

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Farkas offered the following:

2  
3 **Amendment to Amendment (954111) (with directory and title**  
4 **amendments)**

5 Between lines 3939 and 3940 insert:

6 Section 113. Sections 113 through 129 of this act may be  
7 referred to by the popular name the "Clara Ramsey Care of the  
8 Elderly Act."

9 Section 114. Certified Geriatric Specialist Preparation  
10 Pilot Program.--

11 (1) The Agency for Workforce Innovation shall establish a  
12 pilot program for delivery of geriatric nursing education to  
13 certified nursing assistants who wish to become certified  
14 geriatric specialists. The agency shall select two pilot sites  
15 in nursing homes that have received the Gold Seal designation  
16 under s. 400.235, Florida Statutes; have been designated as

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17 teaching nursing homes under s. 430.80, Florida Statutes; or  
18 have not received a class I or class II deficiency within the 30  
19 months preceding application for this program.

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

24 (3) The education shall be provided at the worksite and in  
25 coordination with the certified nursing assistant's work  
26 schedule.

27 (4) Faculty shall provide the instruction under an  
28 approved nursing program pursuant to s. 464.019, Florida  
29 Statutes.

30 (5) The education must be designed to prepare the  
31 certified nursing assistant to meet the requirements for  
32 certification as a geriatric specialist. The didactic and  
33 clinical education must include all portions of the practical  
34 nursing curriculum pursuant to s. 464.019, Florida Statutes,  
35 except for pediatric and obstetric/maternal-child education, and  
36 must include additional education in the care of ill, injured,  
37 or infirm geriatric patients and the maintenance of health, the  
38 prevention of injury, and the provision of palliative care for  
39 geriatric patients.

40 Section 115. Certified Geriatric Specialty Nursing  
41 Initiative Steering Committee.--

42 (1) In order to guide the implementation of the Certified  
43 Geriatric Specialist Preparation Pilot Program, there is created  
44 a Certified Geriatric Specialty Nursing Initiative Steering

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45 Committee. The steering committee shall be composed of the  
46 following members:

47 (a) The chair of the Board of Nursing or his or her  
48 designee.

49 (b) A representative of the Agency for Workforce  
50 Innovation, appointed by the director of Workforce Innovation.

51 (c) A representative of Workforce Florida, Inc., appointed  
52 by the chair of the board of directors of Workforce Florida,  
53 Inc.

54 (d) A representative of the Department of Education,  
55 appointed by the Secretary of Education.

56 (e) A representative of the Department of Health,  
57 appointed by the Secretary of Health.

58 (f) A representative of the Agency for Health Care  
59 Administration, appointed by the Secretary of Health Care  
60 Administration.

61 (g) The executive director of the Florida Center for  
62 Nursing.

63 (h) A representative of the Department of Elderly Affairs,  
64 appointed by the Secretary of Elderly Affairs.

65 (i) A representative of a Gold Seal nursing home that is  
66 not one of the pilot program sites, appointed by the Secretary  
67 of Health Care Administration.

68 (2) The steering committee shall:

69 (a) Provide consultation and guidance to the Agency for  
70 Workforce Innovation on matters of policy during the  
71 implementation of the pilot program.

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72 (b) Provide oversight to the evaluation of the pilot  
73 program.

74 (3) Members of the steering committee are entitled to  
75 reimbursement for per diem and travel expenses under s. 112.061,  
76 Florida Statutes.

77 (4) The steering committee shall complete its activities  
78 by June 30, 2007, and the authorization for the steering  
79 committee ends on that date.

80 Section 116. Evaluation of the Certified Geriatric  
81 Specialist Preparation Pilot Program.--The Agency for Workforce  
82 Innovation, in consultation with the Certified Geriatric  
83 Specialty Nursing Initiative Steering Committee, shall conduct  
84 or contract for an evaluation of the pilot program. The agency  
85 shall ensure that an evaluation report is submitted to the  
86 Governor, the President of the Senate, and the Speaker of the  
87 House of Representatives by January 1, 2007. The evaluation must  
88 address the experience and success of the certified nursing  
89 assistants in the pilot program and must contain recommendations  
90 regarding the expansion of the delivery of geriatric nursing  
91 education in nursing homes.

