

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 719 Law Enforcement Officers/Physicals
SPONSOR(S): Roberson & Macheck
TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1430 (s)

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Criminal Justice (Sub)	7 Y, 0 N	Whittier	De La Paz
2) Public Safety & Crime Prevention	16 Y, 0 N	Whittier	De La Paz
3) Health Care	23 Y, 0 N	Mitchell	Collins
4) Public Safety Appropriations		Davis	DeBeaugrine
5) Appropriations			

SUMMARY ANALYSIS

Currently, under s. 943.13, F.S., law enforcement officers and correctional officers, in order to be eligible for employment or appointment, must have passed a physical exam by a licensed physician or physician's assistant.

HB 719 expands those authorized to conduct this physical to include certified advanced registered nurse practitioners.

The effective date of the bill is July 1, 2004.

This bill appears to have no fiscal impact on the state or local governments.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0719e.ap.doc
DATE: March 30, 2004

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

HB 719 amends s. 943.13, F.S., to expand those authorized to conduct physical examinations of law enforcement officers or correctional officers, prior to employment or appointment, to include advanced registered nurse practitioners (ARNPs).

The effective date of the bill is July 1, 2004.

CURRENT SITUATION

Required law enforcement and correctional officer physical examinations

Section 943.13, F.S., provides minimum qualifications for any person employed or appointed as a law enforcement or correctional officer, including any person employed as an auxiliary correctional officer by a private entity under contract with the Department of Corrections, a county commission, or the Correctional Privatization Commission.

In order to be eligible for employment or appointment, the applicant must have passed a physical exam by a licensed physician or physician's assistant, based on specifications established by the Criminal Justice Standards and Training Commission.

Rule 11B-27.002, F.A.C., requires that a copy of the applicant's position description be reviewed by the physician to ensure that the applicant can meet the physical standards required of the position. The physician's assessment form, or an equivalent form, signed by a physician or physician assistant licensed in the United States or its territories, must be submitted prior to application for certification or reactivation of certification for a law enforcement, correctional, or correctional probation officer.

Advanced Registered Nurse Practitioners (ARNPs)

Advanced Registered Nurse Practitioners (ARNPs) are registered nurses with advanced master level training and clinical experience that enables them to diagnose and manage most common and many chronic illnesses, either independently or as part of a health care team. A nurse practitioner provides some care previously offered only by physicians, including the ability to prescribe medications under conditions of a protocol established with a physician.

According to the Board of Nursing, most ARNPs are authorized to provide physical examinations and are currently doing so in hospitals, clinics, schools, physicians' offices, and in many other areas. The board reports there are approximately 9,863 ARNPs practicing in Florida.

Section 464.003(c), F.S., provides that the advanced registered nurse practitioner may, in addition to nursing diagnosis and nursing treatment, perform medical diagnosis and treatment, prescription, and operation identified and approved by a joint committee appointed by the Board of Nursing and the Board of Medicine. Approved acts must be performed under general supervision and protocols established with a Medical Doctor, Osteopathic Physician, or Dentist licensed under ch. 458, 459, or 466, F.S. The protocols must identify the medical acts to be performed and the conditions for their performance.

C. SECTION DIRECTORY:

Section 1. Amends s. 943.13, F.S., regarding officers' minimum qualifications for employment or appointment.

Section 2. Provides an effective date of July 1, 2004.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The Florida Department of Health anticipates no fiscal impact on the state.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill will provide applicants for law enforcement or correctional officer positions more opportunities to receive physical examinations.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenues.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The Criminal Justice Standards and Training Commission already has rule authority pursuant to s. 943.12(1), F.S., to adopt and promulgate amended rule(s) to implement the new language.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES