

A bill to be entitled

An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 381.0035, Florida Statutes, is amended to read:

381.0035 Educational course on HIV and AIDS; employees and clients of certain health care facilities.--

(1) The Department of Health shall require all employees and clients of facilities licensed under chapter ~~chapters~~ 393, chapter 394, or chapter ~~and~~ 397 and employees of facilities licensed under chapter 395, part ~~parts~~ II, part III, or part ~~and~~ IV of chapter 400, or ~~and~~ part I of chapter 429 to complete, ~~biennially,~~ a one-time ~~continuing~~ educational course on the modes of transmission, infection control procedures, clinical management, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome with an emphasis on appropriate behavior and attitude change. Such instruction shall include information on current Florida law and its impact on

29 testing, confidentiality of test results, and treatment of
30 patients and any protocols and procedures applicable to human
31 immunodeficiency counseling and testing, reporting, the offering
32 of HIV testing to pregnant women, and partner notification
33 issues pursuant to ss. 381.004 and 384.25.

34 (2) New employees shall be required to complete or provide
35 proof that they have completed a course on human
36 immunodeficiency virus and acquired immune deficiency syndrome,
37 with instruction to include information on current Florida law
38 and its impact on testing, confidentiality of test results, and
39 treatment of patients. Upon completing training on human
40 immunodeficiency virus and acquired immune deficiency syndrome,
41 a certificate shall be issued. The certificate shall be evidence
42 of completion of training, and the employee is not required to
43 repeat training in that topic upon changing employment to a
44 different facility licensed under chapter 393, chapter 394,
45 chapter 395, or chapter 397, part II, part III, or part IV of
46 chapter 400, or part I of chapter 429.

47 (3) Facilities licensed under chapter ~~chapters~~ 393,
48 chapter 394, chapter 395, or chapter ~~and~~ 397, part ~~parts~~ II,
49 part III, or part ~~and~~ IV of chapter 400, or ~~and~~ part I of
50 chapter 429 shall maintain a record of employees and dates of
51 attendance at human immunodeficiency virus and acquired immune
52 deficiency syndrome educational courses.

53 (4) The department shall have the authority to review the
54 records of each facility to determine compliance with the
55 requirements of this section. The department may adopt rules to
56 carry out the provisions of this section.

57 (5) This section does not apply to an employee who is
 58 licensed or certified under chapter 458, chapter 459, chapter
 59 461, part I of chapter 464, part II of chapter 468, or chapter
 60 486. However, the employee must comply with the human
 61 immunodeficiency virus and acquired immune deficiency syndrome
 62 educational requirements for the employee's profession.

63 Section 2. Paragraph (e) is added to subsection (8) of
 64 section 400.506, Florida Statutes, to read:

65 400.506 Licensure of nurse registries; requirements;
 66 penalties.--

67 (8) Each nurse registry must require every applicant for
 68 contract to complete an application form providing the following
 69 information:

70 (e) Proof of completion of a continuing educational course
 71 on modes of transmission, infection control procedures, clinical
 72 management, and prevention of human immunodeficiency virus and
 73 acquired immune deficiency syndrome with an emphasis on
 74 appropriate behavior and attitude change. Such instruction shall
 75 include information on current Florida law and its impact on
 76 testing, confidentiality of test results, and treatment of
 77 patients and any protocols and procedures applicable to human
 78 immunodeficiency counseling and testing, reporting, offering HIV
 79 testing to pregnant women, and partner notification issues
 80 pursuant to ss. 381.004 and 384.25.

81 Section 3. This act shall take effect July 1, 2008.