92 Section 117. Reports.--The Agency for Workforce Innovation  
93 shall submit status reports and recommendations regarding  
94 legislation necessary to further the implementation of the pilot  
95 program to the Governor, the President of the Senate, and the  
96 Speaker of the House of Representatives on January 1, 2005,  
97 January 1, 2006, and January 1, 2007.

98 Section 118. Section 464.0125, Florida Statutes, is  
99 created to read:

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100 464.0125 Certified geriatric specialists; certification  
101 requirements.--

102 (1) DEFINITIONS; RESPONSIBILITIES.--

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

104 1. "Certified geriatric specialist" means a person who  
105 meets the qualifications specified in this section and who is  
106 certified by the board to practice as a certified geriatric  
107 specialist.

108 2. "Geriatric patient" means any patient who is 60 years  
109 of age or older.

110 3. "Practice of certified geriatric specialty nursing"  
111 means the performance of selected acts in facilities licensed  
112 under part II or part III of chapter 400, including the  
113 administration of treatments and medications, in the care of  
114 ill, injured, or infirm geriatric patients and the promotion of  
115 wellness, maintenance of health, and prevention of illness of  
116 geriatric patients under the direction of a registered nurse, a  
117 licensed physician, a licensed osteopathic physician, a licensed  
118 podiatric physician, or a licensed dentist. The scope of  
119 practice of a certified geriatric specialist includes the  
120 practice of practical nursing as defined in s. 464.003 for  
121 geriatric patients only, except for any act in which instruction  
122 and clinical knowledge of pediatric nursing or  
123 obstetric/maternal-child nursing is required. A certified  
124 geriatric specialist, while providing nursing services in  
125 facilities licensed under part II or part III of chapter 400,  
126 may supervise the activities of certified nursing assistants and

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127 other unlicensed personnel providing services in such facilities  
128 in accordance with rules adopted by the board.

129 (b) The certified geriatric specialist shall be  
130 responsible and accountable for making decisions that are based  
131 upon the individual's educational preparation and experience in  
132 performing certified geriatric specialty nursing.

133 (2) CERTIFICATION.--

134 (a) Any certified nursing assistant desiring to be  
135 certified as a certified geriatric specialist must apply to the  
136 department and submit proof that he or she holds a current  
137 certificate as a certified nursing assistant under part II of  
138 this chapter and has satisfactorily completed the following  
139 requirements:

140 1. Is in good mental and physical health, is a recipient  
141 of a high school diploma or its equivalent, and has completed  
142 the requirements for graduation from an approved program for  
143 nursing or its equivalent, as determined by the board, for the  
144 preparation of licensed practical nurses, except for instruction  
145 and clinical knowledge of pediatric nursing or  
146 obstetric/maternal-child nursing. Any program that is approved  
147 on July 1, 2004, by the board for the preparation of registered  
148 nurses or licensed practical nurses may provide education for  
149 the preparation of certified geriatric specialists without  
150 further board approval.

151 2. Has the ability to communicate in the English language,  
152 which may be determined by an examination given by the  
153 department.

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154 3. Has provided sufficient information, which must be  
155 submitted by the department for a statewide criminal records  
156 correspondence check through the Department of Law Enforcement.

157 (b) Each applicant who meets the requirements of this  
158 subsection is, unless denied pursuant to s. 464.018, entitled to  
159 certification as a certified geriatric specialist. The board  
160 must certify, and the department must issue a certificate to  
161 practice as a certified geriatric specialist to, any certified  
162 nursing assistant who meets the qualifications set forth in this  
163 section. The board shall establish an application fee not to  
164 exceed \$100 and a biennial renewal fee not to exceed \$50. The  
165 board may adopt rules pursuant to ss. 120.536(1) and 120.54 to  
166 administer this section.

167 (c) A person receiving certification under this section  
168 shall:

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

171 2. Care for geriatric patients only.

172 3. Comply with the minimum standards of practice for  
173 nurses and be subject to disciplinary action for violations of  
174 s. 464.018.

