

By the Committee on Health, Aging, and Long-Term Care; and
Senator Saunders

317-1875-03

1 A bill to be entitled
2 An act relating to certified geriatric
3 specialty nursing; providing a short title;
4 requiring the Agency for Workforce Innovation
5 to establish a pilot program for delivery of
6 certified geriatric specialty nursing
7 education; specifying eligibility requirements
8 for certified nursing assistants to obtain
9 certified geriatric specialty nursing
10 education; specifying requirements for the
11 education of certified nursing assistants to
12 prepare for certification as a certified
13 geriatric specialist; creating a Certified
14 Geriatric Specialty Nursing Initiative Steering
15 Committee; providing for the composition of and
16 manner of appointment to the Certified
17 Geriatric Specialty Nursing Initiative Steering
18 Committee; providing responsibilities of the
19 steering committee; providing for reimbursement
20 for per diem and travel expenses; requiring the
21 Agency for Workforce Innovation to conduct or
22 contract for an evaluation of the pilot program
23 for delivery of certified geriatric specialty
24 nursing education; requiring the evaluation to
25 include recommendations regarding the expansion
26 of the delivery of certified geriatric
27 specialty nursing education in nursing homes;
28 requiring the Agency for Workforce Innovation
29 to report to the Governor and Legislature
30 regarding the status and evaluation of the
31 pilot program; creating s. 464.0125, F.S.;

1 providing definitions; providing requirements
2 for persons to become certified geriatric
3 specialists; specifying fees; providing
4 practice standards and grounds for which
5 certified geriatric specialists may be subject
6 to discipline by the Board of Nursing; creating
7 restrictions on the use of professional nursing
8 titles; prohibiting the use of certain
9 professional titles; providing penalties;
10 authorizing approved nursing programs to
11 provide education for the preparation of
12 certified geriatric specialists without further
13 board approval; authorizing certified geriatric
14 specialists to supervise the activities of
15 others in nursing home facilities according to
16 rules by the Board of Nursing; revising
17 terminology relating to nursing to conform to
18 the certification of geriatric specialists;
19 amending s. 381.00315, F.S.; revising
20 requirements for the reactivation of the
21 licenses of specified health care practitioners
22 in the event of public health emergency to
23 include certified geriatric specialists;
24 amending s. 400.021, F.S.; including services
25 provided by a certified geriatric specialist
26 within the definition of nursing service;
27 amending s. 400.211, F.S.; revising
28 requirements for persons employed as nursing
29 assistants to conform to the certification of
30 certified geriatric specialists; amending s.
31 400.23, F.S.; specifying that certified

1 geriatric specialists shall be considered
2 licensed nursing staff; authorizing licensed
3 practical nurses to supervise the activities of
4 certified geriatric specialists in nursing home
5 facilities according to rules adopted by the
6 Board of Nursing; amending s. 409.908, F.S.;
7 revising the methodology for reimbursement of
8 Medicaid program providers to include services
9 of certified geriatric specialists; amending s.
10 458.303, F.S.; revising exceptions to the
11 practice of medicine to include services
12 delegated to a certified geriatric specialist
13 under specified circumstances; amending s.
14 1009.65, F.S.; revising eligibility for the
15 Medical Education Reimbursement and Loan
16 Repayment Program to include certified
17 geriatric specialists; amending s. 1009.66,
18 F.S.; revising eligibility requirements for the
19 Nursing Student Loan Forgiveness Program to
20 include certified geriatric specialists;
21 providing an appropriation; providing an
22 effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. This act may be cited as the "Clara Ramsey
27 Care of the Elderly Act."

28 Section 2. Certified Geriatric Specialist Preparation
29 Pilot Program.--

30 (1) The Agency for Workforce Innovation shall
31 establish a pilot program for delivery of geriatric nursing

1 education to certified nursing assistants who wish to become
2 certified geriatric specialists. The agency shall select three
3 pilot sites in nursing homes that have received the Gold Seal
4 designation under section 400.235, Florida Statutes; have been
5 designated as a teaching nursing home under section 430.80,
6 Florida Statutes; or have not received a class I or class II
7 deficiency within the 30 months preceding application for this
8 program.

