

By the Council for Healthy Communities and Representatives
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1 A bill to be entitled
2 An act relating to responsiveness to
3 emergencies and disasters; providing
4 legislative findings; amending s. 381.0011,
5 F.S.; revising duties of the Department of
6 Health; authorizing the State Health Officer to
7 take specified emergency actions to protect the
8 public health; amending s. 381.0034, F.S.;
9 providing a requirement for instruction of
10 certain health care licensees on conditions
11 caused by nuclear, biological, and chemical
12 terrorism, as a condition of initial licensure,
13 and, in lieu of the requirement for instruction
14 on HIV and AIDS, as a condition of relicensure;
15 amending s. 381.0035, F.S.; providing a
16 requirement for instruction of employees at
17 certain health care facilities on conditions
18 caused by nuclear, biological, and chemical
19 terrorism, upon initial employment, and, in
20 lieu of the requirement of instruction on HIV
21 and AIDS, as biennial continuing education;
22 providing an exception; creating s. 381.0421,
23 F.S.; requiring postsecondary education
24 institutions to provide information on
25 hepatitis B; requiring individuals residing in
26 on-campus housing to document vaccinations
27 against hepatitis B or sign a waiver; amending
28 ss. 395.1027 and 401.245, F.S.; correcting
29 cross references; amending s. 401.23, F.S.;
30 revising definitions of "advanced life support"
31 and "basic life support" and defining

1 "emergency medical condition"; amending s.
2 401.252, F.S.; authorizing physician assistants
3 to conduct interfacility transfers in a
4 permitted ambulance under certain
5 circumstances; amending s. 401.27, F.S.;
6 providing that the course on conditions caused
7 by nuclear, biological, and chemical terrorism
8 shall count toward the total required hours for
9 biennial recertification of emergency medical
10 technicians and paramedics; amending s.
11 456.033, F.S.; providing a requirement for
12 instruction of certain health care
13 practitioners on conditions caused by nuclear,
14 biological, and chemical terrorism, as a
15 condition of initial licensure, and, in lieu of
16 the requirement for instruction on HIV and
17 AIDS, as part of biennial relicensure; creating
18 s. 456.0345, F.S.; providing continuing
19 education credits to health care practitioners
20 for certain life support training; amending s.
21 456.072, F.S.; conforming provisions relating
22 to grounds for disciplinary actions to changes
23 in health care practitioners' course
24 requirements; amending s. 456.38, F.S.;
25 revising provisions relating to the health care
26 practitioner registry for disasters and
27 emergencies; prohibiting certain termination of
28 or discrimination against a practitioner
29 providing disaster medical assistance; amending
30 ss. 458.319 and 459.008, F.S.; conforming
31 provisions relating to exceptions to continuing

1 education requirements for physicians and
2 osteopathic physicians; providing an effective
3 date.

4
5 Be It Enacted by the Legislature of the State of Florida:

6
7 Section 1. Legislative findings.--The Legislature
8 finds that it is critical that Florida be prepared to respond
9 appropriately to a health crisis and injuries in the event of
10 an emergency or disaster. The Legislature finds that there is
11 a need to better educate health care practitioners on diseases
12 and conditions that might be caused by nuclear, biological,
13 and chemical terrorism so that health care practitioners can
14 more effectively care for patients and better educate patients
15 as to prevention and treatment. Additionally, the Legislature
16 finds that not all health care practitioners have been
17 recently trained in life support and first aid and that all
18 health care practitioners should be encouraged to obtain such
19 training. The Legislature finds that health care practitioners
20 who are willing to respond in emergencies or disasters should
21 not be penalized for providing their assistance.

22 Section 2. Section 381.0011, Florida Statutes, is
23 amended to read:

24 381.0011 Duties and powers of the Department of
25 Health; authority of State Health Officer.--

26 (1) It is the duty of the Department of Health to:

27 (a)~~(1)~~ Assess the public health status and needs of
28 the state through statewide data collection and other
29 appropriate means, with special attention to future needs that
30 may result from population growth, technological advancements,
31 new societal priorities, or other changes.

1 **(b)**~~(2)~~ Formulate general policies affecting the public
2 health of the state.

3 **(c)**~~(3)~~ Include in the department's strategic plan
4 developed under s. 186.021 a summary of all aspects of the
5 public health mission and health status objectives to direct
6 the use of public health resources with an emphasis on
7 prevention.