175 (3) ARTICULATION.--Any certified geriatric specialist who  
176 completes the additional instruction and coursework in an  
177 approved nursing program pursuant to s. 464.019 for the  
178 preparation of practical nursing in the areas of pediatric  
179 nursing and obstetric/maternal-child nursing is, unless denied  
180 pursuant to s. 464.018, entitled to licensure as a licensed

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181 practical nurse if the applicant otherwise meets the  
182 requirements of s. 464.008.

183 (4) TITLES AND ABBREVIATIONS; RESTRICTIONS; PENALTIES.--

184 (a) Only persons who hold certificates to practice as  
185 certified geriatric specialists in this state or who are  
186 performing services within the practice of certified geriatric  
187 specialty nursing pursuant to the exception set forth in s.  
188 464.022(8) may use the title "Certified Geriatric Specialist"  
189 and the abbreviation "C.G.S."

190 (b) A person may not practice or advertise as, or assume  
191 the title of, a certified geriatric specialist or use the  
192 abbreviation "C.G.S." or take any other action that would lead  
193 the public to believe that person is certified as such or is  
194 performing services within the practice of certified geriatric  
195 specialty nursing pursuant to the exception set forth in s.  
196 464.022(8), unless that person is certified to practice as such.

197 (c) A violation of this subsection is a misdemeanor of the  
198 first degree, punishable as provided in s. 775.082 or s.  
199 775.083.

200 (5) VIOLATIONS AND PENALTIES.--Practicing certified  
201 geriatric specialty nursing, as defined in this section, without  
202 holding an active certificate to do so constitutes a felony of  
203 the third degree, punishable as provided in s. 775.082, s.  
204 775.083, or s. 775.084.

205 Section 119. Paragraph (b) of subsection (1) of section  
206 381.00315, Florida Statutes, is amended to read:

207 381.00315 Public health advisories; public health  
208 emergencies.--The State Health Officer is responsible for



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209 declaring public health emergencies and issuing public health  
210 advisories.

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

212 (b) "Public health emergency" means any occurrence, or  
213 threat thereof, whether natural or man made, which results or  
214 may result in substantial injury or harm to the public health  
215 from infectious disease, chemical agents, nuclear agents,  
216 biological toxins, or situations involving mass casualties or  
217 natural disasters. Prior to declaring a public health emergency,  
218 the State Health Officer shall, to the extent possible, consult  
219 with the Governor and shall notify the Chief of Domestic  
220 Security Initiatives as created in s. 943.03. The declaration of  
221 a public health emergency shall continue until the State Health  
222 Officer finds that the threat or danger has been dealt with to  
223 the extent that the emergency conditions no longer exist and he  
224 or she terminates the declaration. However, a declaration of a  
225 public health emergency may not continue for longer than 60 days  
226 unless the Governor concurs in the renewal of the declaration.  
227 The State Health Officer, upon declaration of a public health  
228 emergency, may take actions that are necessary to protect the  
229 public health. Such actions include, but are not limited to:

230 1. Directing manufacturers of prescription drugs or over-  
231 the-counter drugs who are permitted under chapter 499 and  
232 wholesalers of prescription drugs located in this state who are  
233 permitted under chapter 499 to give priority to the shipping of  
234 specified drugs to pharmacies and health care providers within  
235 geographic areas that have been identified by the State Health  
236 Officer. The State Health Officer must identify the drugs to be

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237 shipped. Manufacturers and wholesalers located in the state must  
238 respond to the State Health Officer's priority shipping  
239 directive before shipping the specified drugs.

240 2. Notwithstanding chapters 465 and 499 and rules adopted  
241 thereunder, directing pharmacists employed by the department to  
242 compound bulk prescription drugs and provide these bulk  
243 prescription drugs to physicians and nurses of county health  
244 departments or any qualified person authorized by the State  
245 Health Officer for administration to persons as part of a  
246 prophylactic or treatment regimen.

