

Bill No. CS for CS for SB 2170

Amendment No. \_\_\_\_ Barcode 040674

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

**Senate Amendment (with title amendment)**

On page 78, line 7, through  
page 79, line 3, delete those lines

and insert:

Section 52. Subsections (1), (5), and (7) of section  
464.203, Florida Statutes, are amended, and subsections (8),  
(9), and (10) are added to that section, to read:

464.203 Certified nursing assistants; certification  
requirement.--

(1) The board shall issue a certificate to practice as  
a certified nursing assistant to any person who demonstrates a  
minimum competency to read and write and successfully passes  
the required background ~~Level I or Level II~~ screening in  
subsection (9) ~~pursuant to s. 400.215~~ and who meets one of the  
following requirements:

(a) Has successfully completed an approved training  
program and achieved a minimum score, established by rule of  
the board, on the nursing assistant competency examination,

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1 which consists of a written portion and skills-demonstration  
2 portion approved by the board and administered at a site and  
3 by personnel approved by the department.

4 (b) Has achieved a minimum score, established by rule  
5 of the board, on the nursing assistant competency examination,  
6 which consists of a written portion and skills-demonstration  
7 portion, approved by the board and administered at a site and  
8 by personnel approved by the department and:

- 9 1. Has a high school diploma, or its equivalent; or  
10 2. Is at least 18 years of age.

11 (c) Is currently certified in another state; is listed  
12 on that state's certified nursing assistant registry; and has  
13 not been found to have committed abuse, neglect, or  
14 exploitation in that state.

15 (d) Has completed the curriculum developed under the  
16 Enterprise Florida Jobs and Education Partnership Grant and  
17 achieved a minimum score, established by rule of the board, on  
18 the nursing assistant competency examination, which consists  
19 of a written portion and skills-demonstration portion,  
20 approved by the board and administered at a site and by  
21 personnel approved by the department.

22 (5) Certification as a nursing assistant, in  
23 accordance with this part, may be renewed ~~continues in effect~~  
24 until such time as the nursing assistant allows a period of 24  
25 consecutive months to pass during which period the nursing  
26 assistant fails to perform any nursing-related services for  
27 monetary compensation. When a nursing assistant fails to  
28 perform any nursing-related services for monetary compensation  
29 for a period of 24 consecutive months, the nursing assistant  
30 must complete a new training and competency evaluation program  
31 or a new competency evaluation program.

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1           (7) A certified nursing assistant shall complete 12 ~~18~~  
2 hours of inservice training during each calendar year. The  
3 certified nursing assistant shall be responsible for  
4 maintaining documentation demonstrating compliance with these  
5 provisions. The Council on Certified Nursing Assistants, in  
6 accordance with s. 464.2085(2)(b), shall propose rules to  
7 implement this subsection.

8           (8) The department shall renew a certificate upon  
9 receipt of the renewal application and imposition of a fee of  
10 \$20 which may be increased to not more than \$50 biennially.  
11 The department shall adopt rules establishing a procedure for  
12 the biennial renewal of certificates. Any certificate not  
13 renewed by July 1, 2006, shall be void.

14           (9) For purposes of this section, background screening  
15 shall include:

16           (a) A determination whether the person seeking the  
17 certificate has committed any act that would constitute  
18 grounds for disciplinary sanctions as provided in s.  
19 464.204(1); and

20           (b)1. For persons who have continuously resided in  
21 this state for the 5 years immediately preceding the date of  
22 screening, level 1 screening as set forth in chapter 435; or

23           2. For persons who have not continuously resided in  
24 this state for the 5 years immediately preceding the date of  
25 screening, level 2 screening as set forth in chapter 435.

26           (10) Beginning January 1, 2005, the Department of  
27 Health and the Agency for Health Care Administration shall,  
28 after certification of an applicant, post information relating  
29 to background screening on the agency's background-screening  
30 database, which shall be available only to employers and  
31 prospective employers, who, as a condition of employment, are

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1 required by law to conduct a background check for the  
2 employment of certified nursing assistants.

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

6 And the title is amended as follows:

7           On page 6, line 13, following the semicolon

8

9 insert:

10           revising the requirements for conducting the  
11           background screening; requiring the Agency for  
12           Health Care Administration to post information  
13           relating to background screening in its  
14           database after January 1, 2005; requiring that  
15           the database be available to employers and  
16           prospective employers;

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