8 **(d)**~~(4)~~ Administer and enforce laws and rules relating
9 to sanitation, control of communicable diseases, illnesses and
10 hazards to health among humans and from animals to humans, and
11 the general health of the people of the state.

12 **(e)**~~(5)~~ Cooperate with and accept assistance from
13 federal, state, and local officials for the prevention and
14 suppression of communicable and other diseases, illnesses,
15 injuries, and hazards to human health.

16 **(f)**~~(6)~~ Declare, enforce, modify, and abolish
17 quarantine of persons, animals, and premises as the
18 circumstances indicate for controlling communicable diseases
19 or providing protection from unsafe conditions that pose a
20 threat to public health, except as provided in ss. 384.28 and
21 392.545-392.60.

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

25 **a.1.** The closure of premises.

26 **b.2.** The movement of persons or animals exposed to or
27 infected with a communicable disease.

28 **c.3.** The tests or ~~prophylactic~~ treatment, including
29 vaccination, for communicable disease required prior to
30 employment or admission to the premises or to comply with a
31 quarantine.

1 ~~d.4.~~ Testing or destruction of animals with or
2 suspected of having a disease transmissible to humans.
3 ~~e.5.~~ Access by the department to quarantined premises.
4 ~~f.6.~~ The disinfection of quarantined animals, persons,
5 or premises.
6 g. Methods of quarantine.
7 ~~2.(b)~~ Any health regulation that restricts travel or
8 trade within the state may not be adopted or enforced in this
9 state except by authority of the department.
10 ~~(g)(7)~~ Provide for a thorough investigation and study
11 of the incidence, causes, modes of propagation and
12 transmission, and means of prevention, control, and cure of
13 diseases, illnesses, and hazards to human health.
14 ~~(h)(8)~~ Provide for the dissemination of information to
15 the public relative to the prevention, control, and cure of
16 diseases, illnesses, and hazards to human health. The
17 department shall conduct a workshop before issuing any health
18 alert or advisory relating to food-borne illness or
19 communicable disease in public lodging or food service
20 establishments in order to inform persons, trade associations,
21 and businesses of the risk to public health and to seek the
22 input of affected persons, trade associations, and businesses
23 on the best methods of informing and protecting the public,
24 except in an emergency, in which case the workshop must be
25 held within 14 days after the issuance of the emergency alert
26 or advisory.
27 ~~(i)(9)~~ Act as registrar of vital statistics.
28 ~~(j)(10)~~ Cooperate with and assist federal health
29 officials in enforcing public health laws and regulations.
30
31

1 ~~(k)(11)~~ Cooperate with other departments, local
2 officials, and private boards and organizations for the
3 improvement and preservation of the public health.

4 ~~(l)(12)~~ Cooperate with other departments, local
5 officials, and private organizations in developing and
6 implementing a statewide injury control program.

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

12 ~~(n)(14)~~ Perform any other duties prescribed by law.

13 (2) The State Health Officer is authorized to take the
14 following actions to protect the public health:

15 (a) Notwithstanding chapters 465 and 499 and rules
16 adopted thereunder, the State Health Officer may direct
17 pharmacists employed by the department to compound bulk
18 prescription drugs and provide these bulk prescription drugs
19 to county health department physicians, physician assistants,
20 and nurses for administration to persons as part of a
21 prophylactic or treatment regimen when there is a significant
22 risk to the public health from a disease, an environmental
23 contaminant, or a suspected act of nuclear, biological, or
24 chemical terrorism.

25 (b) The State Health Officer, upon declaration of a
26 public health emergency pursuant to s. 381.00315, may take
27 such actions as are necessary to protect the public health.
28 Such actions shall include, but are not limited to:

29 1. Directing Florida manufacturers and wholesalers of
30 prescription and over-the-counter drugs permitted under
31 chapter 499 to give priority to shipping such drugs to

1 pharmacies and health care providers located in geographic
2 areas identified by the State Health Officer. Florida
3 manufacturers and wholesalers must respond to the State Health
4 Officer's priority shipping directive before shipping the
5 specified drugs to other pharmacies or health care providers
6 in Florida.

7 2. Notwithstanding s. 456.036, temporarily
8 reactivating the inactive licenses of physicians licensed
9 under chapter 458 or chapter 459; physician assistants
10 licensed under chapter 458 or chapter 459; licensed practical
11 nurses, registered nurses, and advanced registered nurse
12 practitioners licensed under chapter 464; respiratory
13 therapists licensed under part V of chapter 468; and emergency
14 medical technicians and paramedics licensed under chapter 401
15 when such practitioners are needed to respond to the public
16 health emergency. Only those licensees referenced in this
17 subparagraph who request reactivation and have unencumbered
18 inactive licenses are eligible for reactivation. Any inactive
19 license reactivated pursuant to this subparagraph shall return
20 to inactive status when the public health emergency ends or
21 prior to the end of the public health emergency if the State
22 Health Officer determines that the health care practitioner is
23 no longer needed to provide services during the emergency. The
24 license may only be reactivated for a period not to exceed 90
25 days without meeting the requirements of s. 456.036 or chapter
26 401. If a physician assistant or advanced registered nurse
27 practitioner requests reactivation and volunteers during the
28 declared public health emergency, the county health department
29 medical director, if appropriate, shall serve as the
30 supervising physician for the physician assistant and shall be
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1 authorized to delegate acts of medical diagnosis and treatment
2 to the advanced registered nurse practitioner.

3 3. Notwithstanding any law to the contrary, compelling
4 an individual to be examined, tested, vaccinated, treated, or
5 quarantined for communicable diseases that have significant
6 morbidity or mortality and present a severe danger to public
7 health. Prior to taking action under this subparagraph, the
8 State Health Officer shall, to the extent possible, consult
9 with the Governor.

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

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

18 c. Any order of the State Health Officer given to
19 effectuate this subparagraph shall be immediately enforceable
20 by law enforcement.

21
22 Individuals who assist the State Health Officer at his or her
23 request on a volunteer basis during a public health emergency
24 declared pursuant to s. 381.00315 shall be entitled to the
25 benefits in s. 110.504(2), (3), (4), and (5).

26 Section 3. Section 381.0034, Florida Statutes, is
27 amended to read:

28 381.0034 Requirement for instruction on conditions
29 caused by nuclear, biological, and chemical terrorism and on
30 human immunodeficiency virus and acquired immune deficiency
31 syndrome.--

1 (1) ~~As of July 1, 1991,~~The Department of Health shall
2 require each person licensed or certified under chapter 401,
3 chapter 467, part IV of chapter 468, or chapter 483, as a
4 condition of biennial relicensure, to complete an educational
5 course approved by the department on conditions caused by
6 nuclear, biological, and chemical terrorism. The course shall
7 consist of education on diagnosis and treatment,~~the~~ modes of
8 transmission, infection control procedures, and clinical
9 management. Such course shall also include information on
10 reporting suspected cases of conditions caused by nuclear,
11 biological, or chemical terrorism to the appropriate health
12 and law enforcement authorities,~~and prevention of human~~
13 ~~immunodeficiency virus and acquired immune deficiency~~
14 ~~syndrome. Such course shall include information on current~~
15 ~~Florida law on acquired immune deficiency syndrome and its~~
16 ~~impact on testing, confidentiality of test results, and~~
17 ~~treatment of patients.~~ Each such licensee or certificateholder
18 shall submit confirmation of having completed said course, on
19 a form provided by the department, when submitting fees or
20 application for each biennial renewal.

21 (2) Failure to complete the requirements of this
22 section shall be grounds for disciplinary action contained in
23 the chapters specified in subsection (1). In addition to
24 discipline by the department, the licensee or
25 certificateholder shall be required to complete the required
26 ~~said~~ course or courses.

27 (3) The department shall require, as a condition of
28 granting a license under the chapters specified in subsection
29 (1), that an applicant making initial application for
30 licensure complete respective ~~an~~ educational courses ~~course~~
31 acceptable to the department on conditions caused by nuclear,

1 biological, and chemical terrorism and on human
2 immunodeficiency virus and acquired immune deficiency
3 syndrome. An applicant who has not taken such courses ~~a~~
4 ~~course~~ at the time of licensure shall, upon an affidavit
5 showing good cause, be allowed 6 months to complete this
6 requirement.

7 (4) The department shall have the authority to adopt
8 rules to carry out the provisions of this section.

9 (5) Any professional holding two or more licenses or
10 certificates subject to the provisions of this section shall
11 be permitted to show proof of having taken one
12 department-approved course on conditions caused by nuclear,
13 biological, and chemical terrorism ~~human immunodeficiency~~
14 ~~virus and acquired immune deficiency syndrome~~, for purposes of
15 relicensure or recertification for the additional licenses.

16 Section 4. Section 381.0035, Florida Statutes, is
17 amended to read:

18 381.0035 Educational courses ~~course~~ on human
19 immunodeficiency virus and acquired immune deficiency syndrome
20 and on conditions caused by nuclear, biological, and chemical
21 terrorism; employees and clients of certain health care
22 facilities.--

23 (1)(a) The Department of Health shall require all
24 ~~employees and~~ clients of facilities licensed under chapters
25 393, 394, and 397 ~~and employees of facilities licensed under~~
26 ~~chapter 395 and parts II, III, IV, and VI of chapter 400~~ to
27 complete, biennially, a continuing educational course on the
28 modes of transmission, infection control procedures, clinical
29 management, and prevention of human immunodeficiency virus and
30 acquired immune deficiency syndrome with an emphasis on
31 appropriate behavior and attitude change. Such instruction

1 shall include information on current Florida law and its
2 impact on testing, confidentiality of test results, and
3 treatment of patients and any protocols and procedures
4 applicable to human immunodeficiency counseling and testing,
5 reporting, the offering of HIV testing to pregnant women, and
6 partner notification issues pursuant to ss. 381.004 and
7 384.25.

8 (b) The department shall require all employees of
9 facilities licensed under chapters 393, 394, 395, and 397 and
10 parts II, III, IV, and VI of chapter 400 to complete,
11 biennially, a continuing educational course on conditions
12 caused by nuclear, biological, and chemical terrorism. The
13 course shall consist of education on diagnosis and treatment,
14 modes of transmission, infection control procedures, and
15 clinical management. Such course shall also include
16 information on reporting suspected cases of conditions caused
17 by nuclear, biological, or chemical terrorism to the
18 appropriate health and law enforcement authorities.

19 (2) New employees of facilities licensed under
20 chapters 393, 394, 395, and 397 and parts II, III, IV, and VI
21 of chapter 400 shall be required to complete a course on human
22 immunodeficiency virus and acquired immune deficiency
23 syndrome, with instruction to include information on current
24 Florida law and its impact on testing, confidentiality of test
25 results, and treatment of patients. New employees of such
26 facilities shall also be required to complete a course on
27 conditions caused by nuclear, biological, and chemical
28 terrorism, with instruction to include information on
29 reporting suspected cases to the appropriate health and law
30 enforcement authorities.

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1 (3) Facilities licensed under chapters 393, 394, 395,
2 ~~and 397~~, and parts II, III, IV, and VI of chapter 400 shall
3 maintain a record of employees and dates of attendance at
4 ~~human immunodeficiency virus and acquired immune deficiency~~
5 ~~syndrome~~ educational courses on human immunodeficiency virus
6 and acquired immune deficiency syndrome and on conditions
7 caused by nuclear, biological, and chemical terrorism.

8 (4) The department shall have the authority to review
9 the records of each facility to determine compliance with the
10 requirements of this section. The department may adopt rules
11 to carry out the provisions of this section.

12 (5) In lieu of completing a course as required in
13 paragraph (1)(b), the employee may complete a course on
14 end-of-life care and palliative health care or a course on
15 HIV/AIDS so long as the employee completed an approved course
16 on conditions caused by nuclear, biological, and chemical
17 terrorism in the immediately preceding biennium.

18 Section 5. Section 381.0421, Florida Statutes, is
19 created to read:

20 381.0421 Vaccination against hepatitis B.--

21 (1) A postsecondary education institution shall
22 provide detailed information concerning the risks associated
23 with hepatitis B and the availability, effectiveness, and
24 known contraindications of any required or recommended vaccine
25 against hepatitis B to every student, or to the student's
26 parent or guardian if the student is a minor, who has been
27 accepted for admission.

28 (2) An individual enrolled in a postsecondary
29 education institution who will be residing in on-campus
30 housing shall provide documentation of vaccinations against
31 hepatitis B unless the individual, if the individual is 18

1 years of age or older, or the individual's parent or guardian,
2 if the individual is a minor, declines the vaccinations and
3 the individual, parent, or guardian signs a waiver provided by
4 the institution acknowledging receipt and review of the
5 information provided.

6 (3) This section does not require any postsecondary
7 education institution to provide or pay for vaccinations
8 against hepatitis B.

