

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Insurance offered the following:

Amendment (with title amendment)

On page 1, lines 10-15
remove from the bill: all of said lines

and insert in lieu thereof:

Section 1. Subsection (2) of s. 440.102, Florida Statutes, is amended, and subsection (15) is added to said section, to read:

440.102 Drug-free workplace program requirements.--The following provisions apply to a drug-free workplace program implemented pursuant to law or to rules adopted by the Agency for Health Care Administration:

(2) DRUG TESTING.--An employer may test an employee or job applicant for any drug described in paragraph (1)(c). In order to qualify as having established a drug-free workplace program under this section and have ~~which affords an employer~~ the ability to qualify for the discounts provided under s. 627.0915 and deny medical and indemnity benefits, ~~under this chapter,~~ all drug testing, which conforms to ~~conducted by~~

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1 ~~employers shall be in conformity with the standards and~~
2 ~~procedures established in this section and all applicable~~
3 ~~rules adopted pursuant to this section, must be conducted by~~
4 ~~the employer.~~ However, an employer does not have a legal duty
5 under this section to request an employee or job applicant to
6 undergo drug testing. If an employer fails to maintain a
7 drug-free workplace program in accordance with the standards
8 and procedures established in this section and in applicable
9 rules, the employer shall not be eligible for discounts under
10 s. 627.0915. All employers qualifying for and receiving
11 discounts provided under s. 627.0915 must be reported annually
12 by the insurer to the division.

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 1, line 3

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19 after the semicolon insert:

20 clarifying that employees must conduct drug
21 testing in conformity with the section to
22 qualify as having a drug-free workplace
23 program;

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