9 (2) To be eligible to receive geriatric nursing
10 education, a certified nursing assistant must have been
11 employed by a participating nursing home for at least 1 year
12 and have received a high school diploma or its equivalent.

13 (3) The education shall be provided at the worksite
14 and in coordination with the certified nursing assistant's
15 work schedule.

16 (4) Faculty shall provide the instruction under an
17 approved nursing program.

18 (5) The education shall prepare the certified nursing
19 assistant to meet the requirements for certification as a
20 geriatric specialist. The didactic and clinical education
21 shall include all portions of the practical nursing
22 curriculum, except for pediatric and obstetric/maternal-child
23 education, and shall include additional education in the care
24 of ill, injured, or infirm geriatric patients and the
25 maintenance of health, the prevention of injury, and the
26 provision of palliative care for geriatric patients.

27 Section 3. Certified Geriatric Specialty Nursing
28 Initiative Steering Committee.--

29 (1) In order to guide the implementation of the
30 Certified Geriatric Specialist Preparation Pilot Program,
31 there is created a Certified Geriatric Specialty Nursing

1 Initiative Steering Committee. The steering committee shall be
2 composed of the following members:
3 (a) The chair of the Board of Nursing or his or her
4 designee;
5 (b) A representative of the Agency for Workforce
6 Innovation, appointed by the Director of Workforce Innovation;
7 (c) A representative of Workforce Florida, Inc.,
8 appointed by the chair of the Board of Directors of Workforce
9 Florida, Inc.;
10 (d) A representative of the Department of Education,
11 appointed by the Secretary of Education;
12 (e) A representative of the Agency for Health Care
13 Administration, appointed by the Secretary of Health Care
14 Administration;
15 (f) The Director of the Florida Center for Nursing;
16 and
17 (g) A representative of a Gold Seal nursing home that
18 is not one of the pilot program sites, appointed by the
19 Secretary of Health Care Administration.
20 (2) The steering committee shall:
21 (a) Provide consultation and guidance to the Agency
22 for Workforce Innovation on matters of policy during the
23 implementation of the pilot program; and
24 (b) Provide oversight to the evaluation of the pilot
25 program.
26 (3) Members of the steering committee are entitled to
27 reimbursement for per diem and travel expenses under section
28 112.061, Florida Statutes.
29 (4) The steering committee shall complete its
30 activities by June 30, 2006, and the authorization for the
31 steering committee ends on that date.

1 Section 4. Evaluation of the Certified Geriatric
2 Specialist Preparation Pilot Program.--The Agency for
3 Workforce Innovation, in consultation with the Certified
4 Geriatric Specialty Nursing Initiative Steering Committee,
5 shall conduct, or contract for an evaluation of the pilot
6 program. The agency shall ensure that an evaluation report is
7 submitted to the Governor, the President of the Senate, and
8 the Speaker of the House of Representatives by January 1,
9 2006. The evaluation must address the experience and success
10 of the certified nursing assistants in the pilot program and
11 must contain recommendations regarding the expansion of the
12 delivery of geriatric nursing education in nursing homes.

13 Section 5. Reports.--The Agency for Workforce
14 Innovation shall submit status reports and recommendations
15 regarding legislation necessary to further the implementation
16 of the pilot program to the Governor, the President of the
17 Senate, and the Speaker of the House of Representatives on
18 January 1, 2004, January 1, 2005, and January 1, 2006.

19 Section 6. Section 464.0125, Florida Statutes, is
20 created to read:

21 464.0125 Certified geriatric specialists;
22 certification requirements.--

23 (1) DEFINITIONS; RESPONSIBILITIES.--

24 (a) As used in this section, the term:

25 1. "Certified geriatric specialist" means a person who
26 meets the qualifications specified in this section and who is
27 certified by the board to practice as a certified geriatric
28 specialist.

29 2. "Geriatric patient" means any patient who is 60
30 years of age or older.