247 3. Notwithstanding s. 456.036, temporarily reactivating  
248 the inactive license of the following health care practitioners,  
249 when such practitioners are needed to respond to the public  
250 health emergency: physicians licensed under chapter 458 or  
251 chapter 459; physician assistants licensed under chapter 458 or  
252 chapter 459; certified geriatric specialists, licensed practical  
253 nurses, registered nurses, and advanced registered nurse  
254 practitioners certified or licensed under part I of chapter 464;  
255 respiratory therapists licensed under part V of chapter 468; and  
256 emergency medical technicians and paramedics certified under  
257 part III of chapter 401. Only those health care practitioners  
258 specified in this paragraph who possess an unencumbered inactive  
259 license and who request that such license be reactivated are  
260 eligible for reactivation. An inactive license that is  
261 reactivated under this paragraph shall return to inactive status  
262 when the public health emergency ends or prior to the end of the  
263 public health emergency if the State Health Officer determines  
264 that the health care practitioner is no longer needed to provide

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265 services during the public health emergency. Such licenses may  
266 only be reactivated for a period not to exceed 90 days without  
267 meeting the requirements of s. 456.036 or chapter 401, as  
268 applicable.

269 4. Ordering an individual to be examined, tested,  
270 vaccinated, treated, or quarantined for communicable diseases  
271 that have significant morbidity or mortality and present a  
272 severe danger to public health. Individuals who are unable or  
273 unwilling to be examined, tested, vaccinated, or treated for  
274 reasons of health, religion, or conscience may be subjected to  
275 quarantine.

276 a. Examination, testing, vaccination, or treatment may be  
277 performed by any qualified person authorized by the State Health  
278 Officer.

279 b. If the individual poses a danger to the public health,  
280 the State Health Officer may subject the individual to  
281 quarantine. If there is no practical method to quarantine the  
282 individual, the State Health Officer may use any means necessary  
283 to vaccinate or treat the individual.

284  
285 Any order of the State Health Officer given to effectuate this  
286 paragraph shall be immediately enforceable by a law enforcement  
287 officer under s. 381.0012.

288 Section 120. Subsection (14) of section 400.021, Florida  
289 Statutes, is amended to read:

290 400.021 Definitions.--When used in this part, unless the  
291 context otherwise requires, the term:

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

295 Section 121. Subsection (1) of section 400.211, Florida  
296 Statutes, is amended to read:

297 400.211 Persons employed as nursing assistants;  
298 certification requirement.--

299 (1) To serve as a nursing assistant in any nursing home, a  
300 person must be certified as a nursing assistant under part II of  
301 chapter 464, unless the person is a registered nurse, a ~~or~~  
302 practical nurse, or a certified geriatric specialist certified  
303 or licensed in accordance with part I of chapter 464 or an  
304 applicant for such certification or licensure who is permitted  
305 to practice nursing in accordance with rules adopted by the  
306 Board of Nursing pursuant to part I of chapter 464.

307 Section 122. Paragraphs (a) and (c) of subsection (3) of  
308 section 400.23, Florida Statutes, are amended to read:

309 400.23 Rules; evaluation and deficiencies; licensure  
310 status.--

311 (3)(a) The agency shall adopt rules providing for the  
312 minimum staffing requirements for nursing homes. These  
313 requirements shall include, for each nursing home facility, a  
314 minimum certified nursing assistant staffing of 2.3 hours of  
315 direct care per resident per day beginning January 1, 2002,  
316 increasing to 2.6 hours of direct care per resident per day  
317 beginning January 1, 2003, and increasing to 2.9 hours of direct  
318 care per resident per day beginning May 1, 2004. Beginning  
319 January 1, 2002, no facility shall staff below one certified

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320 nursing assistant per 20 residents, and a minimum licensed  
321 nursing staffing of 1.0 hour of direct resident care per  
322 resident per day but never below one licensed nurse per 40  
323 residents. For purposes of computing nursing staffing minimums  
324 and ratios, certified geriatric specialists shall be considered  
325 licensed nursing staff. ~~Nursing assistants employed never below~~  
326 one licensed nurse per 40 residents. Nursing assistants employed  
327 under s. 400.211(2) may be included in computing the staffing  
328 ratio for certified nursing assistants only if they provide  
329 nursing assistance services to residents on a full-time basis.  
330 Each nursing home must document compliance with staffing  
331 standards as required under this paragraph and post daily the  
332 names of staff on duty for the benefit of facility residents and  
333 the public. The agency shall recognize the use of licensed  
334 nurses for compliance with minimum staffing requirements for  
335 certified nursing assistants, provided that the facility  
336 otherwise meets the minimum staffing requirements for licensed  
337 nurses and that the licensed nurses so recognized are performing  
338 the duties of a certified nursing assistant. Unless otherwise  
339 approved by the agency, licensed nurses counted towards the  
340 minimum staffing requirements for certified nursing assistants  
341 must exclusively perform the duties of a certified nursing  
342 assistant for the entire shift and shall not also be counted  
343 towards the minimum staffing requirements for licensed nurses.  
344 If the agency approved a facility's request to use a licensed  
345 nurse to perform both licensed nursing and certified nursing  
346 assistant duties, the facility must allocate the amount of staff  
347 time specifically spent on certified nursing assistant duties

