

CHAMBER ACTION

1 The Committee on Future of Florida's Families recommends the
2 following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to nursing; amending s. 400.506, F.S.;
8 requiring nurse registries to advise patients, their
9 families, or persons acting on behalf of patients of the
10 availability of registered nurses to make visits at an
11 additional cost; removing the requirement for registered
12 nurses to make monthly visits to patients under the care
13 of certified nursing assistants or home health aides;
14 amending s. 464.009, F.S.; saving a certain requirement
15 for licensure by endorsement from repeal; providing an
16 effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Subsection (10) of section 400.506, Florida
21 Statutes, is amended to read:

22 400.506 Licensure of nurse registries; requirements;
23 penalties.--

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24 (10)(a) A nurse registry may refer for contract in private
25 residences registered nurses and licensed practical nurses
26 registered and licensed under part I of chapter 464, certified
27 nursing assistants certified under part II of chapter 464, home
28 health aides who present documented proof of successful
29 completion of the training required by rule of the agency, and
30 companions or homemakers for the purposes of providing those
31 services authorized under s. 400.509(1). Each person referred by
32 a nurse registry must provide current documentation that he or
33 she is free from communicable diseases.

34 (b) A certified nursing assistant or home health aide may
35 be referred for a contract to provide care to a patient in his
36 or her home only if that patient is under a physician's care. A
37 certified nursing assistant or home health aide referred for
38 contract in a private residence shall be limited to assisting a
39 patient with bathing, dressing, toileting, grooming, eating,
40 physical transfer, and those normal daily routines the patient
41 could perform for himself or herself were he or she physically
42 capable. A certified nursing assistant or home health aide may
43 not provide medical or other health care services that require
44 specialized training and that may be performed only by licensed
45 health care professionals. The nurse registry shall obtain the
46 name and address of the attending physician and send written
47 notification to the physician within 48 hours after a contract
48 is concluded that a certified nursing assistant or home health
49 aide will be providing care for that patient.

50 (c) A nurse registry shall advise the patient, the
51 patient's family, or a person acting on behalf of a patient at

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52 | the time of contracting for services through the nurse registry
 53 | of the availability of registered nurses to make visits to the
 54 | patient's home at an additional cost ~~A registered nurse shall~~
 55 | ~~make monthly visits to the patient's home to assess the~~
 56 | ~~patient's condition and quality of care being provided by the~~
 57 | ~~certified nursing assistant or home health aide.~~ Any condition
 58 | which in the professional judgment of the nurse requires further
 59 | medical attention shall be reported to the attending physician
 60 | and the nurse registry. The assessment shall become a part of
 61 | the patient's file with the nurse registry ~~and may be reviewed~~
 62 | ~~by the agency during their survey procedure.~~

63 | Section 2. Paragraph (c) of subsection (1) of section
 64 | 464.009, Florida Statutes, is amended to read:

65 | 464.009 Licensure by endorsement.--

66 | (1) The department shall issue the appropriate license by
 67 | endorsement to practice professional or practical nursing to an
 68 | applicant who, upon applying to the department and remitting a
 69 | fee set by the board not to exceed \$100, demonstrates to the
 70 | board that he or she:

71 | (c) Has actively practiced nursing in another state,
 72 | jurisdiction, or territory of the United States for 2 of the
 73 | preceding 3 years without having his or her license acted
 74 | against by the licensing authority of any jurisdiction.
 75 | Applicants who become licensed pursuant to this paragraph must
 76 | complete within 6 months after licensure a Florida laws and
 77 | rules course that is approved by the board. Once the department
 78 | has received the results of the national criminal history check
 79 | and has determined that the applicant has no criminal history,

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80 | the appropriate license by endorsement shall be issued to the
81 | applicant. ~~This paragraph is repealed July 1, 2004, unless~~
82 | ~~reenacted by the Legislature.~~

83 | Section 3. This act shall take effect upon becoming a law.