

By Senator Argenziano

3-875-05

See HB

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A bill to be entitled

An act relating to health care practitioners;  
amending 458.303, F.S.; removing a provision on  
grounds for disciplinary action and certain  
action from a list of exemptions for certain  
nursing services; providing prohibitions for  
physicians; providing an effective date.

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

Section 1. Subsection (2) of section 458.303, Florida  
Statutes, is amended to read:

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

(2) Nothing in s. 458.301, s. 458.303, s. 458.305, s.  
458.307, s. 458.309, s. 458.311, s. 458.313, s. 458.319, s.  
458.321, s. 458.327, s. 458.329, ~~s. 458.331~~, s. 458.337, s.  
458.339, s. 458.341, s. 458.343, s. 458.345, or s. 458.347  
shall be construed to prohibit any service rendered by a  
registered nurse or a licensed practical nurse, if such  
service is rendered under the direct supervision and control  
of a licensed physician who provides specific direction for  
any such service to be performed and gives final approval to  
all such services performed. Further, nothing in this or any  
other chapter shall be construed to prohibit any service  
rendered by a medical assistant in accordance with the  
provisions of s. 458.3485. Notwithstanding the provisions in  
this subsection, the physician shall not:

(a) Practice or offer to practice beyond the scope  
permitted by law.

1           (b) Accept and perform professional responsibilities,  
2 including the supervision of any registered nurse or licensed  
3 practical nurse, which the physician knows or has reason to  
4 know that he or she is not competent to perform.

5           (c) Delegate professional responsibilities to a  
6 registered nurse or licensed practical nurse when the  
7 physician delegating such responsibilities knows or has reason  
8 to know that the registered nurse or the licensed practical  
9 nurse is not qualified by training, experience, or licensure  
10 to perform them.

11           Section 2. This act shall take effect July 1, 2005.  
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