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348 for the purpose of documenting compliance with minimum staffing  
349 requirements for certified and licensed nursing staff. In no  
350 event may the hours of a licensed nurse with dual job  
351 responsibilities be counted twice.

352 (c) Licensed practical nurses licensed under chapter 464  
353 who are providing nursing services in nursing home facilities  
354 under this part may supervise the activities of other licensed  
355 practical nurses, certified geriatric specialists, certified  
356 nursing assistants, and other unlicensed personnel providing  
357 services in such facilities in accordance with rules adopted by  
358 the Board of Nursing.

359 Section 123. Paragraph (b) of subsection (2) of section  
360 409.908, Florida Statutes, is amended to read:

361 409.908 Reimbursement of Medicaid providers.--Subject to  
362 specific appropriations, the agency shall reimburse Medicaid  
363 providers, in accordance with state and federal law, according  
364 to methodologies set forth in the rules of the agency and in  
365 policy manuals and handbooks incorporated by reference therein.  
366 These methodologies may include fee schedules, reimbursement  
367 methods based on cost reporting, negotiated fees, competitive  
368 bidding pursuant to s. 287.057, and other mechanisms the agency  
369 considers efficient and effective for purchasing services or  
370 goods on behalf of recipients. If a provider is reimbursed based  
371 on cost reporting and submits a cost report late and that cost  
372 report would have been used to set a lower reimbursement rate  
373 for a rate semester, then the provider's rate for that semester  
374 shall be retroactively calculated using the new cost report, and  
375 full payment at the recalculated rate shall be affected

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376 retroactively. Medicare-granted extensions for filing cost  
377 reports, if applicable, shall also apply to Medicaid cost  
378 reports. Payment for Medicaid compensable services made on  
379 behalf of Medicaid eligible persons is subject to the  
380 availability of moneys and any limitations or directions  
381 provided for in the General Appropriations Act or chapter 216.  
382 Further, nothing in this section shall be construed to prevent  
383 or limit the agency from adjusting fees, reimbursement rates,  
384 lengths of stay, number of visits, or number of services, or  
385 making any other adjustments necessary to comply with the  
386 availability of moneys and any limitations or directions  
387 provided for in the General Appropriations Act, provided the  
388 adjustment is consistent with legislative intent.

389 (2)

390 (b) Subject to any limitations or directions provided for  
391 in the General Appropriations Act, the agency shall establish  
392 and implement a Florida Title XIX Long-Term Care Reimbursement  
393 Plan (Medicaid) for nursing home care in order to provide care  
394 and services in conformance with the applicable state and  
395 federal laws, rules, regulations, and quality and safety  
396 standards and to ensure that individuals eligible for medical  
397 assistance have reasonable geographic access to such care.

398 1. Changes of ownership or of licensed operator do not  
399 qualify for increases in reimbursement rates associated with the  
400 change of ownership or of licensed operator. The agency shall  
401 amend the Title XIX Long-Term ~~Long-Term~~ Care Reimbursement Plan  
402 to provide that the initial nursing home reimbursement rates,  
403 for the operating, patient care, and MAR components, associated

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404 with related and unrelated party changes of ownership or  
405 licensed operator filed on or after September 1, 2001, are  
406 equivalent to the previous owner's reimbursement rate.