9 Section 6. Subsection (4) of section 395.1027, Florida
10 Statutes, is amended to read:

11 395.1027 Regional poison control centers.--

12 (4) By October 1, 1999, each regional poison control
13 center shall develop a prehospital emergency dispatch protocol
14 with each licensee defined by s. 401.23~~(14)~~~~(13)~~in the
15 geographic area covered by the regional poison control center.
16 The prehospital emergency dispatch protocol shall be developed
17 by each licensee's medical director in conjunction with the
18 designated regional poison control center responsible for the
19 geographic area in which the licensee operates. The protocol
20 shall define toxic substances and describe the procedure by
21 which the designated regional poison control center may be
22 consulted by the licensee. If a call is transferred to the
23 designated regional poison control center in accordance with
24 the protocol established under this section and s. 401.268,
25 the designated regional poison control center shall assume
26 responsibility and liability for the call.

27 Section 7. Section 401.23, Florida Statutes, is
28 amended to read:

29 401.23 Definitions.--As used in this part, the term:

30 (1) "Advanced life support" means the use of skills
31 and techniques described in the most recent United States

1 Department of Transportation National Standard Paramedic
2 Curriculum by a paramedic under the supervision of a
3 licensee's medical director as required by rules of the
4 department. The term "advanced life support" also includes
5 other techniques that have been approved and are performed
6 under conditions specified by rules of the department. The
7 term "advanced life support" also includes provision of care
8 by a paramedic under the supervision of a licensee's medical
9 director to a person experiencing an emergency medical
10 condition as defined in subsection (11)~~treatment of~~
11 ~~life-threatening medical emergencies through the use of~~
12 ~~techniques such as endotracheal intubation, the administration~~
13 ~~of drugs or intravenous fluids, telemetry, cardiac monitoring,~~
14 ~~and cardiac defibrillation by a qualified person, pursuant to~~
15 ~~rules of the department.~~

16 (2) "Advanced life support service" means any
17 emergency medical transport or nontransport service which uses
18 advanced life support techniques.

19 (3) "Air ambulance" means any fixed-wing or
20 rotary-wing aircraft used for, or intended to be used for, air
21 transportation of sick or injured persons requiring or likely
22 to require medical attention during transport.

23 (4) "Air ambulance service" means any publicly or
24 privately owned service, licensed in accordance with the
25 provisions of this part, which operates air ambulances to
26 transport persons requiring or likely to require medical
27 attention during transport.

28 (5) "Ambulance" or "emergency medical services
29 vehicle" means any privately or publicly owned land or water
30 vehicle that is designed, constructed, reconstructed,
31 maintained, equipped, or operated for, and is used for, or

1 intended to be used for, land or water transportation of sick
2 or injured persons requiring or likely to require medical
3 attention during transport.

4 (6) "Ambulance driver" means any person who meets the
5 requirements of s. 401.281.

6 (7) "Basic life support" means the use of skills and
7 techniques described in the most recent United States
8 Department of Transportation National Standard EMT-Basic
9 Curriculum by an emergency medical technician or paramedic
10 under the supervision of a licensee's medical director as
11 required by rules of the department. The term "basic life
12 support" also includes other techniques that have been
13 approved and are performed under conditions specified by rules
14 of the department. The term "basic life support" also includes
15 provision of care by a paramedic or emergency medical
16 technician under the supervision of a licensee's medical
17 director to a person experiencing an emergency medical
18 condition as defined in subsection (11)~~treatment of medical~~
19 ~~emergencies by a qualified person through the use of~~
20 ~~techniques such as patient assessment, cardiopulmonary~~
21 ~~resuscitation (CPR), splinting, obstetrical assistance,~~
22 ~~bandaging, administration of oxygen, application of medical~~
23 ~~antishock trousers, administration of a subcutaneous injection~~
24 ~~using a premeasured autoinjector of epinephrine to a person~~
25 ~~suffering an anaphylactic reaction, and other techniques~~
26 ~~described in the Emergency Medical Technician Basic Training~~
27 ~~Course Curriculum of the United States Department of~~
28 ~~Transportation. The term "basic life support" also includes~~
29 ~~other techniques which have been approved and are performed~~
30 ~~under conditions specified by rules of the department.~~

