

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 of not less than 4 hours in
9 medication administration and be found competent to supervise
10 the self-administration of medication by a client or to
11 administer medication to a client in a safe and sanitary
12 manner. Competency must be assessed and validated at least
13 annually in an onsite setting and must include personally
14 observing the direct service provider 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, or the
21 client's guardian or legal representative, has given his or
22 her informed consent to self-administering medication under
23 the supervision of an unlicensed direct service provider or to
24 receiving medication administered by an unlicensed direct
25 service provider. Such informed consent must be based on a
26 description of the medication routes and procedures that the
27 direct service provider is authorized to supervise or
28 administer. Only a provider who has received appropriate
29 training and has been validated as competent may supervise the
30 self-administration of medication by a client or may
31 administer medication to a client.

1 ~~(a) For day programs, as defined in s. 393.063, the~~
2 ~~director of the facility or program shall designate in writing~~
3 ~~unlicensed direct care services staff who are eligible to be~~
4 ~~trained to assist in the administration of or to administer~~
5 ~~medication.~~

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

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

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

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

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

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

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

31

1 (5) The agency shall establish by rule standards and
2 procedures that a direct service provider must follow when
3 supervising the self-administration of medication by a client
4 and when administering medication to a client. Such rules
5 must, at a minimum, address requirements for labeling
6 medication, documentation and recordkeeping, the storage and
7 disposal of medication, instructions concerning the safe
8 administration of medication or supervision of
9 self-administered medication, informed-consent requirements
10 and records, and the training curriculum and validation
11 procedures.

12 Section 2. This act shall take effect upon becoming a
13 law.

14
15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 Senate Bill 170

18 The Committee Substitute revises an exception to the Nurse
19 Practice Act, which allows unlicensed direct care services
20 staff providing services to persons with developmental
21 disabilities in day programs and intermediate care facilities
22 for the developmentally disabled to administer certain
23 prescription medications. The bill allows all direct service
24 providers in a variety of community settings who meet
25 specified requirements established by the Agency for Persons
26 with Disabilities to supervise the self-administration of
27 medication by clients who are developmentally disabled or to
28 administer medication to clients under specified
29 circumstances. The types and routes of medication that may be
30 administered by direct care service providers are expanded.
31 The bill deletes references to the Nurse Practice Act.