407 2. The agency shall amend the long-term care reimbursement  
408 plan and cost reporting system to create direct care and  
409 indirect care subcomponents of the patient care component of the  
410 per diem rate. These two subcomponents together shall equal the  
411 patient care component of the per diem rate. Separate cost-based  
412 ceilings shall be calculated for each patient care subcomponent.  
413 The direct care subcomponent of the per diem rate shall be  
414 limited by the cost-based class ceiling, and the indirect care  
415 subcomponent shall be limited by the lower of the cost-based  
416 class ceiling, by the target rate class ceiling, or by the  
417 individual provider target. The agency shall adjust the patient  
418 care component effective January 1, 2002. The cost to adjust the  
419 direct care subcomponent shall be net of the total funds  
420 previously allocated for the case mix add-on. The agency shall  
421 make the required changes to the nursing home cost reporting  
422 forms to implement this requirement effective January 1, 2002.

423 3. The direct care subcomponent shall include salaries and  
424 benefits of direct care staff providing nursing services  
425 including registered nurses, licensed practical nurses,  
426 certified geriatric specialists, and certified nursing  
427 assistants who deliver care directly to residents in the nursing  
428 home facility. This excludes nursing administration, MDS, and  
429 care plan coordinators, staff development, and staffing  
430 coordinator.

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431           4. All other patient care costs shall be included in the  
432 indirect care cost subcomponent of the patient care per diem  
433 rate. There shall be no costs directly or indirectly allocated  
434 to the direct care subcomponent from a home office or management  
435 company.

436           5. On July 1 of each year, the agency shall report to the  
437 Legislature direct and indirect care costs, including average  
438 direct and indirect care costs per resident per facility and  
439 direct care and indirect care salaries and benefits per category  
440 of staff member per facility.

441           6. In order to offset the cost of general and professional  
442 liability insurance, the agency shall amend the plan to allow  
443 for interim rate adjustments to reflect increases in the cost of  
444 general or professional liability insurance for nursing homes.  
445 This provision shall be implemented to the extent existing  
446 appropriations are available.

447  
448 It is the intent of the Legislature that the reimbursement plan  
449 achieve the goal of providing access to health care for nursing  
450 home residents who require large amounts of care while  
451 encouraging diversion services as an alternative to nursing home  
452 care for residents who can be served within the community. The  
453 agency shall base the establishment of any maximum rate of  
454 payment, whether overall or component, on the available moneys  
455 as provided for in the General Appropriations Act. The agency  
456 may base the maximum rate of payment on the results of  
457 scientifically valid analysis and conclusions derived from

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458 objective statistical data pertinent to the particular maximum  
459 rate of payment.

460 Section 124. Subsection (2) of section 458.303, Florida  
461 Statutes, is amended to read:

462 458.303 Provisions not applicable to other practitioners;  
463 exceptions, etc.--

464 (2) Nothing in s. 458.301, s. 458.303, s. 458.305, s.  
465 458.307, s. 458.309, s. 458.311, s. 458.313, s. 458.319, s.  
466 458.321, s. 458.327, s. 458.329, s. 458.331, s. 458.337, s.  
467 458.339, s. 458.341, s. 458.343, s. 458.345, or s. 458.347 shall  
468 be construed to prohibit any service rendered by a registered  
469 nurse, ~~or~~ a licensed practical nurse, or a certified geriatric  
470 specialist, if such service is rendered under the direct  
471 supervision and control of a licensed physician who provides  
472 specific direction for any service to be performed and gives  
473 final approval to all services performed. Further, nothing in  
474 this or any other chapter shall be construed to prohibit any  
475 service rendered by a medical assistant in accordance with the  
476 provisions of s. 458.3485.

477 Section 125. Subsection (1) and paragraph (a) of  
478 subsection (2) of section 1009.65, Florida Statutes, are amended  
479 to read:

480 1009.65 Medical Education Reimbursement and Loan Repayment  
481 Program.--

482 (1) To encourage qualified medical professionals to  
483 practice in underserved locations where there are shortages of  
484 such personnel, there is established the Medical Education  
485 Reimbursement and Loan Repayment Program. The function of the

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486 program is to make payments that offset loans and educational  
487 expenses incurred by students for studies leading to a medical  
488 or nursing degree, medical or nursing licensure, or advanced  
489 registered nurse practitioner certification or physician  
490 assistant licensure. The following licensed or certified health  
491 care professionals are eligible to participate in this program:  
492 medical doctors with primary care specialties, doctors of  
493 osteopathic medicine with primary care specialties, physician's  
494 assistants, certified geriatric specialists, licensed practical  
495 nurses, and registered nurses, and advanced registered nurse  
496 practitioners with primary care specialties such as certified  
497 nurse midwives. Primary care medical specialties for physicians  
498 include obstetrics, gynecology, general and family practice,  
499 internal medicine, pediatrics, and other specialties which may  
500 be identified by the Department of Health.

