

By the Committee on Children and Families; and Senator Baker

586-1925-05

1 A bill to be entitled
2 An act relating to the administration of
3 medication; amending s. 393.506, F.S.;
4 authorizing certain staff members to administer
5 prescription medications under the supervision
6 of a registered nurse to persons with
7 developmental disabilities at a comprehensive
8 transitional education program; directing the
9 Agency for Persons with Disabilities to adopt
10 rules to implement s. 393.506, F.S.; providing
11 an effective date.

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

15 Section 1. Section 393.506, Florida Statutes, is
16 amended to read:

17 393.506 Administration of medication.--

18 (1) Notwithstanding the provisions of part I of
19 chapter 464, the Nurse Practice Act, unlicensed direct care
20 services staff providing services to persons with
21 developmental disabilities may administer oral, transdermal,
22 inhaled, or topical prescription medications as provided in
23 this section.

24 (a) For day habilitation services programs, as defined
25 in s. 393.063, the director of the facility or program shall
26 designate in writing unlicensed direct care services staff who
27 are eligible to be trained to assist in the administration of
28 or to administer medication.

29 (b) For intermediate care facilities for the
30 developmentally disabled licensed pursuant to part XI of
31 chapter 400, unlicensed staff designated by the director may

1 provide medication assistance under the general supervision of
2 a registered nurse licensed pursuant to chapter 464.

3 (2) Notwithstanding part I of chapter 464, the Nurse
4 Practice Act, unlicensed direct care staff who provide
5 services to persons with developmental disabilities in a
6 comprehensive transitional education program licensed pursuant
7 to s. 393.067 and who are designated by the director of such
8 program may administer, or assist in the administration of,
9 oral, otic, transdermal, ophthalmic, inhaled, rectal, or
10 topical prescription medications under the general supervision
11 of a registered nurse licensed pursuant to chapter 464 as
12 provided in this section.

13 ~~(3)(2)~~ Each facility, institution, or program must
14 include in its policies and procedures a plan for training
15 designated staff to ensure the safe handling, storage, and
16 administration of prescription medication. These policies and
17 procedures must be approved by the agency before unlicensed
18 direct care services staff assist with medication.

19 ~~(4)(3)~~ The policies and procedures must include, at a
20 minimum, the following provisions:

21 (a) An expressed and informed consent for each client.

22 (b) The director of the facility, program, or provider
23 must maintain a copy of the written prescription, and that
24 prescription must include the name of the medication, the
25 dosage and administration schedule, the reason for the
26 prescription, and the termination date.

27 (c) Each prescribed medication shall be kept in its
28 original container and in a secure location.

29 ~~(5)(4)~~ The training required in this section shall be
30 conducted by a registered nurse or a physician licensed
31 pursuant to chapter 458 or chapter 459.

1 (6) The Agency for Persons with Disabilities shall
2 adopt rules to implement this section.

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

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 2136

9 Changes the reference from "day programs" to "day habitation
10 services" for the purpose of s. 393.506, F.S., providing an
exception to the Nurse Practice Act.

11 Corrects references to the routes by which direct care staff
12 may administer medication by replacing the word "aural" with
"otic" and "optical" with "ophthalmic".

13 Directs the Agency for Persons with Disabilities to adopt
14 rules to implement s. 393.506, F.S., administration of
medication.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31