

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 719 Law enforcement officers/physicals
SPONSOR(S): Roberson & Macheck
TIED BILLS: **IDEN./SIM. BILLS:** SB 1430

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Criminal Justice (Sub)	7 Y, 0 N	Whittier	De La Paz
2) Public Safety & Crime Prevention			
3) Health Care			
4) Public Safety Appropriations (Sub)			
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.

There is no significant 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: h0719a.ps.doc
DATE: March 3, 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

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

B. EFFECT OF PROPOSED CHANGES:

Section 943.13, F.S., provides minimum qualifications for any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer 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.

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

Per section 464.003(6), F.S., “[a]dvanced registered nurse practitioner” means any person licensed in this state to practice professional nursing and certified in advanced or specialized nursing practice. Advanced registered nurse practitioners are certified under s. 464.012, F.S., to perform advanced level nursing. The ARNP must be a registered nurse and have an advance practice degree. According to the Florida Board of Nursing (board), most become nationally certified in a specialized area. The board reports that there are approximately 9,863 ARNPs practicing in the state. Sections 464.012 and [464.003\(3\)\(c\), F.S.](#), list duties that an ARNP may perform if those duties are within the framework of an established protocol with the supervising physician. According to the board, most ARNPs are authorized to provide physical examinations and are currently doing so in hospitals, clinics, schools, physicians’ offices, and in many other areas.

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:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments.

D. FISCAL COMMENTS:

More health care providers will be eligible to conduct physical examinations of those applying for employment or appointment as a law enforcement officer or correctional officer.

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

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

N/A

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None. The Criminal Justice Standards and Training Commission will need to adopt and promulgate amended rule(s) to implement the new language.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES