



679844

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/5/2008	.	
	.	
	.	

1 The Committee on Health Regulation (Peaden) recommended the
 2 following **amendment**:

3
 4 **Senate Amendment (with title amendment)**

5 Between line(s) 627 and 628

6 insert:

7 Section 7. Section 400.488, Florida Statutes, is amended
 8 to read:

9 400.488 Nurse delegation Assistance with self-
 10 administration of medication.--A home health agency nurse may
 11 delegate nursing tasks as provided in chapter 464 and related
 12 rules.

13 ~~(1) For purposes of this section, the term:~~

14 ~~(a) "Informed consent" means advising the patient, or the~~
 15 ~~patient's surrogate, guardian, or attorney in fact, that the~~

Bill No. SB 1374



679844

16 ~~patient may be receiving assistance with self-administration of~~
17 ~~medication from an unlicensed person.~~

18 ~~(b) "Unlicensed person" means an individual not currently~~
19 ~~licensed to practice nursing or medicine who is employed by or~~
20 ~~under contract to a home health agency and who has received~~
21 ~~training with respect to assisting with the self-administration~~
22 ~~of medication as provided by agency rule.~~

23 ~~(2) Patients who are capable of self-administering their~~
24 ~~own medications without assistance shall be encouraged and~~
25 ~~allowed to do so. However, an unlicensed person may, consistent~~
26 ~~with a dispensed prescription's label or the package directions~~
27 ~~of an over-the-counter medication, assist a patient whose~~
28 ~~condition is medically stable with the self-administration of~~
29 ~~routine, regularly scheduled medications that are intended to be~~
30 ~~self-administered. Assistance with self-medication by an~~
31 ~~unlicensed person may occur only upon a documented request by,~~
32 ~~and the written informed consent of, a patient or the patient's~~
33 ~~surrogate, guardian, or attorney in fact. For purposes of this~~
34 ~~section, self-administered medications include both legend and~~
35 ~~over-the-counter oral dosage forms, topical dosage forms, and~~
36 ~~topical ophthalmic, otic, and nasal dosage forms, including~~
37 ~~solutions, suspensions, sprays, and inhalers.~~

38 ~~(3) Assistance with self-administration of medication~~
39 ~~includes:~~

40 ~~(a) Taking the medication, in its previously dispensed,~~
41 ~~properly labeled container, from where it is stored and bringing~~
42 ~~it to the patient.~~

Bill No. SB 1374



679844

43 ~~(b) In the presence of the patient, reading the label,~~
44 ~~opening the container, removing a prescribed amount of~~
45 ~~medication from the container, and closing the container.~~

46 ~~(c) Placing an oral dosage in the patient's hand or~~
47 ~~placing the dosage in another container and helping the patient~~
48 ~~by lifting the container to his or her mouth.~~

49 ~~(d) Applying topical medications.~~

50 ~~(e) Returning the medication container to proper storage.~~

51 ~~(f) Keeping a record of when a patient receives assistance~~
52 ~~with self-administration under this section.~~

53 ~~(4) Assistance with self-administration does not include:~~

54 ~~(a) Mixing, compounding, converting, or calculating~~
55 ~~medication doses, except for measuring a prescribed amount of~~
56 ~~liquid medication or breaking a scored tablet or crushing a~~
57 ~~tablet as prescribed.~~

58 ~~(b) The preparation of syringes for injection or the~~
59 ~~administration of medications by any injectable route.~~

60 ~~(c) Administration of medications through intermittent~~
61 ~~positive pressure breathing machines or a nebulizer.~~

62 ~~(d) Administration of medications by way of a tube~~
63 ~~inserted in a cavity of the body.~~

64 ~~(e) Administration of parenteral preparations.~~

65 ~~(f) Irrigations or debriding agents used in the treatment~~
66 ~~of a skin condition.~~

67 ~~(g) Rectal, urethral, or vaginal preparations.~~

68 ~~(h) Medications ordered by the physician or health care~~
69 ~~professional with prescriptive authority to be given "as~~
70 ~~needed," unless the order is written with specific parameters~~



679844

71 ~~that preclude independent judgment on the part of the unlicensed~~
72 ~~person, and at the request of a competent patient.~~

73 ~~(i) Medications for which the time of administration, the~~
74 ~~amount, the strength of dosage, the method of administration, or~~
75 ~~the reason for administration requires judgment or discretion on~~
76 ~~the part of the unlicensed person.~~

77 ~~(5) Assistance with the self-administration of medication~~
78 ~~by an unlicensed person as described in this section does not~~
79 ~~constitute administration as defined in s. 465.003.~~

80 ~~(6) The agency may by rule establish procedures and~~
81 ~~interpret terms as necessary to administer this section.~~

82
83 ===== T I T L E A M E N D M E N T =====

84 And the title is amended as follows:

85 On line(s) 38, after the semicolon,
86 insert:

87 amending s. 400.488, F.S.; deleting provisions authorizing
88 the administration of medication to home health patients
89 by unlicensed staff; providing for the delegation of
90 nursing tasks as provided in ch. 464, F.S., and related
91 rules;