

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1430

SPONSOR: Senator Crist

SUBJECT: Law Enforcement and Correctional Officers

DATE: January 28, 2004 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------------|----------------|-----------|------------------|
| 1. | <u>Munroe</u> | <u>Wilson</u> | <u>HC</u> | <u>Favorable</u> |
| 2. | _____ | _____ | <u>CJ</u> | _____ |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |

I. Summary:

The bill adds certified advanced registered nurse practitioners to the list of health care providers who may conduct physical examinations of applicants seeking employment or appointment as a law enforcement or correctional officer.

This bill amends section 943.13, Florida Statutes.

II. Present Situation:

Law Enforcement Officers or Correctional Officers

Section 943.13, F.S., provides minimum qualifications for any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer or correctional officer, including any person employed as a correctional officer by a private entity under contract with the Department of Corrections, county commission, or the Correctional Privatization Commission. The minimum qualifications include a requirement that the law enforcement officer or correctional officer pass a physical examination by a licensed physician or physician assistant, based on specifications established by the commission.¹ The Criminal Justice Standards and Training Commission has adopted rules and forms for employing agencies and applicants to show compliance with s. 943.13, F.S.²

¹ See section 943.13(6), F.S.

² See Rule 11B-27.002, Florida Administrative Code. A physician's assessment or an equivalent form signed by a physician or physician assistant licensed in the United States or its territories, must be submitted to verify an applicant's fitness to perform duties of an officer under s. 943.13(6), F.S.

Advanced Registered Nurse Practitioners

Nursing is regulated by the Board of Nursing under ch. 464, F.S. Advanced registered nurse practitioners are certified under s. 464.012, F.S., to perform advanced level nursing. Chapter 464, F.S., requires the Board of Nursing to adopt rules authorizing advanced registered nurse practitioners to perform acts of medical diagnosis and treatment, prescription, and operation which are identified and approved by a joint committee. Advanced registered nurse practitioners may perform medical acts under the general supervision of a medical physician, osteopathic physician, or dentist within the framework of standing protocols which identify the medical acts to be performed and the conditions for their performance. The Board of Nursing and the Board of Medicine have filed identical administrative rules setting forth standards for the protocols³ which establish obligations on medical physicians, osteopathic physicians, and dentists who enter into protocol relationships with advanced registered nurse practitioners. The Board of Osteopathic Medicine and the Board of Dentistry that have regulatory jurisdiction over osteopathic physicians and dentists, respectively, are not required to adopt administrative rules regarding the standards for advanced registered nurse practitioner protocols. Although advanced registered nurse practitioners may prescribe medications in accordance with a protocol, they cannot prescribe controlled substances.

Advanced registered nurse practitioners may perform all duties of a registered nurse and advanced level nursing in accordance with established protocols, including managing selected medical problems, monitoring and altering drug therapies, initiating appropriate therapies for certain conditions, *performing physical examinations*, and evaluating diagnostic tests, ordering physical and occupational therapy, and initiating and monitoring therapies for certain uncomplicated acute illnesses.

III. Effect of Proposed Changes:

The bill adds certified advanced registered nurse practitioners to the list of health care providers who may conduct physical examinations of applicants seeking employment or appointment as a law enforcement or correctional officer.

The effective date of the bill is July 1, 2004.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

³ See Rules 64B-4.010 and 64B-35.002, F.A.C.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Applicants seeking employment or appointment as a law enforcement or correctional officer will be able to get a physical examination from a certified advanced registered nurse practitioner in addition to the other health care providers who are already authorized under current law to conduct these physical examinations.

C. Government Sector Impact:

The Criminal Justice Standards and Training Commission will incur costs to revise its administrative rules to reflect the changes in the bill. Such costs should be minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.