

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 307
SPONSOR(S): Brown
TIED BILLS:

Physical Examinations

IDEN./SIM. BILLS: SB 1042

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Health Care Regulation Committee	11 Y, 0 N	Bell	Mitchell
2) Health & Families Council	9 Y, 0 N	Bell	Moore
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 307 authorizes all Advanced Registered Nurse Practitioners (ARNPs) licensed under chapter s. 464, F.S., and all Physician Assistants (PAs) licensed under chapters 458 or 459 to perform physical examination of Class "G" permit and firefighter applicants.

Currently, under s. 493.6108, F.S., a number of different security guard and private investigator classes are permitted to bear a firearm if they also hold a Class "G" license. As part of the class "G" licensing procedure applicants must pass a physical examination by a licensed physician.

Currently, under s. 633.34, F.S., in order to gain entry into a firefighter training program individuals must pass a physical exam by a licensed physician, surgeon, or osteopath.

The effective date of the bill is July 1, 2005.

This bill has no fiscal impact on the state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Safeguard Individual Liberty – This bill increases the number of medical personnel authorized to give physical examinations to Class “G” permit applicants and firefighter training applicants.

B. EFFECT OF PROPOSED CHANGES:

HB 307 amends s. 493.6108, F.S., to expand those authorized to conduct physical examinations of Class “G” permit applicants, prior to bearing a weapon or firearm, to include Advanced Registered Nurse Practitioners (ARNPs) and Physician Assistants (PAs).

HB 307 also amends s. 633.34, F.S., to expand those authorized to conduct physical examinations of firefighter applicants, prior to being admitted into a training program, to include ARNPs and PAs.

The effective date of the bill is July 1, 2005.

CURRENT SITUATION

Required physical examinations for Class “G” license applicants

The Department of Agriculture and Consumer Services, Division of Licensing, regulates and licenses the private security industry in accordance with Chapter 493, Florida Statutes. A number of different security and private investigator Classes (C, CC, D, M, MA, & MB) are permitted to bear a firearm and any such licensee who bears a firearm is required to have a Class “G” license. As part of this licensing procedure applicants must pass a physical examination by a licensed physician to determine general physical fitness.

Required physical examinations for entrance into a firefighter training program

In accordance with Chapter 633, Florida Statutes, firefighters must pass a physical examination before admittance into a firefighting training program. Rule 69A-37.037, F.A.C., requires that the physical exam be performed by a licensed physician, surgeon or osteopath. The “Medical Examination” Form (D14-1022) must be submitted to the fire training school within 5 business days of the beginning of a firefighter training program.

Advanced Registered Nurse Practitioners (ARNPs) & Physician Assistants (PAs)

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 protocol established by a physician. According to the Department of Health there are approximately 11,210 licensed ARNPs practicing in Florida.

PAs are formally trained to provide diagnostic, therapeutic, and preventative healthcare services as delegated by a physician. Working as members of the healthcare team, they take medical histories, examine and treat patients, order and interpret laboratory tests and x-rays, make diagnoses, and prescribe medications. The Department of Health Reports there is 4,000 practicing PAs in Florida. PAs work under the supervision of a physician. However, PAs may be the principal care providers in rural or inner city clinics, where a physician is present for only 1 or 2 days each week. In such cases, the PA confers with the supervising physician as needed.

According to the Board of Nursing & Florida Academy of Physician Assistants, most ARNPs & PAs 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. 493.6108, F.S., regarding the Class "G" application to bear a weapon or firearm.

Section 2. Amends s. 633.34, F.S., regarding firefighters' qualifications for employment.

Section 3. Provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

By expanding the class of medical personnel who can give physical examinations, the bill may make it less costly for some persons seeking a Class "G" license or entrance into a firefighter training program. According to the Florida ARNP organization, physical examinations conducted by ARNPs are billed at approximately 20% less than physical examinations conducted by physicians. The exact amount of cost savings for such individuals is unknown.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or 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 revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

No additional rulemaking authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES