

1 A bill to be entitled
2 An act relating to delegation of the administration of
3 prescription medications; amending s. 464.0156, F.S.;
4 authorizing a registered nurse to delegate the
5 administration of certain duties for the care of a
6 patient of a nurse registry; amending s. 464.2035,
7 F.S.; authorizing certified nursing assistants to
8 administer certain medication to patients of nurse
9 registries under certain circumstances; conforming a
10 provision to changes made by the act; providing an
11 effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Subsection (2) of section 464.0156, Florida
16 Statutes, is amended to read:

17 464.0156 Delegation of duties.—

18 (2) A registered nurse may delegate to a certified nursing
19 assistant or a home health aide the administration of oral,
20 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
21 topical prescription medications to a patient of a home health
22 agency or nurse registry, if the certified nursing assistant or
23 home health aide meets the requirements of s. 464.2035 or s.
24 400.489, respectively. A registered nurse may not delegate the
25 administration of any controlled substance listed in Schedule

26 II, Schedule III, or Schedule IV of s. 893.03 or 21 U.S.C. s.
27 812.

28 Section 2. Subsections (1) and (3) of section 464.2035,
29 Florida Statutes, are amended to read:

30 464.2035 Administration of medication.—

31 (1) A certified nursing assistant may administer oral,
32 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
33 topical prescription medication to a patient of a home health
34 agency or nurse registry if the certified nursing assistant has
35 been delegated such task by a registered nurse licensed under
36 part I of this chapter, has satisfactorily completed an initial
37 6-hour training course approved by the board, and has been found
38 competent to administer medication to a patient in a safe and
39 sanitary manner. The training, determination of competency, and
40 initial and annual validation required under this section must
41 be conducted by a registered nurse licensed under this chapter
42 or a physician licensed under chapter 458 or chapter 459.

43 (3) The board, in consultation with the Agency for Health
44 Care Administration, shall establish by rule standards and
45 procedures that a certified nursing assistant must follow when
46 administering medication to a patient of a home health agency or
47 nurse registry. Such rules must, at a minimum, address
48 qualification requirements for trainers, requirements for
49 labeling medication, documentation and recordkeeping, the
50 storage and disposal of medication, instructions concerning the

HB 1045

2021

51 | safe administration of medication, informed-consent requirements
52 | and records, and the training curriculum and validation
53 | procedures.

54 | Section 3. This act shall take effect July 1, 2021.