

By Senator Clary

7-483-01

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 polysaccharide pneumococcal vaccinations;
6 providing an effective date.

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

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

12 400.141 Administration and management of nursing home
13 facilities.--Every licensed facility shall comply with all
14 applicable standards and rules of the agency and shall:

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

1 (15) Assess all residents for eligibility for
2 polysaccharide pneumococcal vaccination (PPV) and vaccinate
3 residents when indicated within 60 days after the effective
4 date of this act in accordance with the recommendations of the
5 U.S. Centers for Disease Control and Prevention, subject to
6 exemptions for medical contraindications and religious or
7 personal beliefs. Residents admitted after the effective date
8 of this act shall be assessed within 5 days of admission.
9 Immunization shall not be provided to any resident who
10 provides documentation that he or she has been immunized as
11 required by this subsection. This subsection does not prohibit
12 a resident from receiving the immunization from his or her
13 personal physician if he or she so chooses. A resident who
14 chooses to receive the immunization from his or her personal
15 physician shall provide proof of immunization to the facility.

16 (16) Annually encourage and promote to its employees
17 the benefits associated with immunizations against influenzae
18 virus in accordance with the recommendations of the U.S.
19 Centers for Disease Control and Prevention.

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21 Facilities that have been awarded a Gold Seal under the
22 program established in s. 400.235 may develop a plan to
23 provide certified nursing assistant training as prescribed by
24 federal regulations and state rules and may apply to the
25 agency for approval of its program.

26 Section 2. This act shall take effect upon becoming a
27 law.

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SENATE SUMMARY

Prescribes the duty of a nursing home to assure that its residents have influenza and polysaccharide pneumococcal vaccinations, unless those are medically contraindicated or declined for religious or personal reasons. A resident may have a vaccination administered by a personal physician, but must furnish proof thereof to the nursing home. Requires nursing homes to encourage employees to obtain influenza vaccinations.