



ENROLLED

CS/CS/HB 335, Engrossed 1

2015 Legislature

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An act relating to psychiatric nurses; amending s. 394.455, F.S.; revising the definition of the term "psychiatric nurse" to require specified national certification; amending s. 394.463, F.S.; authorizing a psychiatric nurse to approve the involuntary examination or release of a patient from a receiving facility in accordance with a specified protocol and under certain conditions; providing an effective date.

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

Section 1. Subsection (23) of section 394.455, Florida Statutes, is amended to read:

394.455 Definitions.—As used in this part, unless the context clearly requires otherwise, the term:

(23) "Psychiatric nurse" means an advanced & registered nurse practitioner certified under s. 464.012 who has a master's or doctoral degree in psychiatric nursing, holds a national advanced practice certification as a psychiatric mental health advanced practice nurse, and has licensed under part I of ~~chapter 464 who has a master's degree or a doctorate in psychiatric nursing and 2 years of post-master's clinical experience under the supervision of a physician.~~

Section 2. Paragraph (f) of subsection (2) of section 394.463, Florida Statutes, is amended to read:



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27 | 394.463 Involuntary examination.—  
28 | (2) INVOLUNTARY EXAMINATION.—  
29 | (f) A patient shall be examined by a physician, a ~~or~~  
30 | clinical psychologist, or a psychiatric nurse performing within  
31 | the framework of an established protocol with a psychiatrist at  
32 | a receiving facility without unnecessary delay and may, upon the  
33 | order of a physician, be given emergency treatment if it is  
34 | determined that such treatment is necessary for the safety of  
35 | the patient or others. The patient may not be released by the  
36 | receiving facility or its contractor without the documented  
37 | approval of a psychiatrist ~~or~~ a clinical psychologist, or, if  
38 | the receiving facility is owned or operated by a hospital or  
39 | health system, the release may also be approved by a psychiatric  
40 | nurse performing within the framework of an established protocol  
41 | with a psychiatrist or an attending emergency department  
42 | physician with experience in the diagnosis and treatment of  
43 | mental and nervous disorders and after completion of an  
44 | involuntary examination pursuant to this subsection. A  
45 | psychiatric nurse may not approve the release of a patient if  
46 | the involuntary examination was initiated by a psychiatrist  
47 | unless the release is approved by the initiating  
48 | psychiatrist. However, a patient may not be held in a receiving  
49 | facility for involuntary examination longer than 72 hours.  
50 | Section 3. This act shall take effect July 1, 2015.