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576-03269-18

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act relating to medication administration; amending  
s. 393.506, F.S.; revising training requirements for  
direct service providers to assist with the  
administration of or to supervise the self-  
administration of medication under certain  
circumstances; providing requirements for the  
competency and skills of direct service providers to  
be validated; requiring direct service providers to  
complete an annual inservice training course in  
medication administration and medication error  
prevention developed by the Agency for Persons with  
Disabilities; providing construction; requiring the  
validation and revalidation of competency for certain  
medication administrations to be performed with an  
actual client; requiring the agency to adopt specified  
rules; providing an effective date.

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

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

393.506 Administration of medication.—

(1) A direct service provider who is not currently licensed  
to administer medication may supervise the self-administration  
of medication or may administer oral, transdermal, ophthalmic,  
otic, rectal, inhaled, enteral, or topical prescription



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28 medications to a client if the provider meets the requirements  
29 of as provided in this section.

30 (2) In order to supervise the self-administration of  
31 medication or to administer medications as provided in  
32 subsection (1), a direct service provider must satisfactorily  
33 complete an initial a training course conducted by an agency-  
34 approved trainer of not less than 6 4 hours in medication  
35 administration and be found competent to supervise the self-  
36 administration of medication by a client and ~~or~~ to administer  
37 medication to a client in a safe and sanitary manner. The  
38 competency of the direct service provider to supervise and  
39 administer otic, transdermal, and topical medication must be  
40 assessed and validated using simulation during the course, and  
41 need not be revalidated annually. If the direct service provider  
42 has already completed an initial training course of at least 4  
43 hours and has a current validation for oral or enteral routes of  
44 medication administration on or before July 1, 2018, then he or  
45 she is not required to complete the course. If for any reason  
46 the direct service provider loses his or her validation by  
47 failing to meet the annual validation requirement for oral or  
48 enteral medication administration, or the annual inservice  
49 training requirement in subsection (3), then the direct service  
50 provider must complete the initial training course and obtain  
51 all required validations before he or she may supervise the  
52 self-administration of medication by a client or administer  
53 medication to a client. If a direct service provider has  
54 completed an initial training course of at least 4 hours, but  
55 has not received validation for otic, transdermal, or topical  
56 medication administration before July 1, 2018, then that direct



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57 service provider must seek separate validation before  
58 administering otic, transdermal, and topical medication. Those  
59 validations may be performed through simulation.

60 (3) In addition to the initial training course, a direct  
61 service provider must annually and satisfactorily complete a 2-  
62 hour agency-developed inservice training course in medication  
63 administration and medication error prevention conducted by an  
64 agency-approved trainer. The inservice training course will  
65 count toward annual inservice training hours. This subsection  
66 may not be construed to require an increase in the total number  
67 of hours required for annual inservice training for direct  
68 service providers.

69 (4) Competency must be validated initially and revalidated  
70 annually for oral, enteral, ophthalmic, rectal, and inhaled  
71 medication administration. The initial and annual validations of  
72 medication administration must be performed onsite with an  
73 actual client using the client's actual medication and must  
74 include the validating practitioner personally observing the  
75 direct service provider satisfactorily:

76 (a) Supervising the oral, enteral, ophthalmic, rectal, or  
77 inhaled self-administration of medication by a client; and

78 (b) Administering medication to a client by oral, enteral,  
79 ophthalmic, rectal, or inhaled medication routes.

80 (5) Any unlicensed direct service provider who completes  
81 the required initial training course and is validated in the  
82 oral or enteral route of medication administration is not  
83 required to retake the initial training course unless he or she  
84 fails to maintain annual validation in the oral or enteral  
85 route, in which case, the provider must complete again the



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86 initial 6-hour training course and any additional validations  
87 before he or she may supervise the self-administration of  
88 medication by a client or to administer any medication to a  
89 client.

90 (6) Only a direct service provider who has met the training  
91 requirements of this section and who has been validated as  
92 competent may administer medication to a client. In addition, a  
93 direct service provider who is not currently licensed to  
94 administer medication may supervise the self-administration of  
95 medication by a client or may administer medication to a client  
96 only if the client, or the client's guardian or legal  
97 representative, has given his or her informed written consent  
98 ~~must be assessed and validated at least annually in an onsite~~  
99 ~~setting and must include personally observing the direct service~~  
100 ~~provider satisfactorily:~~

101 ~~(a) Supervising the self-administration of medication by a~~  
102 ~~client; and~~

103 ~~(b) Administering medication to a client.~~

104 ~~(3) A direct service provider may supervise the self-~~  
105 ~~administration of medication by a client or may administer~~  
106 ~~medication to a client only if the client, or the client's~~  
107 ~~guardian or legal representative, has given his or her informed~~  
108 ~~consent to self-administering medication under the supervision~~  
109 ~~of an unlicensed direct service provider or to receiving~~  
110 ~~medication administered by an unlicensed direct service~~  
111 ~~provider. Such informed consent must be based on a description~~  
112 ~~of the medication routes and procedures that the direct service~~  
113 ~~provider is authorized to supervise or administer. Only a~~  
114 ~~provider who has received appropriate training and has been~~



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115 ~~validated as competent may supervise the self-administration of~~  
116 ~~medication by a client or may administer medication to a client.~~

117 (7)(4) The training, determination of competency, and  
118 initial and annual validations ~~validation~~ required in this  
119 section shall be conducted by a registered nurse licensed  
120 pursuant to chapter 464 or by a practical nurse licensed under  
121 chapter 464. A physician licensed pursuant to chapter 458 or  
122 chapter 459 may validate or revalidate competency.

123 (8)(5) The agency shall establish by rule standards and  
124 procedures that a direct service provider must follow when  
125 supervising the self-administration of medication by a client  
126 and when administering medication to a client. Such rules must,  
127 at a minimum, address qualification requirements for trainers,  
128 requirements for labeling medication, documentation and  
129 recordkeeping, the storage and disposal of medication,  
130 instructions concerning the safe administration of medication or  
131 supervision of self-administered medication, informed-consent  
132 requirements and records, and the training curriculum and  
133 validation procedures. The agency shall adopt rules to establish  
134 methods of enforcement to ensure compliance with this section.

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