

By the Committee on Health Regulation; and Senator Margolis

588-04008-08

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1 A bill to be entitled

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

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 381.0035, Florida Statutes, is amended
15 to read:

16 381.0035 Educational course on HIV and AIDS; employees and
17 clients of certain health care facilities.--

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

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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 issues
33 pursuant to ss. 381.004 and 384.25. An employee who has completed
34 the educational course required in this subsection is not
35 required to repeat the course upon changing employment to a
36 different facility licensed under chapter 393, chapter 394,
37 chapter 395, chapter 397, part II, part III, or part IV of
38 chapter 400, or part I of chapter 429.

39 ~~(2) New employees shall be required to complete a course on~~
40 ~~human immunodeficiency virus and acquired immune deficiency~~
41 ~~syndrome, with instruction to include information on current~~
42 ~~Florida law and its impact on testing, confidentiality of test~~
43 ~~results, and treatment of patients.~~

44 (2)(3) Facilities licensed under chapter ~~chapters~~ 393,
45 chapter 394, chapter 395, or chapter and 397, part parts II, part
46 III, or part and IV of chapter 400, or and part I of chapter 429
47 shall maintain a record of employees and dates of attendance at
48 human immunodeficiency virus and acquired immune deficiency
49 syndrome educational courses.

50 (3)(4) The department shall have the authority to review
51 the records of each facility to determine compliance with the
52 requirements of this section. The department may adopt rules to
53 carry out the provisions of this section.

54 (4) This section does not apply to an employee who is
55 subject to the requirements of s. 456.033.

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

58 400.506 Licensure of nurse registries; requirements;

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59 penalties.--

60 (8) Each nurse registry must require every applicant for
61 contract to complete an application form providing the following
62 information:

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

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