

Amendment No. 2 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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5			ORIGINAL STAMP BELOW
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11 The Committee on Health Regulation offered the following:

13 **Amendment (with title amendment)**

14 On page 3, line 9 through page 4, line 27,
15 remove: all of said lines

17 and insert:

18 Section 2. Section 381.0011, Florida Statutes, is
19 amended to read:

20 381.0011 Duties and powers of the Department of
21 Health.--It is the duty of the Department of Health to:

22 (1) Assess the public health status and needs of the
23 state through statewide data collection and other appropriate
24 means, with special attention to future needs that may result
25 from population growth, technological advancements, new
26 societal priorities, or other changes.

27 (2) Formulate general policies affecting the public
28 health of the state.

29 (3) Include in the department's strategic plan
30 developed under s. 186.021 a summary of all aspects of the
31 public health mission and health status objectives to direct

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1 the use of public health resources with an emphasis on
2 prevention.

3 (4) Administer and enforce laws and rules relating to
4 sanitation, control of communicable diseases, illnesses and
5 hazards to health among humans and from animals to humans, and
6 the general health of the people of the state.

7 (5) Cooperate with and accept assistance from federal,
8 state, and local officials for the prevention and suppression
9 of communicable and other diseases, illnesses, injuries, and
10 hazards to human health.

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

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

19 1. The closure of premises.

20 2. The movement of persons or animals exposed to or
21 infected with a communicable disease.

22 3. The tests or ~~prophylactic~~ prophylactic treatment, including
23 vaccination, for communicable disease required prior to
24 employment or admission to the premises or to comply with a
25 quarantine.

26 4. Testing or destruction of animals with or suspected
27 of having a disease transmissible to humans.

28 5. Access by the department to quarantined premises.

29 6. The disinfection of quarantined animals, persons,
30 or premises.

31 7. Methods of quarantine.

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

4 (7) Provide for a thorough investigation and study of
5 the incidence, causes, modes of propagation and transmission,
6 and means of prevention, control, and cure of diseases,
7 illnesses, and hazards to human health.

8 (8) Provide for the dissemination of information to
9 the public relative to the prevention, control, and cure of
10 diseases, illnesses, and hazards to human health. The
11 department shall conduct a workshop before issuing any health
12 alert or advisory relating to food-borne illness or
13 communicable disease in public lodging or food service
14 establishments in order to inform persons, trade associations,
15 and businesses of the risk to public health and to seek the
16 input of affected persons, trade associations, and businesses
17 on the best methods of informing and protecting the public,
18 except in an emergency, in which case the workshop must be
19 held within 14 days after the issuance of the emergency alert
20 or advisory.

21 (9) Act as registrar of vital statistics.

22 (10) Cooperate with and assist federal health
23 officials in enforcing public health laws and regulations.

24 (11) Cooperate with other departments, local
25 officials, and private boards and organizations for the
26 improvement and preservation of the public health.

27 (12) Cooperate with other departments, local
28 officials, and private organizations in developing and
29 implementing a statewide injury control program.

30 (13) Notwithstanding chapters 465 and 499 and rules
31 promulgated thereunder, the State Health Officer may direct

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1 pharmacists employed by the department to compound bulk
2 prescription drugs and provide these bulk prescription drugs
3 to county health department physicians and nurses for
4 administration to persons as part of a prophylactic or
5 treatment regimen when there is a significant risk to the
6 public health from a disease, an environmental contaminant, or
7 a suspected act of nuclear, biological, or chemical terrorism,
8 (14) The State Health Officer, upon declaration of a
9 public health emergency pursuant to s. 381.00315, may take
10 such actions as are necessary to protect the public health.
11 Such action shall include, but is not limited to:
12 (a) Directing Florida manufacturers and wholesalers of
13 prescription and over-the-counter drugs permitted under
14 chapter 499 to give priority to shipping such drugs to
15 pharmacies and health care providers located in geographic
16 areas identified by the State Health Officer. Florida
17 manufacturers and wholesalers must respond d to the State
18 Health Officer's priority shipping directive before shipping
19 the specified drugs to other pharmacies or health care
20 providers in Florida.
21 (b) Notwithstanding s. 456.036, temporarily
22 reactivating the inactive licenses of physicians licensed
23 under chapter 458 or chapter 459; physician assistants
24 licensed under chapter 458 or chapter 459; licensed practical
25 nurses, registered nurses, and advanced registered nurse
26 practitioners licensed under chapter 464; respiratory
27 therapists licensed under part V of chapter 468; and emergency
28 medical technicians and paramedics licensed under chapter 401,
29 when such practitioners are needed to respond to the public
30 health emergency. Only those referenced in this paragraph who
31 request reactivation and have an unencumbered inactive license

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1 are eligible for reactivation. Any inactive license
2 reactivated pursuant to this subsection shall return to
3 inactive status when the public health emergency ends or prior
4 to the end of the public health emergency if the State Health
5 Officer determines that t he health care practitioner is no
6 longer needed to provide services during the emergency. The
7 license may only be reactivated for a period not to exceed 90
8 days without meeting the requirements of s. 456.036 or chapter
9 401.

10 (c) Notwithstanding any law to the contrary, during a
11 public health emergency declared pursuant to s. 381.00315 the
12 State Health Officer may compel an individual to be examined,
13 tested, vaccinated, or treated for communicable diseases which
14 have significant morbidity or mortality and present a severe
15 danger to public health.

16
17 Prior to taking action under this paragraph the State Health
18 Officer shall, to the extent possible, consult with the
19 Governor.

20 1. Examination, testing, or treatment may be performed
21 by any qualified person authorized by the State Health
22 Officer.

23 2. If the individual poses a danger to public health,
24 the State Health Officer may subject the individual to
25 quarantine. If there is no practical method to quarantine the
26 individual, the State Health Officer may use any means
27 necessary t o vaccinate or treat the individual.

28 3. Any order of the State Health Officer given to
29 effectuate this subsection shall be immediately enforceable by
30 law enforcement.

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1 Individuals who assist the State Health Officer at his or her
2 request on a volunteer basis during a public health emergency
3 declared pursuant to s. 381.00315 shall be entitled to the
4 benefits in s. 110.504 (2), (3), (4), and (5).

5 (15)~~(13)~~ Adopt rules pursuant to ss. 120.536(1) and
6 120.54 to implement the provisions of law conferring duties
7 upon it. This subsection does not authorize the department to
8 require a permit or license unless such requirement is
9 specifically provided by law.

10 (16)~~(14)~~ Perform any other duties prescribed by law.

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

14 And the title is amended as follows:

15 On page 1, line 7,

16 remove: 381.0034

18 and insert:

19 381.0011