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1 (8) "Basic life support service" means any emergency
2 medical service which uses only basic life support techniques.
3 (9) "Certification" means any authorization issued
4 pursuant to this part to a person to act as an emergency
5 medical technician or a paramedic.
6 (10) "Department" means the Department of Health.
7 (11) "Emergency medical condition" means:
8 (a) A medical condition manifesting itself by acute
9 symptoms of sufficient severity, which may include severe
10 pain, psychiatric disturbances, symptoms of substance abuse,
11 or other acute symptoms, such that the absence of immediate
12 medical attention could reasonably be expected to result in
13 any of the following:
14 1. Serious jeopardy to the health of a patient,
15 including a pregnant woman or fetus.
16 2. Serious impairment to bodily functions.
17 3. Serious dysfunction of any bodily organ or part.
18 (b) With respect to a pregnant woman, that there is
19 evidence of the onset and persistence of uterine contractions
20 or rupture of the membranes.
21 (c) With respect to a person exhibiting acute
22 psychiatric disturbance or substance abuse, that the absence
23 of immediate medical attention could reasonably be expected to
24 result in:
25 1. Serious jeopardy to the health of a patient; or
26 2. Serious jeopardy to the health of others.
27 ~~(12)~~⁽¹¹⁾ "Emergency medical technician" means a person
28 who is certified by the department to perform basic life
29 support pursuant to this part.
30 ~~(13)~~⁽¹²⁾ "Interfacility transfer" means the
31 transportation by ambulance of a patient between two

1 facilities licensed under chapter 393, chapter 395, or chapter
2 400, pursuant to this part.

3 (14)~~(13)~~ "Licensee" means any basic life support
4 service, advanced life support service, or air ambulance
5 service licensed pursuant to this part.

6 (15)~~(14)~~ "Medical direction" means direct supervision
7 by a physician through two-way voice communication or, when
8 such voice communication is unavailable, through established
9 standing orders, pursuant to rules of the department.

10 (16)~~(15)~~ "Medical director" means a physician who is
11 employed or contracted by a licensee and who provides medical
12 supervision, including appropriate quality assurance but not
13 including administrative and managerial functions, for daily
14 operations and training pursuant to this part.

15 (17)~~(16)~~ "Mutual aid agreement" means a written
16 agreement between two or more entities whereby the signing
17 parties agree to lend aid to one another under conditions
18 specified in the agreement and as sanctioned by the governing
19 body of each affected county.

20 (18)~~(17)~~ "Paramedic" means a person who is certified
21 by the department to perform basic and advanced life support
22 pursuant to this part.

23 (19)~~(18)~~ "Permit" means any authorization issued
24 pursuant to this part for a vehicle to be operated as a basic
25 life support or advanced life support transport vehicle or an
26 advanced life support nontransport vehicle providing basic or
27 advanced life support.

28 (20)~~(19)~~ "Physician" means a practitioner who is
29 licensed under the provisions of chapter 458 or chapter 459.
30 For the purpose of providing "medical direction" as defined in
31 subsection (14) for the treatment of patients immediately

1 prior to or during transportation to a United States
2 Department of Veterans Affairs medical facility, "physician"
3 also means a practitioner employed by the United States
4 Department of Veterans Affairs.

5 (21)~~(20)~~ "Registered nurse" means a practitioner who
6 is licensed to practice professional nursing pursuant to part
7 I of chapter 464.

8 (22)~~(21)~~ "Secretary" means the Secretary of Health.

9 (23)~~(22)~~ "Service location" means any permanent
10 location in or from which a licensee solicits, accepts, or
11 conducts business under this part.

12 Section 8. Paragraph (b) of subsection (2) of section
13 401.245, Florida Statutes, is amended to read:

14 401.245 Emergency Medical Services Advisory Council.--

15 (2)

16 (b) Representation on the Emergency Medical Services
17 Advisory Council shall include: two licensed physicians who
18 are "medical directors" as defined in s. 401.23~~(16)~~~~(15)~~ or
19 whose medical practice is closely related to emergency medical
20 services; two emergency medical service administrators, one of
21 whom is employed by a fire service; two certified paramedics,
22 one of whom is employed by a fire service; two certified
23 emergency medical technicians, one of whom is employed by a
24 fire service; one emergency medical services educator; one
25 emergency nurse; one hospital administrator; one
26 representative of air ambulance services; one representative
27 of a commercial ambulance operator; and two laypersons who are
28 in no way connected with emergency medical services, one of
29 whom is a representative of the elderly. Ex officio members of
30 the advisory council from state agencies shall include, but
31 shall not be limited to, representatives from the Department

1 of Education, the Department of Management Services, the
2 Department of Insurance, the Department of Highway Safety and
3 Motor Vehicles, the Department of Transportation, and the
4 Department of Community Affairs.

