

By Senator Saunders

37-755-04

1 A bill to be entitled
 2 An act relating to certified nursing
 3 assistants; amending s. 464.203, F.S.; revising
 4 the requirements for conducting the criminal
 5 background screening required for certification
 6 as a nursing assistant; providing for the
 7 screening conducted for purposes of
 8 certification to be used for purposes of
 9 employment under certain circumstances;
 10 providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Subsection (1) of section 464.203, Florida
 15 Statutes, is amended, and subsection (8) is added to that
 16 section, to read:

17 464.203 Certified nursing assistants; certification
 18 requirement.--

19 (1) The board shall issue a certificate to practice as
 20 a certified nursing assistant to any person who demonstrates a
 21 minimum competency to read and write; ~~and~~ successfully passes
 22 the required statewide criminal screening through the
 23 Department of Law Enforcement, including the Level 1 standards
 24 under chapter 435, or, if the applicant has not maintained
 25 continuous residency in this state for 5 years immediately
 26 preceding the date of application, the Level 2 screening
 27 standards, which include a fingerprint check through the
 28 Department of Law Enforcement and the Federal Bureau of
 29 Investigation under chapter 435; ~~Level I or Level II screening~~
 30 ~~pursuant to s. 400.215~~ and meets one of the following
 31 requirements:

1 (a) Has successfully completed an approved training
2 program and achieved a minimum score, established by rule of
3 the board, on the nursing assistant competency examination,
4 which consists of a written portion and skills-demonstration
5 portion approved by the board and administered at a site and
6 by personnel approved by the department.

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

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

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

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

25 (8) Notwithstanding any law to the contrary, an entity
26 that is required to conduct a Level 1 or Level 2 screening
27 pursuant to chapter 435 is exempt from rescreening a certified
28 nursing assistant upon employment if the screening date on the
29 certificate issued to the certified nursing assistant by the
30 board is within the preceding 90 days, and, under penalty of
31 perjury, the certified nursing assistant attests that he or

1 she has not been convicted of a disqualifying offense since
2 completing the screening.

3 Section 2. This act shall take effect upon becoming a
4 law.

5
6 *****

7 SENATE SUMMARY

8 Provides that the criminal background screening required
9 for certification of a nursing assistant may be used for
10 purposes of employment if the screening is conducted
11 within the 90 days before employment.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31