

Bill No. CS for CS for SB 2738

Amendment No.      Barcode 560224

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Garcia moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 79, between lines 17 and 18,		
15			
16	and insert:		
17	Section 58. Section 393.506, Florida Statutes, is		
18	created to read:		
19	<u>393.506 Administration of medication.--</u>		
20	<u>(1) Notwithstanding the provisions of part I of</u>		
21	<u>chapter 464, the Nurse Practice Act, unlicensed direct care</u>		
22	<u>service staff providing services to persons with developmental</u>		
23	<u>disabilities may administer oral, transdermal, inhaled, or</u>		
24	<u>topical prescription medications as provided in this section.</u>		
25	<u>(a) For day programs, as defined in s. 393.063, the</u>		
26	<u>director of the facility or program shall designate in writing</u>		
27	<u>unlicensed direct care services staff who are eligible to be</u>		
28	<u>trained to assist in the administration of or to administer</u>		
29	<u>medication.</u>		
30	<u>(b) For intermediate care facilities for the</u>		
31	<u>developmentally disabled licensed pursuant to part XI of</u>		

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Amendment No.      Barcode 560224

1 chapter 400, unlicensed staff designated by the director may  
2 provide medication assistance under the general supervision of  
3 a registered nurse licensed pursuant to chapter 464.

4 (2) Each facility, institution, or program must  
5 include in its policies and procedures a plan for training  
6 designated staff to ensure the safe handling, storage, and  
7 administration of prescription medication. These policies and  
8 procedures must be approved by the department before  
9 unlicensed direct care services staff assist with medication.

10 (3) The policies and procedures must include, at a  
11 minimum, the following provisions:

12 (a) An expressed and informed consent for each client.

13 (b) The director of the facility, program, or provider  
14 must maintain a copy of the written prescription, and that  
15 prescription must include the name of the medication, the  
16 dosage and administration schedule, the reason for the  
17 prescription, and the termination date.

18 (c) Each prescribed medication shall be kept in its  
19 original container and in a secure location.

20 (4) The training required in this section shall be  
21 conducted by a registered nurse or a physician licensed  
22 pursuant to chapter 458 or chapter 459.

23 Section 59. Section 400.9685, Florida Statutes, is  
24 created to read:

25 400.9685 Administration of medication.--

26 (1) Notwithstanding the provisions of the Nurse  
27 Practice Act, part I of chapter 464, unlicensed direct care  
28 services staff who are providing services to clients in  
29 Intermediate Care Facilities for the Developmentally Disabled,  
30 licensed pursuant to this part, may administer prescribed,  
31 prepackaged, pre-measured medications under the general

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1 supervision of a registered nurse as provided in this section  
2 and applicable rules. Training required by this section and  
3 applicable rules must be conducted by a registered nurse  
4 licensed pursuant to chapter 464, or a physician licensed  
5 pursuant to chapter 458 or chapter 459.

6 (2) Each facility that allows unlicensed direct care  
7 service staff to administer medications pursuant to this  
8 section must:

9 (a) Develop and implement policies and procedures that  
10 include a plan to ensure the safe handling, storage, and  
11 administration of prescription medication.

12 (b) Maintain written evidence of the expressed and  
13 informed consent for each client.

14 (c) Maintain a copy of the written prescription  
15 including the name of the medication, the dosage, and  
16 administration schedule.

17 (d) Maintain documentation regarding the prescription  
18 including the name, dosage, and administration schedule,  
19 reason for prescription, and the termination date; and

20 (e) Maintain documentation of compliance with required  
21 training.

22 (3) Agency rules shall specify the following as it  
23 relates to the administration of medications by unlicensed  
24 staff:

25 (a) Medications authorized and packaging required.

26 (b) Acceptable methods of administration.

27 (c) A definition of "general supervision".

28 (d) Minimum educational requirements of staff.

29 (e) Criteria of required training and competency that

30 must be demonstrated prior to the administration of

31 medications by unlicensed staff including in-service training.

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1           (f) Requirements for safe handling, storage, and  
2 administration of medications.

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4 (Redesignate subsequent sections.)

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

8 And the title is amended as follows:

9           On page 6, line 22, after the semicolon

10  
11 insert:

12           creating ss. 393.506 and 400.9685, F.S.;

13           providing for certain unlicensed staff to

14           assist persons with developmental disabilities

15           to administer certain prescription medications;

16           providing the conditions under which staff may

17           assist with medication; requiring the Agency

18           for Health Care Administration to provide for

19           specified aspects of the administration of

20           medication in rule;

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