501 (2) From the funds available, the Department of Health  
502 shall make payments to selected medical professionals as  
503 follows:

504 (a) Up to \$4,000 per year for certified geriatric  
505 specialists, licensed practical nurses, and registered nurses,  
506 up to \$10,000 per year for advanced registered nurse  
507 practitioners and physician's assistants, and up to \$20,000 per  
508 year for physicians. Penalties for noncompliance shall be the  
509 same as those in the National Health Services Corps Loan  
510 Repayment Program. Educational expenses include costs for  
511 tuition, matriculation, registration, books, laboratory and  
512 other fees, other educational costs, and reasonable living  
513 expenses as determined by the Department of Health.

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514 Section 126. Subsection (2) of section 1009.66, Florida  
515 Statutes, is amended to read:

516 1009.66 Nursing Student Loan Forgiveness Program.--

517 (2) To be eligible, a candidate must have graduated from  
518 an accredited or approved nursing program and have received a  
519 Florida license as a licensed practical nurse or a registered  
520 nurse or a Florida certificate as a certified geriatric  
521 specialist or an advanced registered nurse practitioner.

522 Section 127. The sum of \$157,017 is appropriated from the  
523 General Revenue Fund to the Agency for Workforce Innovation to  
524 support the work of the Certified Geriatric Specialty Nursing  
525 Initiative Steering Committee, to administer the pilot sites, to  
526 contract for an evaluation, and to provide, if necessary,  
527 nursing faculty, substitute certified nursing assistants for  
528 those who are in clinical education, and technical support to  
529 the pilot sites during the 2004-2005 fiscal year.

530 Section 128. Subsection (6) is added to section 464.201,  
531 Florida Statutes, to read:

532 464.201 Definitions.--As used in this part, the term:

533 (6) "Practice of a certified nursing assistant" means  
534 providing care and assisting persons with tasks relating to the  
535 activities of daily living. Such tasks are those associated with  
536 personal care, maintaining mobility, nutrition and hydration,  
537 toileting and elimination, assistive devices, safety and  
538 cleanliness, data gathering, reporting abnormal signs and  
539 symptoms, postmortem care, patient socialization and reality  
540 orientation, end-of-life care, cardiopulmonary resuscitation and  
541 emergency care, residents' or patients' rights, documentation of

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542 nursing assistant services, and other tasks that a certified  
543 nursing assistant may perform after training beyond that  
544 required for initial certification and upon validation of  
545 competence in that skill by a registered nurse. This section  
546 does not restrict the ability of any person who is otherwise  
547 trained and educated from performing such tasks.

548 Section 129. Section 464.202, Florida Statutes, is amended  
549 to read:

550 464.202 Duties and powers of the board.--The board shall  
551 maintain, or contract with or approve another entity to  
552 maintain, a state registry of certified nursing assistants. The  
553 registry must consist of the name of each certified nursing  
554 assistant in this state; other identifying information defined  
555 by board rule; certification status; the effective date of  
556 certification; other information required by state or federal  
557 law; information regarding any crime or any abuse, neglect, or  
558 exploitation as provided under chapter 435; and any disciplinary  
559 action taken against the certified nursing assistant. The  
560 registry shall be accessible to the public, the  
561 certificateholder, employers, and other state agencies. The  
562 board shall adopt by rule testing procedures for use in  
563 certifying nursing assistants and shall adopt rules regulating  
564 the practice of certified nursing assistants which specify the  
565 scope of practice authorized and the level of supervision  
566 required for the practice of certified nursing assistants ~~to~~  
567 ~~enforce this part~~. The board may contract with or approve  
568 another entity or organization to provide the examination  
569 services, including the development and administration of

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570 examinations. The board shall require that the contract provider  
 571 offer certified nursing assistant applications via the Internet,  
 572 and may require the contract provider to accept certified  
 573 nursing assistant applications for processing via the Internet.  
 574 The board shall require the contract provider to provide the  
 575 preliminary results of the certified nursing examination on the  
 576 date the test is administered. The provider shall pay all  
 577 reasonable costs and expenses incurred by the board in  
 578 evaluating the provider's application and performance during the  
 579 delivery of services, including examination services and  
 580 procedures for maintaining the certified nursing assistant  
 581 registry.

