

HB 1267

2012

1 A bill to be entitled
2 An act relating to health care practitioners; amending
3 s. 456.013, F.S.; requiring that a licensed health
4 care practitioner wear a name badge indicating
5 licensure credentials when rendering health care
6 services; amending s. 464.012, F.S.; expanding the
7 scope of practice to authorize an advanced registered
8 nurse practitioner to prescribe, order, administer,
9 monitor, and alter any drug or drug therapies that are
10 necessary for the proper medical care and treatment of
11 a patient under specified circumstances; requiring
12 that the Board of Nursing adopt rules; authorizing a
13 certified registered nurse anesthetist, while
14 participating in the management of a patient in the
15 postanesthesia recovery area, to order the
16 administration of drugs that are commonly used to
17 alleviate pain; amending s. 483.035, F.S., relating to
18 licensure and regulation of clinical laboratories
19 operated by practitioners for exclusive use; providing
20 applicability to clinical laboratories operated by
21 practitioners licensed to practice nursing; amending
22 s. 893.02, F.S.; revising the definition of the term
23 "practitioner" to include advanced registered nurse
24 practitioners; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Subsection (13) is added to section 456.013,

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 Florida Statutes, to read:

30 456.013 Department; general licensing provisions.—

31 (13) When rendering professional health care services, a
 32 health care practitioner shall wear at all times a name badge
 33 that indicates his or her appropriate licensure credentials.

34 Section 2. Subsection (3) and paragraph (a) of subsection
 35 (4) of section 464.012, Florida Statutes, are amended to read:

36 464.012 Certification of advanced registered nurse
 37 practitioners; fees.—

38 (3) An advanced registered nurse practitioner shall
 39 perform those functions authorized in this section within the
 40 framework of an established protocol that is filed with the
 41 board upon biennial license renewal and within 30 days after
 42 entering into a supervisory relationship with a physician or
 43 changes to the protocol. The board shall review the protocol to
 44 ensure compliance with applicable regulatory standards for
 45 protocols. The board shall refer to the department licensees
 46 submitting protocols that are not compliant with the regulatory
 47 standards for protocols. A practitioner currently licensed under
 48 chapter 458, chapter 459, or chapter 466 shall maintain
 49 supervision for directing the specific course of medical
 50 treatment. Within the established framework, an advanced
 51 registered nurse practitioner may:

52 (a) Prescribe, order, administer, monitor, and alter any
 53 drug or drug therapies that are necessary for the proper medical
 54 care and treatment of a patient, including Schedule II through
 55 Schedule V controlled substances under chapter 893 agreed upon

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56 by the advanced registered nurse practitioner and the
57 supervising practitioner and specified in the protocol.

58 1. An advanced registered nurse practitioner may
59 prescribe, order, or administer such drugs under the following
60 conditions:

61 a. The drugs are prescribed, ordered, or administered by
62 an advanced registered nurse practitioner in accordance with a
63 protocol developed by the advanced registered nurse practitioner
64 and the supervising practitioner, and the drugs ordered are
65 consistent with the advanced registered nurse practitioner's
66 educational preparation or for which clinical competency has
67 been established and maintained.

68 b. The protocol covering the prescription, order, or
69 administration of drugs specifies the name of the advanced
70 registered nurse practitioner who may prescribe, administer, or
71 order the drugs, the drugs that may be prescribed or ordered and
72 the circumstances under which they may be prescribed or ordered,
73 the extent of the supervising practitioner's supervision of the
74 advanced registered nurse practitioner, and the method of
75 periodic review of the advanced registered nurse practitioner's
76 competence, including peer review. The protocol for prescribing,
77 ordering, or administering Schedule II controlled substances
78 must address the illness, injury, or condition for which the
79 Schedule II controlled substance may be used.

80 c. The administering or ordering of drugs by an advanced
81 registered nurse practitioner occurs under practitioner
82 supervision. As used in this paragraph, the term "practitioner
83 supervision" means a collaboration between the advanced

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84 registered nurse practitioner and the supervising practitioner
85 on the development of the protocol and the availability of the
86 supervising practitioner via telephonic contact at the time the
87 patient is examined by the advanced registered nurse
88 practitioner. The term does not mean that the physical presence
89 of the supervising practitioner is required. A supervising
90 practitioner may not supervise more than four advanced
91 registered nurse practitioners at any one time.

