

Amendment No. \_\_\_\_ (for drafter's use only)

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

Representative(s) Farkas offered the following:

**Amendment to Amendment (114491) (with title amendment)**

On page 53, line 3, through page 59, line 11,  
remove: all of said lines

and insert:

Section 1. Subsection (6) of section 381.0011, Florida Statutes, is amended to read:

381.0011 Duties and powers of the Department of Health.--It is the duty of the Department of Health to:

(6) Declare, enforce, modify, and abolish quarantine of persons, animals, and premises as the circumstances indicate for controlling communicable diseases or providing protection from unsafe conditions that pose a threat to public health, except as provided in ss. 384.28 and 392.545-392.60.

(a) The department shall adopt rules to specify the conditions and procedures for imposing and releasing a quarantine. The rules must include provisions related to:

1. The closure of premises.
2. The movement of persons or animals exposed to or

1 infected with a communicable disease.

2 3. The tests or ~~prophylactic~~ treatment, including  
3 vaccination, for communicable disease required prior to  
4 employment or admission to the premises or to comply with a  
5 quarantine.

6 4. Testing or destruction of animals with or suspected  
7 of having a disease transmissible to humans.

8 5. Access by the department to quarantined premises.

9 6. The disinfection of quarantined animals, persons,  
10 or premises.

11 7. Methods of quarantine.

12 (b) Any health regulation that restricts travel or  
13 trade within the state may not be adopted or enforced in this  
14 state except by authority of the department.

15 Section 2. Section 381.00315, Florida Statutes, is  
16 amended to read:

17 381.00315 Public health advisories; public health  
18 emergencies.--The State Health Officer is responsible for  
19 declaring public health emergencies and issuing public health  
20 advisories.

21 (1) As used in this section, the term:

22 (a) "Public health advisory" means any warning or  
23 report giving information to the public about a potential  
24 public health threat. Prior to issuing any public health  
25 advisory, the State Health Officer must consult with any state  
26 or local agency regarding areas of responsibility which may be  
27 affected by such advisory. Upon determining that issuing a  
28 public health advisory is necessary to protect the public  
29 health and safety, and prior to issuing the advisory, the  
30 State Health Officer must notify each county health department  
31 within the area which is affected by the advisory of the State

1 Health Officer's intent to issue the advisory. The State  
2 Health Officer is authorized to take any action appropriate to  
3 enforce any public health advisory.

4 (b) "Public health emergency" means any occurrence, or  
5 threat thereof, whether natural or man made, which results or  
6 may result in substantial injury or harm to the public health  
7 from infectious disease, chemical agents, nuclear agents,  
8 biological toxins, or situations involving mass casualties or  
9 natural disasters. Prior to declaring a public health  
10 emergency, the State Health Officer shall, to the extent  
11 possible, consult with the Governor and shall notify the Chief  
12 of Domestic Security Initiatives as created in s. 943.03. The  
13 declaration of a public health emergency shall continue until  
14 the State Health Officer finds that the threat or danger has  
15 been dealt with to the extent that the emergency conditions no  
16 longer exist and he or she terminates the declaration.  
17 However, a declaration of a public health emergency may not  
18 continue for longer than 60 days unless the Governor concurs  
19 in the renewal of the declaration. The State Health Officer,  
20 upon declaration of a public health emergency, may take  
21 actions that are necessary to protect the public health. Such  
22 actions include, but are not limited to:

23 1. Directing manufacturers of prescription drugs or  
24 over-the-counter drugs who are permitted under chapter 499 and  
25 wholesalers of prescription drugs located in this state who  
26 are permitted under chapter 499 to give priority to the  
27 shipping of specified drugs to pharmacies and health care  
28 providers within geographic areas that have been identified by  
29 the State Health Officer. The State Health Officer must  
30 identify the drugs to be shipped. Manufacturers and  
31 wholesalers located in the state must respond to the State

1 Health Officer's priority shipping directive before shipping  
2 the specified drugs.

3 2. Notwithstanding chapters 465 and 499 and rules  
4 adopted thereunder, directing pharmacists employed by the  
5 department to compound bulk prescription drugs and provide  
6 these bulk prescription drugs to physicians, physician  
7 assistants, and nurses of county health departments or any  
8 qualified person authorized by the State Health Officer for  
9 administration to persons as part of a prophylactic or  
10 treatment regimen.

