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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/22/2018	.	
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The Committee on Appropriations (Passidomo) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 393.506, Florida Statutes, is amended to
read:

393.506 Administration of medication.—

(1) An unlicensed A direct service provider ~~who is not~~
~~currently licensed to administer medication~~ may supervise the
self-administration of medication or may administer oral,



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11 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
12 topical prescription medications to a client if the unlicensed
13 direct service provider meets the requirements of ~~as provided in~~
14 this section.

15 (2) In order to supervise the self-administration of
16 medication or to administer medications as provided in
17 subsection (1), an unlicensed ~~a~~ direct service provider must
18 satisfactorily complete an initial ~~a~~ training course conducted
19 by an agency-approved trainer of not less than 6 ~~4~~ hours in
20 medication administration and be found competent to supervise
21 the self-administration of medication by a client and ~~or~~ to
22 administer medication to a client in a safe and sanitary manner.
23 ~~Competency must be assessed and validated at least annually in~~
24 ~~an onsite setting and must include personally observing the~~
25 ~~direct service provider satisfactorily:~~

26 (a) The competency of the unlicensed direct service
27 provider to supervise and administer otic, transdermal, and
28 topical medication must be assessed and validated using
29 simulation during the initial training course, and need not be
30 revalidated annually. ~~Supervising the self-administration of~~
31 ~~medication by a client; and~~

32 (b) Competency must be validated initially and revalidated
33 annually for oral, enteral, ophthalmic, rectal, and inhaled
34 medication administration. The initial validation and annual
35 revalidations of medication administration must be performed
36 onsite with an actual client using the client's actual
37 medication and must include the validating practitioner
38 personally observing the unlicensed direct service provider
39 satisfactorily:



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40 1. Supervising the oral, enteral, ophthalmic, rectal, or
41 inhaled self-administration of medication by a client; and

42 2. Administering medication to a client by oral, enteral,
43 ophthalmic, rectal, or inhaled medication routes.

44 (c)1. An unlicensed direct service provider who completes
45 the required initial training course and is validated in the
46 oral or enteral route of medication administration is not
47 required to retake the initial training course unless he or she
48 fails to maintain annual validation in the oral or enteral
49 route, in which case, the provider must complete the initial 6-
50 hour training course again and obtain all required validations
51 before he or she may supervise the self-administration of
52 medication by a client or administer medication to a client.

53 2. If the unlicensed direct service provider has already
54 completed an initial training course of at least 4 hours and has
55 a current validation for oral or enteral routes of medication
56 administration on or before July 1, 2018, he or she is not
57 required to complete the initial 6-hour training course. If for
58 any reason the unlicensed direct service provider fails to meet
59 the annual validation requirement for oral or enteral medication
60 administration, or the annual inservice training requirement in
61 subsection (4), the unlicensed direct service provider must
62 satisfactorily complete the initial training course again and
63 obtain all required validations before he or she may supervise
64 the self-administration of medication by a client or administer
65 medication to a client.

66 3. If an unlicensed direct service provider has completed
67 an initial training course of at least 4 hours but has not
68 obtained validation for otic, transdermal, or topical medication



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69 administration before July 1, 2018, that direct service provider
70 must obtain validation before administering otic, transdermal,
71 and topical medication, which may be performed through
72 simulation.

73 (3) An unlicensed direct service provider may administer
74 medication to a client only if the provider has met the training
75 requirements of this section and has been validated as
76 competent. An unlicensed direct service provider may not
77 supervise the self-administration of medication by a client or
78 administer medication to a client unless the client or the
79 client's guardian or legal representative has given his or her
80 informed written consent.

81 (4) An unlicensed direct service provider must annually and
82 satisfactorily complete a 2-hour agency-developed inservice
83 training course in medication administration and medication
84 error prevention conducted by an agency-approved trainer. The
85 inservice training course shall count toward annual inservice
86 training hours required by agency rule or by Agency for Health
87 Care Administration rule. This subsection may not be construed
88 to require an increase in the total number of hours required for
89 annual inservice training for direct service providers
90 Administering medication to a client.

91 ~~(3) A direct service provider may supervise the self-~~
92 ~~administration of medication by a client or may administer~~
93 ~~medication to a client only if the client, or the client's~~
94 ~~guardian or legal representative, has given his or her informed~~
95 ~~consent to self-administering medication under the supervision~~
96 ~~of an unlicensed direct service provider or to receiving~~
97 ~~medication administered by an unlicensed direct service~~



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98 ~~provider. Such informed consent must be based on a description~~
99 ~~of the medication routes and procedures that the direct service~~
100 ~~provider is authorized to supervise or administer. Only a~~
101 ~~provider who has received appropriate training and has been~~
102 ~~validated as competent may supervise the self-administration of~~
103 ~~medication by a client or may administer medication to a client.~~

104 (5)-(4) The training, determination of competency, and
105 initial and annual validations validation required in this
106 section shall be conducted by a registered nurse licensed
107 pursuant to chapter 464 or by a licensed practical nurse in
108 accordance with the requirements of chapter 464. A physician
109 licensed pursuant to chapter 458 or chapter 459 may validate or
110 revalidate competency.

111 (6)-(5) The agency shall establish by rule standards and
112 procedures that an unlicensed a direct service provider must
113 follow when supervising the self-administration of medication by
114 a client and when administering medication to a client. Such
115 rules must, at a minimum, address qualification requirements for
116 trainers, requirements for labeling medication, documentation
117 and recordkeeping, the storage and disposal of medication,
118 instructions concerning the safe administration of medication or
119 supervision of self-administered medication, informed-consent
120 requirements and records, and the training curriculum and
121 validation procedures. The agency shall adopt rules to establish
122 methods of enforcement to ensure compliance with this section.

123 Section 2. This act shall take effect July 1, 2018.

124
125 ===== T I T L E A M E N D M E N T =====

126 And the title is amended as follows:



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127 Delete everything before the enacting clause
128 and insert:

129 A bill to be entitled
130 An act relating to medication administration; amending
131 s. 393.506, F.S.; revising training requirements for
132 unlicensed direct service providers to assist with the
133 administration of or to supervise the self-
134 administration of medication if specified requirements
135 are met; providing validation requirements for the
136 competency and skills of unlicensed direct service
137 providers; providing that an unlicensed direct service
138 provider may administer medication to a client only if
139 he or she has met specified training requirements and
140 has been validated as competent; prohibiting such
141 administration and the supervision of self-
142 administration without specified informed written
143 consent; requiring unlicensed direct service providers
144 to complete an annual inservice training course in
145 medication administration and medication error
146 prevention developed by the Agency for Persons with
147 Disabilities; providing that such training counts
148 toward training required by agency or Agency for
149 Health Care Administration rule; providing
150 construction; providing that training, the
151 determination of competency, and initial and annual
152 validations be conducted by a registered nurse or by a
153 licensed practical nurse; providing that certain
154 physicians may validate or revalidate competency;
155 requiring the Agency for Persons with Disabilities to



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adopt certain rules; providing an effective date.