31

1 3. "Practice of certified geriatric specialty nursing"
2 means the performance of selected acts in facilities licensed
3 under part II or part III of chapter 400, including the
4 administration of treatments and medications, in the care of
5 ill, injured, or infirm geriatric patients and the promotion
6 of wellness, maintenance of health, and prevention of illness
7 of geriatric patients under the direction of a registered
8 nurse, a licensed physician, a licensed osteopathic physician,
9 a licensed podiatric physician, or a licensed dentist. The
10 scope of practice of a certified geriatric specialist includes
11 the practice of practical nursing as defined in s. 464.003,
12 except for any act in which instruction and clinical knowledge
13 of pediatric nursing or obstetric/maternal-child nursing is
14 required. A certified geriatric specialist, while providing
15 nursing services in facilities licensed under part II or part
16 III of chapter 400, may supervise the activities of certified
17 nursing assistants and other unlicensed personnel providing
18 services in such facilities in accordance with rules adopted
19 by the board.

20 (b) The certified geriatric specialist shall be
21 responsible and accountable for making decisions that are
22 based upon the individual's educational preparation and
23 experience in performing certified geriatric specialty
24 nursing.

25 (2) CERTIFICATION.--

26 (a) Any certified nursing assistant desiring to be
27 certified as a certified geriatric specialist shall apply to
28 the department and submit proof that he or she holds a current
29 certificate as a certified nursing assistant under this part
30 and has satisfactorily completed the following requirements:
31

1 1. Is in good mental and physical health, is a
2 recipient of a high school diploma or its equivalent and has
3 completed the requirements for graduation from an approved
4 program for nursing or its equivalent, as determined by the
5 board, for the preparation of licensed practical nurses,
6 except for instruction and clinical knowledge of pediatric
7 nursing or obstetric/maternal-child nursing. Any program that
8 is approved on July 1, 2003, by the board for the preparation
9 of registered nurses or licensed practical nurses may provide
10 education for the preparation of certified geriatric
11 specialists without further board approval.

12 2. Has the ability to communicate in the English
13 language, which may be determined by an examination given by
14 the department.

15 3. Has provided sufficient information, which must be
16 submitted by the department for a statewide criminal records
17 correspondence check through the Department of Law
18 Enforcement.

19 (b) Each applicant who meets the requirements of this
20 subsection shall, unless denied pursuant to s. 464.018, be
21 entitled to certification as a certified geriatric specialist.
22 The board shall certify, and the department shall issue a
23 certificate to practice as a certified geriatric specialist
24 to, any certified nursing assistant meeting the qualifications
25 in this section. The board shall establish an application fee
26 not to exceed \$100 and a biennial renewal fee not to exceed
27 \$50. The board may adopt rules to administer this section.

28 (c) A person receiving certification under this
29 section shall:

30 1. Work only within the confines of a facility
31 licensed under part II or part III of chapter 400.

1 2. Care for geriatric patients only.
2 3. Comply with the minimum standards of practice for
3 nurses and be subject to disciplinary action for violations of
4 s. 464.018.

5 (3) ARTICULATION.--Any certified geriatric specialist
6 who completes the additional instruction and coursework in an
7 approved nursing program for the preparation of practical
8 nursing in the areas of pediatric nursing and
9 obstetric/maternal-child nursing shall, unless denied pursuant
10 to s. 464.018, be entitled to licensure as a licensed
11 practical nurse if the applicant otherwise meets the
12 requirements of s. 464.008.

13 (4) TITLES AND ABBREVIATIONS; RESTRICTIONS;
14 PENALTIES.--

15 (a) Only persons who hold certificates to practice as
16 certified geriatric specialists in this state or who are
17 performing services within the practice of certified geriatric
18 specialty nursing pursuant to the exception set forth in s.
19 464.022(8) shall have the right to use the title "Certified
20 Geriatric Specialist" and the abbreviation "C.G.S."

21 (b) No person shall practice or advertise as, or
22 assume the title of, certified geriatric specialist or use the
23 abbreviation "C.G.S." or take any other action that would lead
24 the public to believe that person was certified as such or is
25 performing services within the practice of certified geriatric
26 specialty nursing pursuant to the exception set forth in s.
27 464.022(8), unless that person is certified to practice as
28 such.

29 (c) A violation of this subsection is a misdemeanor of
30 the first degree, punishable as provided in s. 775.082 or s.
31 775.083.

1 (5) VIOLATIONS AND PENALTIES.--Practicing certified
2 geriatric specialty nursing, as defined in this section,
3 without holding an active certificate to do so constitutes a
4 felony of the third degree, punishable as provided in s.
5 775.082, s. 775.083, or s. 775.084.