11 3. Notwithstanding s. 456.036, temporarily  
12 reactivating the inactive license of the following health care  
13 practitioners, when such practitioners are needed to respond  
14 to the public health emergency: physicians licensed under  
15 chapter 458 or chapter 459; physician assistants licensed  
16 under chapter 458 or chapter 459; licensed practical nurses,  
17 registered nurses, and advanced registered nurse practitioners  
18 licensed under part I of chapter 464; respiratory therapists  
19 licensed under part V of chapter 468; and emergency medical  
20 technicians and paramedics certified under part III of chapter  
21 401. Only those health care practitioners specified in this  
22 paragraph who possess an unencumbered inactive license and who  
23 request that such license be reactivated are eligible for  
24 reactivation. An inactive license that is reactivated under  
25 this paragraph shall return to inactive status when the public  
26 health emergency ends or prior to the end of the public health  
27 emergency if the State Health Officer determines that the  
28 health care practitioner is no longer needed to provide  
29 services during the public health emergency. Such licenses may  
30 only be reactivated for a period not to exceed 90 days without  
31 meeting the requirements of s. 456.036 or chapter 401, as

1 applicable. If a physician assistant requests reactivation and  
2 volunteers during the declared public health emergency, the  
3 county health department may serve as the supervising  
4 physician for the physician assistant.

5 4. Ordering an individual to be examined, tested,  
6 vaccinated, treated, or quarantined for communicable diseases  
7 that have significant morbidity or mortality and present a  
8 severe danger to public health. Individuals who are unable or  
9 unwilling to be examined, tested, vaccinated or treated for  
10 reasons of health, religion or conscience may be subjected to  
11 quarantine.

12 a. Examination, testing, vaccination, or treatment may  
13 be performed by any qualified person authorized by the State  
14 Health Officer.

15 b. If the individual poses a danger to the public  
16 health, the State Health Officer may subject the individual to  
17 quarantine. If there is no practical method to quarantine the  
18 individual, the State Health Officer may use any means  
19 necessary to vaccinate or treat the individual.

20  
21 Any order of the State Health Officer given to effectuate this  
22 paragraph shall be immediately enforceable by a law  
23 enforcement officer under s. 381.0012.

24 (2) Individuals who assist the State Health Officer at  
25 his or her request on a volunteer basis during a public health  
26 emergency are entitled to the benefits specified in s. 110.504  
27 (2), (3), (4), and (5).

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

31 And the title is amended as follows:

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1           On page 155, line 13, after the first semicolon,  
2 through line 22, of the amendment  
3 remove: all of said lines  
4  
5 and insert:  
6           amending s. 381.0011, F.S.; revising the  
7 rulemaking authority of the Department of  
8 Health with respect to its power to impose  
9 quarantine, including requiring vaccination;  
10 amending s. 381.00315, F.S.; defining the terms  
11 "public health advisory" and "public health  
12 emergency"; specifying the terms under which a  
13 public health emergency is declared; providing  
14 for consultation for, notice, and duration of a  
15 declaration of a public health emergency;  
16 authorizing the State Health Officer to take  
17 specified actions upon the declaration of a  
18 public health emergency relating to shipping of  
19 specified drugs, directing the compounding of  
20 bulk prescription drugs, and specifying the use  
21 of such drugs; authorizing the State Health  
22 Officer to reactivate the inactive licenses of  
23 certain practitioners who request such  
24 reactivation; authorizing the State Health  
25 Officer to order that an individual be  
26 examined, tested, vaccinated, treated, or  
27 quarantined for certain communicable diseases  
28 under specified circumstances;  
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