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1 self-administration of medication or may administer oral,
 2 transdermal, ophthalmic, otic, rectal, inhaled, or topical
 3 prescription medications to a client as provided in this
 4 section.

5 (2) In order to supervise the self-administration of
 6 medication or to administer medications as provided in
 7 subsection (1), a direct service provider must satisfactorily
 8 complete a training course in medication administration and be
 9 found competent to supervise the self-administration of
 10 medication by a client or to administer medication to a client
 11 in a safe and sanitary manner. Competency must be assessed and
 12 validated at least annually in an onsite setting and must
 13 include personally observing the direct service provider
 14 satisfactorily:

15 (a) Supervising the self-administration of medication
 16 by a client; and

17 (b) Administering medication to a client.

18 (3) A direct service provider may supervise the
 19 self-administration of medication by a client or may
 20 administer medication to a client only if the client has given
 21 his or her informed consent to self-administering medication
 22 under the supervision of an unlicensed direct service provider
 23 or to receiving medication administered by an unlicensed
 24 direct service provider. Such informed consent must be based
 25 on a description of the medication routes and procedures that
 26 the direct service provider is authorized to supervise or
 27 administer. Only a provider who has received appropriate
 28 training and has been validated as competent may provide this
 29 assistance.

30 (a) For day programs, as defined in s. 393.063, the
 31 director of the facility or program shall designate in writing

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1 ~~unlicensed direct care services staff who are eligible to be~~
2 ~~trained to assist in the administration of or to administer~~
3 ~~medication.~~

4 ~~(b) For intermediate care facilities for the~~
5 ~~developmentally disabled licensed pursuant to part XI of~~
6 ~~chapter 400, unlicensed staff designated by the director may~~
7 ~~provide medication assistance under the general supervision of~~
8 ~~a registered nurse licensed pursuant to chapter 464.~~

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

15 ~~(3) The policies and procedures must include, at a~~
16 ~~minimum, the following provisions:~~

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

18 ~~(b) The director of the facility, program, or provider~~
19 ~~must maintain a copy of the written prescription, and that~~
20 ~~prescription must include the name of the medication, the~~
21 ~~dosage and administration schedule, the reason for the~~
22 ~~prescription, and the termination date.~~

23 ~~(c) Each prescribed medication shall be kept in its~~
24 ~~original container and in a secure location.~~

25 ~~(4) The determination of competency and annual~~
26 ~~validation training required in this section shall be~~
27 ~~conducted by a registered nurse ~~or a physician~~ licensed~~
28 ~~pursuant to chapter 464 ~~458~~ ~~or chapter 459~~.~~

29 ~~(5) The agency shall establish by rule standards and~~
30 ~~procedures that a direct service provider must follow when~~
31 ~~supervising the self-administration of medication by a client~~

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1 and when administering medication to a client. Such rules
2 must, at a minimum, address requirements for labeling
3 medication, documentation and recordkeeping, the storage and
4 disposal of medication, instructions concerning the safe
5 administration of medication or supervision of
6 self-administered medication, informed-consent requirements
7 and records, and the training curriculum and validation
8 procedures.

9 Section 2. This act shall take effect upon becoming a
10 law.

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