Bill No. <u>SB 170</u>

Barcode 572244

	587-989A-06 Proposed Committee Substitute by the Committee on Health Care
1	A bill to be entitled
2	An act relating to administration of
3	medication; amending s. 393.506, F.S.; deleting
4	requirements for unlicensed staff members of
5	direct care service facilities to administer
б	prescribed medications to persons with
7	developmental disabilities; authorizing direct
8	service providers to administer medication to
9	clients or to supervise the self-administration
10	of medication by clients; providing
11	requirements for direct service providers to
12	demonstrate competency regarding supervising
13	the self-administration of medication by
14	clients or administering medication to clients;
15	requiring the Agency for Persons with
16	Disabilities to adopt rules to establish
17	standards and procedures governing the
18	supervision of self-administered medications
19	and the administration of medications by direct
20	service providers; providing an effective date.
21	
22	Be It Enacted by the Legislature of the State of Florida:
23	
24	Section 1. Section 393.506, Florida Statutes, is
25	amended to read:
26	393.506 Administration of medication
27	(1) Notwithstanding the provisions of part I of
28	chapter 464, <u>a</u> the Nurse Practice Act, unlicensed direct
29	service provider who is not licensed to administer medication
30	<u>under chapter 464</u> care services staff providing services to
31	persons with developmental disabilities may <u>supervise the</u> 1
	2:27 PM 01/05/06 s0170p-he00-j01

Florida Senate - 2006 PROPOSED COMMITTEE SUBSTITUTE Bill No. <u>SB 170</u>

```
Barcode 572244
```

587-989A-06

1	self-administration of medication or may administer oral,
2	transdermal, <u>ophthalmic, otic, rectal,</u> 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.
17 18	(b) Administering medication to a client. (3) A direct service provider may supervise the
18	(3) A direct service provider may supervise the
18 19	(3) A direct service provider may supervise the self-administration of medication by a client or may
18 19 20	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given
18 19 20 21	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication
18 19 20 21 22	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider
18 19 20 21 22 23	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed
18 19 20 21 22 23 24	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed direct service provider. Such informed consent must be based
18 19 20 21 22 23 24 25	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed direct service provider. Such informed consent must be based on a description of the medication routes and procedures that
18 19 20 21 22 23 24 25 26	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed direct service provider. Such informed consent must be based on a description of the medication routes and procedures that the direct service provider is authorized to supervise or
18 19 20 21 22 23 24 25 26 27	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed direct service provider. Such informed consent must be based on a description of the medication routes and procedures that the direct service provider is authorized to supervise or administer. Only a provider who has received appropriate
18 19 20 21 22 23 24 25 26 27 28	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed direct service provider. Such informed consent must be based on a description of the medication routes and procedures that the direct service provider is authorized to supervise or administer. Only a provider who has received appropriate training and has been validated as competent may provide this
18 19 20 21 22 23 24 25 26 27 28 29	(3) A direct service provider may supervise the self-administration of medication by a client or may administer medication to a client only if the client has given his or her informed consent to self-administering medication under the supervision of an unlicensed direct service provider or to receiving medication administered by an unlicensed direct service provider. Such informed consent must be based on a description of the medication routes and procedures that the direct service provider is authorized to supervise or administer. Only a provider who has received appropriate training and has been validated as competent may provide this assistance.

Florida Senate - 2006 PROPOSED COMMITTEE SUBSTITUTE Bill No. <u>SB 170</u>

```
Barcode 572244
```

587-989A-06

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
б	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 <u>determination of competency and annual</u>
26	validation training required in this section shall be
27	conducted by a registered nurse or a physician licensed
28	pursuant to chapter <u>464</u> 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
	3 2:27 PM 01/05/06 s0170p-he00-j01

Florida Senate - 2006 PROPOSED COMMITTEE SUBSTITUTE Bill No. <u>SB 170</u>

```
Barcode 572244
```

587-989A-06

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
б	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.
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	л И
	4 2.27 pm 01/05/06 € £0170p-be00-i01