

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Snyder offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 1565 and 1566, insert:

5 Section 29 Subsection (7) of section 400.506, Florida
6 Statutes, is amended to read:

7 400.506 Licensure of nurse registries; requirements;
8 penalties.—

9 (7) A person who is referred by a nurse registry for
10 contract in private residences and who is not a nurse licensed
11 under part I of chapter 464 may perform only those services or
12 care to clients that the person has been certified to perform or
13 trained to perform as required by law or rules of the Agency for

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14 Health Care Administration or the Department of Business and
15 Professional Regulation. Providing services beyond the scope
16 authorized under this subsection constitutes the unauthorized
17 practice of medicine or a violation of the Nurse Practice Act
18 and is punishable as provided under chapter 458, chapter 459, or
19 part I of chapter 464. If a licensed nurse registry authorizes a
20 registered nurse to delegate tasks, including medication
21 administration, to a certified nursing assistant pursuant to
22 chapter 464 or to a home health aide pursuant to s. 400.490, the
23 licensed nurse registry must ensure that such delegation meets
24 the requirements of this chapter and chapter 464 and the rules
25 adopted thereunder.

26 Section 30. Subsection (2) of section 464.0156, Florida
27 Statutes, is amended to read:

28 464.0156 Delegation of duties.—

29 (2) A registered nurse may delegate to a certified nursing
30 assistant or a home health aide the administration of oral,
31 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
32 topical prescription medications to a patient of a home health
33 agency or nurse registry, if the certified nursing assistant or
34 home health aide meets the requirements of s. 464.2035 or s.
35 400.489, respectively. A registered nurse may not delegate the
36 administration of any controlled substance listed in Schedule
37 II, Schedule III, or Schedule IV of s. 893.03 or 21 U.S.C. s.
38 812.

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39 Section 31. Subsections (1) and (3) of section 464.2035,
40 Florida Statutes, are amended to read:

41 464.2035 Administration of medication.—

42 (1) A certified nursing assistant may administer oral,
43 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
44 topical prescription medication to a patient of a home health
45 agency or nurse registry if the certified nursing assistant has
46 been delegated such task by a registered nurse licensed under
47 part I of this chapter, has satisfactorily completed an initial
48 6-hour training course approved by the board, and has been found
49 competent to administer medication to a patient in a safe and
50 sanitary manner. The training, determination of competency, and
51 initial and annual validation required under this section must
52 be conducted by a registered nurse licensed under this chapter
53 or a physician licensed under chapter 458 or chapter 459.

54 (3) The board, in consultation with the Agency for Health
55 Care Administration, shall establish by rule standards and
56 procedures that a certified nursing assistant must follow when
57 administering medication to a patient of a home health agency or
58 nurse registry. Such rules must, at a minimum, address
59 qualification requirements for trainers, requirements for
60 labeling medication, documentation and recordkeeping, the
61 storage and disposal of medication, instructions concerning the
62 safe administration of medication, informed-consent requirements

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63 and records, and the training curriculum and validation
64 procedures.

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T I T L E A M E N D M E N T

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Between lines 106 and 107, insert:

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amending s. 400.506, F.S.; requiring a licensed nurse

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registry that authorizes a registered nurse to

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delegate tasks to a certified nursing assistant or a

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home health aide to ensure that certain requirements

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are met; amending s. 464.0156, F.S.; authorizing a

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registered nurse to delegate the administration of

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certain duties for the care of a patient of a nurse

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registry; amending s. 464.2035, F.S.; authorizing

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certified nursing assistants to administer certain

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medication to patients of nurse registries under

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certain circumstances; conforming a provision to

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changes made by the act;

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