6 Section 7. Paragraph (b) of subsection (1) of section
7 381.00315, Florida Statutes, is amended to read:

8 381.00315 Public health advisories; public health
9 emergencies.--The State Health Officer is responsible for
10 declaring public health emergencies and issuing public health
11 advisories.

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

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

1 1. Directing manufacturers of prescription drugs or
2 over-the-counter drugs who are permitted under chapter 499 and
3 wholesalers of prescription drugs located in this state who
4 are permitted under chapter 499 to give priority to the
5 shipping of specified drugs to pharmacies and health care
6 providers within geographic areas that have been identified by
7 the State Health Officer. The State Health Officer must
8 identify the drugs to be shipped. Manufacturers and
9 wholesalers located in the state must respond to the State
10 Health Officer's priority shipping directive before shipping
11 the specified drugs.

12 2. Notwithstanding chapters 465 and 499 and rules
13 adopted thereunder, directing pharmacists employed by the
14 department to compound bulk prescription drugs and provide
15 these bulk prescription drugs to physicians and nurses of
16 county health departments or any qualified person authorized
17 by the State Health Officer for administration to persons as
18 part of a prophylactic or treatment regimen.

19 3. Notwithstanding s. 456.036, temporarily
20 reactivating the inactive license of the following health care
21 practitioners, when such practitioners are needed to respond
22 to the public health emergency: physicians licensed under
23 chapter 458 or chapter 459; physician assistants licensed
24 under chapter 458 or chapter 459; certified geriatric
25 specialists certified under part I of chapter 461; licensed
26 practical nurses, registered nurses, and advanced registered
27 nurse practitioners licensed under part I of chapter 464;
28 respiratory therapists licensed under part V of chapter 468;
29 and emergency medical technicians and paramedics certified
30 under part III of chapter 401. Only those health care
31 practitioners specified in this paragraph who possess an

1 unencumbered inactive license and who request that such
2 license be reactivated are eligible for reactivation. An
3 inactive license that is reactivated under this paragraph
4 shall return to inactive status when the public health
5 emergency ends or prior to the end of the public health
6 emergency if the State Health Officer determines that the
7 health care practitioner is no longer needed to provide
8 services during the public health emergency. Such licenses may
9 only be reactivated for a period not to exceed 90 days without
10 meeting the requirements of s. 456.036 or chapter 401, as
11 applicable.

12 4. Ordering an individual to be examined, tested,
13 vaccinated, treated, or quarantined for communicable diseases
14 that have significant morbidity or mortality and present a
15 severe danger to public health. Individuals who are unable or
16 unwilling to be examined, tested, vaccinated, or treated for
17 reasons of health, religion, or conscience may be subjected to
18 quarantine.

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

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

27
28 Any order of the State Health Officer given to effectuate this
29 paragraph shall be immediately enforceable by a law
30 enforcement officer under s. 381.0012.

31

1 Section 8. Subsection (14) of section 400.021, Florida
2 Statutes, is amended to read:

3 400.021 Definitions.--When used in this part, unless
4 the context otherwise requires, the term:

5 (14) "Nursing service" means such services or acts as
6 may be rendered, directly or indirectly, to and in behalf of a
7 person by individuals as defined in ss.~~s~~-464.003 and
8 464.0125.

9 Section 9. Subsection (1) of section 400.211, Florida
10 Statutes, is amended to read:

11 400.211 Persons employed as nursing assistants;
12 certification requirement.--

13 (1) To serve as a nursing assistant in any nursing
14 home, a person must be certified as a nursing assistant under
15 part II of chapter 464, unless the person is a registered
16 nurse, a or practical nurse, or a certified geriatric
17 specialist certified or licensed in accordance with part I of
18 chapter 464 or an applicant for such licensure who is
19 permitted to practice nursing in accordance with rules adopted
20 by the Board of Nursing pursuant to part I of chapter 464.