582  
 583 ===== T I T L E A M E N D M E N T =====

584 Remove line 4160 and insert:  
 585 trainers; allowing for certain relicensure; providing a  
 586 popular name; requiring the Agency for Workforce  
 587 Innovation to establish a pilot program for the delivery  
 588 of geriatric nursing education; specifying eligibility  
 589 requirements for certified nursing assistants to receive  
 590 geriatric nursing education; specifying requirements for  
 591 geriatric nursing education provided to certified nursing  
 592 assistants in preparation for certification as certified  
 593 geriatric specialists; creating a Certified Geriatric  
 594 Specialty Nursing Initiative Steering Committee; providing  
 595 for the composition of and manner of appointment to the  
 596 steering committee; providing responsibilities of the  
 597 steering committee; providing for reimbursement for per

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598 diem and travel expenses; requiring the agency, in  
599 consultation with the steering committee, to conduct or  
600 contract for an evaluation of the pilot program; requiring  
601 the evaluation to include recommendations regarding the  
602 expansion of the delivery of geriatric nursing education  
603 in nursing homes; requiring the agency to report to the  
604 Governor and the Legislature regarding the status and  
605 evaluation of the pilot program; creating s. 464.0125,  
606 F.S.; providing definitions; providing requirements for  
607 persons to become certified geriatric specialists;  
608 specifying fees; providing for articulation of geriatric  
609 specialty nursing coursework and practical nursing  
610 coursework; providing practice standards, restrictions,  
611 and grounds for which certified geriatric specialists may  
612 be subject to discipline by the board; creating  
613 restrictions on the use of professional nursing titles and  
614 abbreviations; prohibiting the use of certain professional  
615 titles and abbreviations; providing penalties; authorizing  
616 approved nursing programs to provide education for the  
617 preparation of certified geriatric specialists without  
618 further board approval; authorizing certified geriatric  
619 specialists to supervise the activities of certain others  
620 in nursing home facilities according to rules of the  
621 board; amending s. 381.00315, F.S.; revising requirements  
622 for the reactivation of the licenses of specified health  
623 care practitioners in the event of a public health  
624 emergency to include certified geriatric specialists;  
625 amending s. 400.021, F.S.; including services provided by

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626 a certified geriatric specialist within the definition of  
627 nursing service; amending s. 400.211, F.S.; revising  
628 requirements for persons employed as nursing assistants to  
629 conform to the certification of certified geriatric  
630 specialists; amending s. 400.23, F.S.; specifying that  
631 certified geriatric specialists shall be considered  
632 licensed nursing staff; authorizing licensed practical  
633 nurses to supervise the activities of certified geriatric  
634 specialists in nursing home facilities according to rules  
635 adopted by the board; amending s. 409.908, F.S.; revising  
636 the methodology for reimbursement of Medicaid program  
637 providers to include services of certified geriatric  
638 specialists; amending s. 458.303, F.S.; revising  
639 exceptions to the practice of medicine to include services  
640 delegated to a certified geriatric specialist under  
641 specified circumstances; amending s. 1009.65, F.S.;  
642 revising eligibility and funding provisions for the  
643 Medical Education Reimbursement and Loan Repayment Program  
644 to include certified geriatric specialists; amending s.  
645 1009.66, F.S.; revising eligibility requirements for the  
646 Nursing Student Loan Forgiveness Program to include  
647 certified geriatric specialists; providing an  
648 appropriation; amending s. 464.201, F.S.; defining the  
649 term "practice of a certified nursing assistant"; amending  
650 s. 464.202, F.S.; authorizing the board to adopt rules  
651 regarding the practice and supervision of certified  
652 nursing assistants; repealing ss.

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