Florida Senate - 2001

By Senator Clary

7-483-01 A bill to be entitled 1 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. 7 Be It Enacted by the Legislature of the State of Florida: 8 9 Section 1. Subsections (14), (15), and (16) are added 10 to section 400.141, Florida Statutes, to read: 11 12 400.141 Administration and management of nursing home 13 facilities.--Every licensed facility shall comply with all applicable standards and rules of the agency and shall: 14 (14) Before November 30 of each year, subject to the 15 16 availability of an adequate supply of the necessary vaccine, 17 provide for immunizations against influenzae virus to all its consenting residents in accordance with the recommendations of 18 19 the U.S. Centers for Disease Control and Prevention, subject to exemptions for medical contraindications and religious or 20 21 personal beliefs. Subject to these exemptions, any person who 22 becomes a resident of the facility after November 30 but before March 31 of the following year must be immunized within 23 5 working days after becoming a resident. Immunization shall 24 25 not be provided to any resident who provides documentation that he or she has been immunized as required by this 26 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 proof of immunization to the facility. 31 1

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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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