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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2014	.	
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The Committee on Health Policy (Joyner) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 381.0044, Florida Statutes, is created
to read:

381.0044 Hepatitis C testing.-

(1) As used in this section, the term:

(a) "Health care practitioner" means a person licensed
under chapter 458 or chapter 459, or an advanced registered



977812

11 nurse practitioner certified under part I of chapter 464.

12 (b) "Hepatitis C diagnostic test" means a laboratory test
13 that detects the presence of the hepatitis C virus in the blood
14 and provides confirmation of a hepatitis C virus infection.

15 (c) "Hepatitis C screening test" means a federal Food and
16 Drug Administration (FDA)-approved laboratory screening test,
17 FDA-approved rapid point-of-care test, or other FDA-approved
18 test that detects the presence of hepatitis C antibodies in the
19 blood.

20 (2) A person born between January 1, 1945, and December 31,
21 1965, who receives health care services as an inpatient in a
22 general hospital as defined in s. 395.002, primary care services
23 in a hospital inpatient or outpatient setting, or primary care
24 services from a health care practitioner shall be offered a
25 hepatitis C screening test unless the health care practitioner
26 providing these services reasonably believes that the person:

27 (a) Is being treated for a life-threatening emergency;

28 (b) Has previously been offered or has been the subject of
29 a hepatitis C screening test; however, if the person's medical
30 condition indicates the need for additional testing, a test
31 shall be offered; or

32 (c) Lacks the capacity to consent to a hepatitis C
33 screening test.

34 (3) If a person accepts the offer of a hepatitis C
35 screening test and receives a positive test result, the health
36 care practitioner shall forward the results to the person's
37 primary care health care practitioner who can provide the
38 appropriate counseling and followup health care. The followup
39 health care must include a hepatitis C diagnostic test.



977812

40 (4) The Department of Health shall:

41 (a) Adopt rules that provide procedures for culturally and
42 linguistically offering hepatitis C screening in accordance with
43 this section; and

44 (b) Make available to health care practitioners a standard
45 hepatitis C information sheet to use when discussing and
46 offering the screening test to patients.

47 (5) This section does not affect the scope of practice of a
48 health care practitioner or diminish the authority or legal or
49 professional obligation of a health care practitioner to offer a
50 hepatitis C screening test or hepatitis C diagnostic test or to
51 provide services or followup health care to the subject of a
52 hepatitis C screening test or hepatitis C diagnostic test.

53 (6) The State Surgeon General shall submit a status report
54 evaluating the effectiveness of the hepatitis C testing program
55 established in this section by January 1, 2016. The State
56 Surgeon General shall submit the report to the Governor, the
57 President of the Senate, the Speaker of the House of
58 Representatives, and the chairs of the appropriate substantive
59 committees of the Legislature.

60 Section 2. This act shall take effect July 1, 2014.

61
62 ===== T I T L E A M E N D M E N T =====
63 And the title is amended as follows:

64 Delete everything before the enacting clause
65 and insert:

66 A bill to be entitled
67 An act relating to hepatitis C testing; creating s.
68 381.0044, F.S.; providing definitions; requiring



977812

69 specified persons to be offered hepatitis C testing;
70 requiring a health care practitioner to provide
71 followup health care to persons who receive a positive
72 test result; requiring the Department of Health to
73 adopt rules and make standard hepatitis C information
74 sheets available to health care practitioners;
75 providing applicability with respect to hepatitis C
76 testing by health care practitioners; requiring a
77 report to the Governor and the Legislature; providing
78 an effective date.