21 Section 10. Paragraphs (a) and (c) of subsection (3)
22 of section 400.23, Florida Statutes, are amended to read:

23 400.23 Rules; evaluation and deficiencies; licensure
24 status.--

25 (3)(a) The agency shall adopt rules providing for the
26 minimum staffing requirements for nursing homes. These
27 requirements shall include, for each nursing home facility, a
28 minimum certified nursing assistant staffing of 2.3 hours of
29 direct care per resident per day beginning January 1, 2002,
30 increasing to 2.6 hours of direct care per resident per day
31 beginning January 1, 2003, and increasing to 2.9 hours of

1 direct care per resident per day beginning January 1, 2004.
2 Beginning January 1, 2002, no facility shall staff below one
3 certified nursing assistant per 20 residents, and a minimum
4 licensed nursing staffing of 1.0 hour of direct resident care
5 per resident per day but never below one licensed nurse per 40
6 residents. For purposes of computing nursing staffing minimums
7 and ratios, certified geriatric specialists shall be
8 considered licensed nursing staff.Nursing assistants employed
9 under s. 400.211(2) may be included in computing the staffing
10 ratio for certified nursing assistants only if they provide
11 nursing assistance services to residents on a full-time basis.
12 Each nursing home must document compliance with staffing
13 standards as required under this paragraph and post daily the
14 names of staff on duty for the benefit of facility residents
15 and the public. The agency shall recognize the use of licensed
16 nurses for compliance with minimum staffing requirements for
17 certified nursing assistants, provided that the facility
18 otherwise meets the minimum staffing requirements for licensed
19 nurses and that the licensed nurses so recognized are
20 performing the duties of a certified nursing assistant. Unless
21 otherwise approved by the agency, licensed nurses counted
22 towards the minimum staffing requirements for certified
23 nursing assistants must exclusively perform the duties of a
24 certified nursing assistant for the entire shift and shall not
25 also be counted towards the minimum staffing requirements for
26 licensed nurses. If the agency approved a facility's request
27 to use a licensed nurse to perform both licensed nursing and
28 certified nursing assistant duties, the facility must allocate
29 the amount of staff time specifically spent on certified
30 nursing assistant duties for the purpose of documenting
31 compliance with minimum staffing requirements for certified

1 and licensed nursing staff. In no event may the hours of a
2 licensed nurse with dual job responsibilities be counted
3 twice.

4 (c) Licensed practical nurses licensed under chapter
5 464 who are providing nursing services in nursing home
6 facilities under this part may supervise the activities of
7 other licensed practical nurses, certified geriatric
8 specialists, certified nursing assistants, and other
9 unlicensed personnel providing services in such facilities in
10 accordance with rules adopted by the Board of Nursing.

11 Section 11. Paragraph (b) of subsection (2) of section
12 409.908, Florida Statutes, is amended to read:

13 409.908 Reimbursement of Medicaid providers.--Subject
14 to specific appropriations, the agency shall reimburse
15 Medicaid providers, in accordance with state and federal law,
16 according to methodologies set forth in the rules of the
17 agency and in policy manuals and handbooks incorporated by
18 reference therein. These methodologies may include fee
19 schedules, reimbursement methods based on cost reporting,
20 negotiated fees, competitive bidding pursuant to s. 287.057,
21 and other mechanisms the agency considers efficient and
22 effective for purchasing services or goods on behalf of
23 recipients. If a provider is reimbursed based on cost
24 reporting and submits a cost report late and that cost report
25 would have been used to set a lower reimbursement rate for a
26 rate semester, then the provider's rate for that semester
27 shall be retroactively calculated using the new cost report,
28 and full payment at the recalculated rate shall be affected
29 retroactively. Medicare-granted extensions for filing cost
30 reports, if applicable, shall also apply to Medicaid cost
31 reports. Payment for Medicaid compensable services made on

1 behalf of Medicaid eligible persons is subject to the
2 availability of moneys and any limitations or directions
3 provided for in the General Appropriations Act or chapter 216.
4 Further, nothing in this section shall be construed to prevent
5 or limit the agency from adjusting fees, reimbursement rates,
6 lengths of stay, number of visits, or number of services, or
7 making any other adjustments necessary to comply with the
8 availability of moneys and any limitations or directions
9 provided for in the General Appropriations Act, provided the
10 adjustment is consistent with legislative intent.

