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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.