

Bill No. CS for CS for CS for SB 1680

Amendment No. ____ Barcode 692332

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

Senate Amendment

On page 224, line 27, through
page 228, line 30, delete those lines

and insert:

(c) A nurse registry shall, at the time of contracting for services through the nurse registry, advise the patient, the patient's family, or a person acting on behalf of the patient of the availability of registered nurses to make visits to the patient's home at an additional cost. A registered nurse shall make monthly visits to the patient's home to assess the patient's condition and quality of care being provided by the certified nursing assistant or home health aide. Any condition that which in the professional judgment of the nurse requires further medical attention shall be reported to the attending physician and the nurse registry. The assessment shall become a part of the patient's file with the nurse registry and may be reviewed by the agency during their survey procedure.

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1 ~~(6)(11)~~ A person who is referred by a nurse registry
2 for contract in private residences and who is not a nurse
3 licensed under part I of chapter 464 may perform only those
4 services or care to clients that the person has been certified
5 to perform or trained to perform as required by law or rules
6 of the Agency for Health Care Administration or the Department
7 of Business and Professional Regulation. Providing services
8 beyond the scope authorized under this subsection constitutes
9 the unauthorized practice of medicine or a violation of the
10 Nurse Practice Act and is punishable as provided under chapter
11 458, chapter 459, or part I of chapter 464.

12 ~~(7)(12)~~ Each nurse registry must require every
13 applicant for contract to complete an application form
14 providing the following information:

15 (a) The name, address, date of birth, and social
16 security number of the applicant.

17 (b) The educational background and employment history
18 of the applicant.

19 (c) The number and date of the applicable license or
20 certification.

21 (d) When appropriate, information concerning the
22 renewal of the applicable license, registration, or
23 certification.

24 ~~(8)(13)~~ Each nurse registry must comply with the
25 procedures set forth in s. 400.512 for maintaining records of
26 the employment history of all persons referred for contract
27 and is subject to the standards and conditions set forth in
28 that section. However, an initial screening may not be
29 required for persons who have been continuously registered
30 with the nurse registry since September 30, 1990.

31 ~~(9)(14)~~ The nurse registry must maintain the

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1 application on file, and that file must be open to the
2 inspection of the Agency for Health Care Administration. The
3 nurse registry must maintain on file the name and address of
4 the client to whom the nurse or other nurse registry personnel
5 is sent for contract and the amount of the fee received by the
6 nurse registry. A nurse registry must maintain the file that
7 includes the application and other applicable documentation
8 for 3 years after the date of the last file entry of
9 client-related information.

10 ~~(10)(15)~~ Nurse registries shall assist persons who
11 would need assistance and sheltering during evacuations
12 because of physical, mental, or sensory disabilities in
13 registering with the appropriate local emergency management
14 agency pursuant to s. 252.355.

15 ~~(11)(16)~~ Each nurse registry shall prepare and
16 maintain a comprehensive emergency management plan that is
17 consistent with the criteria in this subsection and with the
18 local special needs plan. The plan shall be updated annually.
19 The plan shall specify how the nurse registry shall facilitate
20 the provision of continuous care by persons referred for
21 contract to persons who are registered pursuant to s. 252.355
22 during an emergency that interrupts the provision of care or
23 services in private residencies.

24 (a) All persons referred for contract who care for
25 persons registered pursuant to s. 252.355 must include in the
26 patient record a description of how care will be continued
27 during a disaster or emergency that interrupts the provision
28 of care in the patient's home. It shall be the responsibility
29 of the person referred for contract to ensure that continuous
30 care is provided.

31 (b) Each nurse registry shall maintain a current

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1 prioritized list of patients in private residences who are
2 registered pursuant to s. 252.355 and are under the care of
3 persons referred for contract and who need continued services
4 during an emergency. This list shall indicate, for each
5 patient, if the client is to be transported to a special needs
6 shelter and if the patient is receiving skilled nursing
7 services. Nurse registries shall make this list available to
8 county health departments and to local emergency management
9 agencies upon request.

10 (c) Each person referred for contract who is caring
11 for a patient who is registered pursuant to s. 252.355 shall
12 provide a list of the patient's medication and equipment needs
13 to the nurse registry. Each person referred for contract shall
14 make this information available to county health departments
15 and to local emergency management agencies upon request.

16 (d) Each person referred for contract shall not be
17 required to continue to provide care to patients in emergency
18 situations that are beyond the person's control and that make
19 it impossible to provide services, such as when roads are
20 impassable or when patients do not go to the location
21 specified in their patient records.

22 (e) The comprehensive emergency management plan
23 required by this subsection is subject to review and approval
24 by the county health department. During its review, the county
25 health department shall ensure that, at a minimum, the local
26 emergency management agency, the Agency for Health Care
27 Administration, and the local chapter of the American Red
28 Cross or other lead sheltering agency are given the
29 opportunity to review the plan. The county health department
30 shall complete its review within 60 days after receipt of the
31 plan and shall either approve the plan or advise the nurse

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1 registry of necessary revisions.

2 (f) The Agency for Health Care Administration shall
3 adopt rules establishing minimum criteria for the
4 comprehensive emergency management plan and plan updates
5 required by this subsection, with the concurrence of the
6 Department of Health and in consultation with the Department
7 of Community Affairs.

8 ~~(12)(17)~~ All persons referred for contract in private
9 residences by a nurse registry must comply with the following
10 requirements for a plan of treatment:

11 (a) When, in accordance with the privileges and
12 restrictions imposed upon a nurse under part I of chapter 464,
13 the delivery of care to a patient is under the direction or
14 supervision of a physician or when a physician is responsible
15 for the medical care of the patient, a medical plan of
16 treatment must be established for each patient receiving care
17 or treatment provided by a licensed nurse in the home. The
18 original medical plan of treatment must be timely signed by
19 the physician, physician's assistant, or advanced registered
20 nurse practitioner, acting within his or her respective scope
21 of practice, and reviewed ~~by him or her~~ in consultation with
22 the licensed nurse at least every 2 months. Any additional
23 order or change in orders must be obtained from the physician,
24 physician's assistant, or advanced registered nurse
25 practitioner and reduced to writing and timely signed by the
26 physician, physician's assistant, or advanced registered nurse
27 practitioner. The delivery of care under a medical plan of
28 treatment must be substantiated by the appropriate nursing
29 notes or documentation made by the nurse in compliance with
30 nursing practices established under part I of chapter 464.

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