

1 A bill to be entitled
2 An act relating to nursing homes; amending s.
3 400.141, F.S.; prescribing duties of nursing
4 homes with respect to influenza and
5 pneumococcal polysaccharide vaccinations;
6 providing rulemaking authority; providing an
7 effective date.

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

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11 Section 1. Subsections (14), (15), and (16) are added
12 to section 400.141, Florida Statutes, to read:

13 400.141 Administration and management of nursing home
14 facilities.--Every licensed facility shall comply with all
15 applicable standards and rules of the agency and shall:

16 (14) Before November 30 of each year, subject to the
17 availability of an adequate supply of the necessary vaccine,
18 provide for immunizations against influenza viruses to all its
19 consenting residents in accordance with the recommendations of
20 the U.S. Centers for Disease Control and Prevention, subject
21 to exemptions for medical contraindications and religious or
22 personal beliefs. Subject to these exemptions, any consenting
23 person who becomes a resident of the facility after November
24 30 but before March 31 of the following year must be immunized
25 within 5 working days after becoming a resident. Immunization
26 shall not be provided to any resident who provides
27 documentation that he or she has been immunized as required by
28 this subsection. This subsection does not prohibit a resident
29 from receiving the immunization from his or her personal
30 physician if he or she so chooses. A resident who chooses to
31 receive the immunization from his or her personal physician

1 shall provide proof of immunization to the facility. The
2 agency may adopt and enforce any rules necessary to comply
3 with or implement this subsection.

4 (15) Assess all residents for eligibility for
5 pneumococcal polysaccharide vaccination (PPV) and vaccinate
6 residents when indicated within 60 days after the effective
7 date of this act in accordance with the recommendations of the
8 U.S. Centers for Disease Control and Prevention, subject to
9 exemptions for medical contraindications and religious or
10 personal beliefs. Residents admitted after the effective date
11 of this act shall be assessed within 5 working days of
12 admission and, when indicated, vaccinated within 60 days in
13 accordance with the recommendations of the United States
14 Centers for Disease Control and Prevention, subject to
15 exemptions for medical contradictions and religious or
16 personal beliefs. Immunization shall not be provided to any
17 resident who provides documentation that he or she has been
18 immunized as required by this subsection. This subsection does
19 not prohibit a resident from receiving the immunization from
20 his or her personal physician if he or she so chooses. A
21 resident who chooses to receive the immunization from his or
22 her personal physician shall provide proof of immunization to
23 the facility. The agency may adopt and enforce any rules
24 necessary to comply with or implement this subsection.

25 (16) Annually encourage and promote to its employees
26 the benefits associated with immunizations against influenza
27 viruses in accordance with the recommendations of the U.S.
28 Centers for Disease Control and Prevention. The agency may
29 adopt and enforce any rules necessary to comply with or
30 implement this subsection.

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1 Facilities that have been awarded a Gold Seal under the
2 program established in s. 400.235 may develop a plan to
3 provide certified nursing assistant training as prescribed by
4 federal regulations and state rules and may apply to the
5 agency for approval of its program.

6 Section 2. This act shall take effect upon becoming a
7 law.

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