5 Section 9. Subsection (1) of section 401.252, Florida
6 Statutes, is amended to read:

7 401.252 Interfacility transfer.--

8 (1) A licensed basic or advanced life support
9 ambulance service may conduct interfacility transfers in a
10 permitted ambulance, using a registered nurse or physician
11 assistant in place of an emergency medical technician or
12 paramedic, if:

13 (a) The registered nurse or physician assistant holds
14 a current certificate of successful course completion in
15 advanced cardiac life support;

16 (b) The physician in charge has granted permission for
17 such a transfer, has designated the level of service required
18 for such transfer, and has deemed the patient to be in such a
19 condition appropriate to this type of ambulance staffing; and

20 (c) The registered nurse operates within the scope of
21 part I of chapter 464 or the physician assistant operates
22 within the physician assistant's scope of practice under
23 chapter 458 or chapter 459.

24 Section 10. Subsection (6) of section 401.27, Florida
25 Statutes, is amended to read:

26 401.27 Personnel; standards and certification.--

27 (6)(a) The department shall establish by rule a
28 procedure for biennial renewal certification of emergency
29 medical technicians. Such rules must require a United States
30 Department of Transportation refresher training program of at
31 least 30 hours as approved by the department every 2 years.

1 Completion of the course required by s. 381.0034(1) shall
2 count toward the 30 hours.The refresher program may be
3 offered in multiple presentations spread over the 2-year
4 period. The rules must also provide that the refresher course
5 requirement may be satisfied by passing a challenge
6 examination.

7 (b) The department shall establish by rule a procedure
8 for biennial renewal certification of paramedics. Such rules
9 must require candidates for renewal to have taken at least 30
10 hours of continuing education units during the 2-year period.
11 Completion of the course required by s. 381.0034(1) shall
12 count toward the 30 hours.The rules must provide that the
13 continuing education requirement may be satisfied by passing a
14 challenge examination.

15 Section 11. Section 456.033, Florida Statutes, is
16 amended to read:

17 456.033 Requirement for instruction for certain
18 licensees on conditions caused by nuclear, biological, and
19 chemical terrorism and on HIV and AIDS.--

20 (1) The appropriate board shall require each person
21 licensed or certified under chapter 457; chapter 458; chapter
22 459; chapter 460; chapter 461; chapter 463; part I of chapter
23 464; chapter 465; chapter 466; part II, part III, part V, or
24 part X of chapter 468; or chapter 486 to complete a continuing
25 educational course, approved by the board, on conditions
26 caused by nuclear, biological, and chemical terrorism ~~human~~
27 ~~immunodeficiency virus and acquired immune deficiency syndrome~~
28 as part of biennial relicensure or recertification. The course
29 shall consist of education on diagnosis and treatment, ~~the~~
30 modes of transmission, infection control procedures, and
31 clinical management. Such course shall also include

1 information on reporting suspected cases of conditions caused
2 by nuclear, biological, or chemical terrorism to the
3 appropriate health and law enforcement authorities,~~and~~
4 ~~prevention of human immunodeficiency virus and acquired immune~~
5 ~~deficiency syndrome. Such course shall include information on~~
6 ~~current Florida law on acquired immune deficiency syndrome and~~
7 ~~its impact on testing, confidentiality of test results,~~
8 ~~treatment of patients, and any protocols and procedures~~
9 ~~applicable to human immunodeficiency virus counseling and~~
10 ~~testing, reporting, the offering of HIV testing to pregnant~~
11 ~~women, and partner notification issues pursuant to ss. 381.004~~
12 ~~and 384.25.~~

13 (2) Each such licensee or certificateholder shall
14 submit confirmation of having completed said course, on a form
15 as provided by the board, when submitting fees for each
16 biennial renewal.

17 (3) The board shall have the authority to approve
18 additional equivalent courses that may be used to satisfy the
19 requirements in subsection (1). Each licensing board that
20 requires a licensee to complete an educational course pursuant
21 to this section may count the hours required for completion of
22 the course included in the total continuing educational
23 requirements as required by law.

24 (4) Any person holding two or more licenses subject to
25 the provisions of this section shall be permitted to show
26 proof of having taken one board-approved course on conditions
27 caused by nuclear, biological, and chemical terrorism ~~human~~
28 ~~immunodeficiency virus and acquired immune deficiency~~
29 ~~syndrome~~, for purposes of relicensure or recertification for
30 additional licenses.

31

1 (5) Failure to comply with the ~~above~~ requirements of
2 this section shall constitute grounds for disciplinary action
3 under each respective licensing chapter and s. 456.072(1)(e).
4 In addition to discipline by the board, the licensee shall be
5 required to complete the required course or courses.