11 (2)

12 (b) Subject to any limitations or directions provided
13 for in the General Appropriations Act, the agency shall
14 establish and implement a Florida Title XIX Long-Term Care
15 Reimbursement Plan (Medicaid) for nursing home care in order
16 to provide care and services in conformance with the
17 applicable state and federal laws, rules, regulations, and
18 quality and safety standards and to ensure that individuals
19 eligible for medical assistance have reasonable geographic
20 access to such care.

21 1. Changes of ownership or of licensed operator do not
22 qualify for increases in reimbursement rates associated with
23 the change of ownership or of licensed operator. The agency
24 shall amend the Title XIX Long Term Care Reimbursement Plan to
25 provide that the initial nursing home reimbursement rates, for
26 the operating, patient care, and MAR components, associated
27 with related and unrelated party changes of ownership or
28 licensed operator filed on or after September 1, 2001, are
29 equivalent to the previous owner's reimbursement rate.

30 2. The agency shall amend the long-term care
31 reimbursement plan and cost reporting system to create direct

1 care and indirect care subcomponents of the patient care
2 component of the per diem rate. These two subcomponents
3 together shall equal the patient care component of the per
4 diem rate. Separate cost-based ceilings shall be calculated
5 for each patient care subcomponent. The direct care
6 subcomponent of the per diem rate shall be limited by the
7 cost-based class ceiling, and the indirect care subcomponent
8 shall be limited by the lower of the cost-based class ceiling,
9 by the target rate class ceiling, or by the individual
10 provider target. The agency shall adjust the patient care
11 component effective January 1, 2002. The cost to adjust the
12 direct care subcomponent shall be net of the total funds
13 previously allocated for the case mix add-on. The agency shall
14 make the required changes to the nursing home cost reporting
15 forms to implement this requirement effective January 1, 2002.

16 3. The direct care subcomponent shall include salaries
17 and benefits of direct care staff providing nursing services
18 including registered nurses, licensed practical nurses,
19 certified geriatric specialists, certified under part I of
20 chapter 464,and certified nursing assistants who deliver care
21 directly to residents in the nursing home facility. This
22 excludes nursing administration, MDS, and care plan
23 coordinators, staff development, and staffing coordinator.

24 4. All other patient care costs shall be included in
25 the indirect care cost subcomponent of the patient care per
26 diem rate. There shall be no costs directly or indirectly
27 allocated to the direct care subcomponent from a home office
28 or management company.

29 5. On July 1 of each year, the agency shall report to
30 the Legislature direct and indirect care costs, including
31 average direct and indirect care costs per resident per

1 facility and direct care and indirect care salaries and
2 benefits per category of staff member per facility.

3 6. In order to offset the cost of general and
4 professional liability insurance, the agency shall amend the
5 plan to allow for interim rate adjustments to reflect
6 increases in the cost of general or professional liability
7 insurance for nursing homes. This provision shall be
8 implemented to the extent existing appropriations are
9 available.

10
11 It is the intent of the Legislature that the reimbursement
12 plan achieve the goal of providing access to health care for
13 nursing home residents who require large amounts of care while
14 encouraging diversion services as an alternative to nursing
15 home care for residents who can be served within the
16 community. The agency shall base the establishment of any
17 maximum rate of payment, whether overall or component, on the
18 available moneys as provided for in the General Appropriations
19 Act. The agency may base the maximum rate of payment on the
20 results of scientifically valid analysis and conclusions
21 derived from objective statistical data pertinent to the
22 particular maximum rate of payment.

23 Section 12. Subsection (2) of section 458.303, Florida
24 Statutes, is amended to read:

25 458.303 Provisions not applicable to other
26 practitioners; exceptions, etc.--

27 (2) Nothing in s. 458.301, s. 458.303, s. 458.305, s.
28 458.307, s. 458.309, s. 458.311, s. 458.313, s. 458.319, s.
29 458.321, s. 458.327, s. 458.329, s. 458.331, s. 458.337, s.
30 458.339, s. 458.341, s. 458.343, s. 458.345, or s. 458.347
31 shall be construed to prohibit any service rendered by a

1 registered nurse,~~or~~ a licensed practical nurse, or a
2 certified geriatric specialist certified under part I of
3 chapter 464, if such service is rendered under the direct
4 supervision and control of a licensed physician who provides
5 specific direction for any service to be performed and gives
6 final approval to all services performed. Further, nothing in
7 this or any other chapter shall be construed to prohibit any
8 service rendered by a medical assistant in accordance with the
9 provisions of s. 458.3485.

