

30 (2) PERFORMANCE OF BLOOD PRESSURE SCREENING AND
31 CHILDHOOD IMMUNIZATIONS BY PARAMEDICS AND EMERGENCY MEDICAL

1 TECHNICIANS.--Notwithstanding any other provision of law, a
2 paramedic or emergency medical technician may perform blood
3 pressure screening or childhood immunization if the medical
4 director verifies that the paramedic or emergency medical
5 technician is trained or experienced to render such services
6 under the supervision and specific protocol of a medical
7 director.

8 Blood pressure screening may only be performed when
9 the medical director has a signed agreement to carry out such
10 functions as part of an American Heart Association protocol
11 for referral and followup.

12 (b) Childhood immunizations may only be performed when
13 the medical director has a written agreement with a county
14 health department specifying a protocol for such
15 immunizations.

16 (3) VERIFICATION OF TRAINING AND EXPERIENCE.--Each
17 medical director delegating blood pressure screening or
18 childhood immunization to a paramedic or emergency medical
19 technician must verify and document in the emergency medical
20 services' licensure file that the paramedic or emergency
21 medical technician has the appropriate training and experience
22 to conduct blood pressure screening or childhood immunizations
23 under this section. Such verification, using forms developed
24 by the department, must be available for inspection by the
25 department as part of the department's routine licensure
26 inspection process.

27 (4) EXISTING PROGRAMS.--This section may not be
28 construed to eliminate or supersede existing laws relating to
29 other paramedic or emergency medical technician emergency
30 medical services. It is the intent of this section to
31 supplement all such existing programs relating to the

1 certification and practice of paramedics and emergency medical
2 technicians as authorized by law.

3 Section 2. Subsection (4) is added to section 401.265,
4 Florida Statutes, to read:

5 401.265 Medical directors.--

6 (4) Each medical director who uses a paramedic or
7 emergency medical technician to perform blood pressure
8 screening or childhood immunization on any patient under a
9 protocol as specified in s. 401.272, which is not in the
10 provision of emergency care, is liable for any act or omission
11 of any paramedic or emergency medical technician acting under
12 his or her supervision and control when performing such
13 services.

14 Section 3. Subsection (1) of section 401.411, Florida
15 Statutes, is amended to read:

16 401.411 Disciplinary action; penalties.--

17 (1) The department may deny, suspend, or revoke a
18 license, certificate, or permit or may reprimand or fine any
19 licensee, certificateholder, or other person operating under
20 this part for any of the following grounds:

21 (a) The violation of any rule of the department or any
22 provision of this part.

23 (b) Being found guilty of, or pleading nolo contendere
24 to, regardless of adjudication in any jurisdiction, a crime
25 that relates to practice as an emergency medical technician or
26 paramedic, or to practice in any other occupation, when
27 operating under this part.

28 (c) Addiction to alcohol or any controlled substance.

29 (d) Engaging in or attempting to engage in the
30 possession, except in legitimate duties under the supervision
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1 of a licensed physician, or the sale or distribution of any
2 controlled substance as set forth in chapter 893.

3 (e) The conviction in any court in any state or in any
4 federal court of a felony, unless the person's civil rights
5 have been restored.

6 (f) Knowingly making false or fraudulent claims;
7 procuring, attempting to procure, or renewing a certificate,
8 license, or permit by fakery, fraudulent action, or
9 misrepresentation.

10 (g) Unprofessional conduct, including, but not limited
11 to, any departure from or failure to conform to the minimal
12 prevailing standards of acceptable practice as an emergency
13 medical technician or paramedic, including undertaking
14 activities that the emergency medical technician or paramedic
15 is not qualified by training or experience to perform.

16 (h) Sexual misconduct with a patient, including
17 inducing or attempting to induce the patient to engage, or
18 engaging or attempting to engage the patient, in sexual
19 activity.

20 (i) The failure to give to the department, or its
21 authorized representative, true information upon request
22 regarding an alleged or confirmed violation of this part or
23 rule of the department.

24 (j) Fraudulent or misleading advertising or
25 advertising in an unauthorized category.

26 (k) Practicing as an emergency medical technician,
27 paramedic, or other health care professional operating under
28 this part without reasonable skill and safety to patients by
29 reason of illness, drunkenness, or the use of drugs,
30 narcotics, or chemicals or any other substance or as a result
31 of any mental or physical condition.