6 (6) The board shall require as a condition of granting
7 a license under the chapters and parts specified in subsection
8 (1) that an applicant making initial application for licensure
9 complete respective ~~an~~ educational courses ~~course~~ acceptable
10 to the board on conditions caused by nuclear, biological, and
11 chemical terrorism and on human immunodeficiency virus and
12 acquired immune deficiency syndrome. An applicant who has not
13 taken such courses ~~a course~~ at the time of licensure shall,
14 upon an affidavit showing good cause, be allowed 6 months to
15 complete this requirement.

16 (7) The board shall have the authority to adopt rules
17 to carry out the provisions of this section.

18 (8) The board shall report to the Legislature by March
19 1 of each year as to the implementation and compliance with
20 the requirements of this section.

21 (9)(a) In lieu of completing a course as required in
22 subsection (1), the licensee may complete a course on ~~in~~
23 end-of-life care and palliative health care or a course on
24 HIV/AIDS, so long as the licensee completed an approved
25 AIDS/HIV course on conditions caused by nuclear, biological,
26 and chemical terrorism in the immediately preceding biennium.

27 (b) In lieu of completing a course as required by
28 subsection (1), a person licensed under chapter 466 ~~who has~~
29 ~~completed an approved AIDS/HIV course in the immediately~~
30 ~~preceding 2 years~~ may complete a course approved by the Board
31 of Dentistry.

1 Section 12. Section 456.0345, Florida Statutes, is
2 created to read:

3 456.0345 Life support training.--Health care
4 practitioners who obtain training in advanced cardiac life
5 support, cardiopulmonary resuscitation, or emergency first aid
6 shall receive an equivalent number of continuing education
7 course credits which may be applied toward licensure renewal
8 requirements.

9 Section 13. Paragraph (e) of subsection (1) of section
10 456.072, Florida Statutes, is amended to read:

11 456.072 Grounds for discipline; penalties;
12 enforcement.--

13 (1) The following acts shall constitute grounds for
14 which the disciplinary actions specified in subsection (2) may
15 be taken:

16 (e) Failing to comply with the educational course
17 requirements for conditions caused by nuclear, biological, and
18 chemical terrorism or for human immunodeficiency virus and
19 acquired immune deficiency syndrome.

20 Section 14. Section 456.38, Florida Statutes, is
21 amended to read:

22 456.38 Practitioner registry for disasters and
23 emergencies.--The Department of Health shall ~~may~~ include on
24 its application and renewal forms for the licensure or
25 certification of health care practitioners licensed pursuant
26 to chapter 458, chapter 459, chapter 464, or part V of chapter
27 ~~468, as defined in s. 456.001,~~ who could assist the department
28 in the event of a disaster a question asking if the
29 practitioner would be available to provide health care
30 services in special needs shelters or to help staff disaster
31 medical assistance teams during times of emergency or major

1 disaster. The names of practitioners who answer affirmatively
2 shall be maintained by the department as a health care
3 practitioner registry for disasters and emergencies. A health
4 care practitioner who volunteers his or her services in a
5 special needs shelter or as part of a disaster medical
6 assistance team during a time of emergency or disaster shall
7 not be terminated or discriminated against by his or her
8 employer for such volunteer work, provided that the health
9 care practitioner returns to his or her regular employment
10 within 2 weeks or within a longer period that has been
11 previously approved by the employer in writing.

12 Section 15. Subsection (4) of section 458.319, Florida
13 Statutes, is amended to read:

14 458.319 Renewal of license.--

15 (4) Notwithstanding the provisions of s. 456.033, a
16 physician may complete continuing education on end-of-life
17 care and palliative care in lieu of continuing education in
18 conditions caused by nuclear, biological, and chemical
19 terrorism ~~AIDS/HIV~~, if that physician has completed the
20 ~~AIDS/HIV~~ continuing education in conditions caused by nuclear,
21 biological, and chemical terrorism in the immediately
22 preceding biennium.

23 Section 16. Subsection (5) of section 459.008, Florida
24 Statutes, is amended to read:

25 459.008 Renewal of licenses and certificates.--

26 (5) Notwithstanding the provisions of s. 456.033, an
27 osteopathic physician may complete continuing education on
28 end-of-life and palliative care in lieu of continuing
29 education in conditions caused by nuclear, biological, and
30 chemical terrorism ~~AIDS/HIV~~, if that physician has completed
31 the ~~AIDS/HIV~~ continuing education in conditions caused by

1 nuclear, biological, and chemical terrorism in the immediately
2 preceding biennium.
3 Section 17. This act shall take effect upon becoming a
4 law.
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