10 Section 13. Subsection (1) and paragraph (a) of
11 subsection (2) of section 1009.65, Florida Statutes, are
12 amended to read:

13 1009.65 Medical Education Reimbursement and Loan
14 Repayment Program.--

15 (1) To encourage qualified medical professionals to
16 practice in underserved locations where there are shortages of
17 such personnel, there is established the Medical Education
18 Reimbursement and Loan Repayment Program. The function of the
19 program is to make payments that offset loans and educational
20 expenses incurred by students for studies leading to a medical
21 or nursing degree, medical or nursing licensure, or advanced
22 registered nurse practitioner certification or physician
23 assistant licensure. The following licensed or certified
24 health care professionals are eligible to participate in this
25 program: medical doctors with primary care specialties,
26 doctors of osteopathic medicine with primary care specialties,
27 physician's assistants, certified geriatric specialists
28 certified under part I of chapter 464, licensed practical
29 nurses and registered nurses, and advanced registered nurse
30 practitioners with primary care specialties such as certified
31 nurse midwives. Primary care medical specialties for

1 physicians include obstetrics, gynecology, general and family
2 practice, internal medicine, pediatrics, and other specialties
3 which may be identified by the Department of Health.

4 (2) From the funds available, the Department of Health
5 shall make payments to selected medical professionals as
6 follows:

7 (a) Up to \$4,000 per year for certified geriatric
8 specialists certified under part I of chapter 464, licensed
9 practical nurses, and registered nurses, up to \$10,000 per
10 year for advanced registered nurse practitioners and
11 physician's assistants, and up to \$20,000 per year for
12 physicians. Penalties for noncompliance shall be the same as
13 those in the National Health Services Corps Loan Repayment
14 Program. Educational expenses include costs for tuition,
15 matriculation, registration, books, laboratory and other fees,
16 other educational costs, and reasonable living expenses as
17 determined by the Department of Health.

18 Section 14. Subsection (2) of section 1009.66, Florida
19 Statutes, is amended to read:

20 1009.66 Nursing Student Loan Forgiveness Program.--

21 (2) To be eligible, a candidate must have graduated
22 from an accredited or approved nursing program and have
23 received a Florida license as a licensed practical nurse, a
24 certified geriatric specialist certified under part I of
25 chapter 464, or a registered nurse or a Florida certificate as
26 an advanced registered nurse practitioner.

27 Section 15. The sum of _____ is appropriated from the
28 General Revenue Fund to the Agency for Workforce Innovation to
29 support the work of the Certified Geriatric Specialty Nursing
30 Initiative Steering Committee, to administer the pilot sites,
31 contract for an evaluation, and to provide, if necessary,

1 nursing faculty, substitute certified nursing assistants for
2 those who are in clinical education, and technical support to
3 the pilot sites during the 2003-2004 fiscal year.

4 Section 16. This act shall take effect upon becoming a
5 law.

6
7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
8 COMMITTEE SUBSTITUTE FOR
9 Senate Bill 698

10 This committee substitute cites the bill as the "Clara Ramsey
11 Care of the Elderly Act." The bill creates a category of
12 geriatric specialty nursing called certified geriatric
13 specialist (CGS). The scope of practice for a CGS would be the
14 same as for the practice of practical nursing without
15 pediatric nursing and obstetric/maternal-child health nursing
16 and with a greater emphasis on geriatric nursing. The bill
17 establishes:

- 18 - A scope of practice for certified geriatric
19 specialists,
- 20 - Certification requirements, including education
21 requirements, and
- 22 - Penalties for using the title or practicing
23 geriatric specialty nursing without a certificate.

24 The bill requires the Agency for Workforce Innovation (AWI) to
25 create a pilot program for delivery of geriatric nursing
26 education to certified nursing assistants who are employed in
27 a nursing home.

28 A 7-member steering committee will oversee the pilot program.

29 AWI is required to submit evaluation and status reports to the
30 Governor and Legislature.

31 The bill appropriates an unspecified amount of money to the
Agency for Workforce Innovation to support implementation of
the pilot program.