92 d. A copy of the section of the advanced registered nurse
93 practitioner's protocol relating to controlled substances must
94 be provided upon request to the licensed pharmacist who
95 dispenses the drugs.

96 e. The board has certified that the advanced registered
97 nurse practitioner has satisfactorily completed:

98 (I) At least 6 months of direct supervision in
99 prescribing, ordering, and administering controlled substances;
100 and

101 (II) A course in pharmacology covering the prescribing,
102 ordering, and administration of controlled substances.

103 2. The board shall adopt rules to administer this
104 paragraph.

105 (b) Initiate appropriate therapies for certain conditions.

106 (c) Perform additional functions as may be determined by
107 rule in accordance with s. 464.003(2).

108 (d) Order diagnostic tests and physical and occupational
109 therapy.

110 (4) In addition to the general functions specified in
 111 subsection (3), an advanced registered nurse practitioner may
 112 perform the following acts within his or her specialty:

113 (a) The certified registered nurse anesthetist may, to the
 114 extent authorized by established protocol approved by the
 115 medical staff of the facility in which the anesthetic service is
 116 performed, perform any or all of the following:

117 1. Determine the health status of the patient as it
 118 relates to the risk factors and to the anesthetic management of
 119 the patient through the performance of the general functions.

120 2. Based on history, physical assessment, and supplemental
 121 laboratory results, determine, with the consent of the
 122 responsible physician, the appropriate type of anesthesia within
 123 the framework of the protocol.

124 3. Order under the protocol preanesthetic medication.

125 4. Perform under the protocol procedures commonly used to
 126 render the patient insensible to pain during the performance of
 127 surgical, obstetrical, therapeutic, or diagnostic clinical
 128 procedures. These procedures include ordering and administering
 129 regional, spinal, and general anesthesia; inhalation agents and
 130 techniques; intravenous agents and techniques; and techniques of
 131 hypnosis.

132 5. Order or perform monitoring procedures indicated as
 133 pertinent to the anesthetic health care management of the
 134 patient.

135 6. Support life functions during anesthesia health care,
 136 including induction and intubation procedures, the use of

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137 appropriate mechanical supportive devices, and the management of
138 fluid, electrolyte, and blood component balances.

139 7. Recognize and take appropriate corrective action for
140 abnormal patient responses to anesthesia, adjunctive medication,
141 or other forms of therapy.

142 8. Recognize and treat a cardiac arrhythmia while the
143 patient is under anesthetic care.

144 9. Participate in management of the patient while in the
145 postanesthesia recovery area, including ordering the
146 administration of fluids and drugs, which include those drugs
147 that are commonly used to alleviate pain.

148 10. Place special peripheral and central venous and
149 arterial lines for blood sampling and monitoring as appropriate.

150 Section 3. Subsection (1) of section 483.035, Florida
151 Statutes, is amended to read:

152 483.035 Clinical laboratories operated by practitioners
153 for exclusive use; licensure and regulation.—

154 (1) A clinical laboratory operated by one or more
155 practitioners licensed under chapter 458, chapter 459, chapter
156 460, chapter 461, chapter 462, chapter 464, or chapter 466,
157 exclusively in connection with the diagnosis and treatment of
158 their own patients, must be licensed under this part and must
159 comply with the provisions of this part, except that the agency
160 shall adopt rules for staffing, for personnel, including
161 education and training of personnel, for proficiency testing,
162 and for construction standards relating to the licensure and
163 operation of the laboratory based upon and not exceeding the
164 same standards contained in the federal Clinical Laboratory

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165 Improvement Amendments of 1988 and the federal regulations
166 adopted thereunder.

167 Section 4. Subsection (21) of section 893.02, Florida
168 Statutes, is amended to read:

169 893.02 Definitions.—The following words and phrases as
170 used in this chapter shall have the following meanings, unless
171 the context otherwise requires:

172 (21) "Practitioner" means a physician licensed pursuant to
173 chapter 458, a dentist licensed pursuant to chapter 466, a
174 veterinarian licensed pursuant to chapter 474, an osteopathic
175 physician licensed pursuant to chapter 459, a naturopath
176 licensed pursuant to chapter 462, an advanced registered nurse
177 practitioner licensed pursuant to chapter 464, or a podiatric
178 physician licensed pursuant to chapter 461, provided such
179 practitioner holds a valid federal controlled substance registry
180 number.

181 Section 5. This act shall take effect July 1, 2012.