

By Senator Powell

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1 A bill to be entitled  
2 An act relating to emergency medical services for  
3 community health care; amending s. 401.265, F.S.;  
4 providing that medical directors who use paramedics to  
5 administer medical countermeasures on patients  
6 pursuant to a certain protocol are liable for the acts  
7 and omissions of such paramedics under certain  
8 circumstances; amending s. 401.272, F.S.; revising the  
9 definition of the term "health promotion and  
10 wellness"; defining the term "medical  
11 countermeasures"; authorizing paramedics to administer  
12 medical countermeasures under certain circumstances;  
13 authorizing a certain agreement required of medical  
14 directors to be made with the Department of Health  
15 instead of a local county health department; requiring  
16 medical directors to verify and document that  
17 paramedics under their direction are sufficiently  
18 trained and experienced to administer medical  
19 countermeasures; revising the department's rulemaking  
20 authority to conform to changes made by the act;  
21 providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Subsection (4) of section 401.265, Florida  
26 Statutes, is amended to read:

27 401.265 Medical directors.—

28 (4) Each medical director who uses a paramedic or emergency  
29 medical technician to perform blood pressure screening ~~or~~ or

30-01525-21

20211822\_\_

30 health promotion~~7~~ and wellness activities~~7~~ or to administer an  
31 immunization or a medical countermeasure on any patient under a  
32 protocol as specified in s. 401.272~~7~~ which is not in the  
33 provision of emergency care~~7~~ is liable for any act or omission  
34 of any paramedic or emergency medical technician acting under  
35 his or her supervision and control when performing such  
36 services.

37 Section 2. Section 401.272, Florida Statutes, is amended to  
38 read:

39 401.272 Emergency medical services community health care.-

40 (1) As used in this section, the term:

41 (a) "Health promotion and wellness" means the provision of  
42 public health programs pertaining to the prevention or reduction  
43 of illness and injury.

44 (b) "Medical countermeasures" means lifesaving medication  
45 or medical supplies regulated by the United States Food and Drug  
46 Administration which can be used to diagnose, prevent, protect  
47 from, or treat conditions associated with chemical, biological,  
48 radiological, or nuclear threats, emerging infectious diseases,  
49 or natural disasters.

50 (2) The purpose of this section is to encourage more  
51 effective utilization of the skills of emergency medical  
52 technicians and paramedics by enabling them to perform, in  
53 partnership with local county health departments, specific  
54 additional health care tasks that are consistent with the public  
55 health and welfare.

56 (3) ~~(2)~~ Notwithstanding any other ~~provision of~~ law to the  
57 contrary:

58 (a) Paramedics or emergency medical technicians may perform

30-01525-21

20211822\_\_

59 health promotion and wellness activities and blood pressure  
60 screenings in a nonemergency environment, within the scope of  
61 their training, and under the direction of a medical director.  
62 ~~As used in this paragraph, the term "health promotion and~~  
63 ~~wellness" means the provision of public health programs~~  
64 ~~pertaining to the prevention of illness and injury.~~

65 (b) Paramedics may administer immunizations or medical  
66 countermeasures in a nonemergency environment, within the scope  
67 of their training, and under the direction of a medical  
68 director. There must be a written agreement between the  
69 paramedic's medical director and the department or the county  
70 health department located in each county in which the paramedic  
71 administers immunizations or medical countermeasures. This  
72 agreement must establish the protocols, policies, and procedures  
73 under which the paramedic must operate.

74 ~~(4)-(3)~~ Each medical director under whose direction a  
75 paramedic administers immunizations or medical countermeasures  
76 must verify and document that the paramedic has received  
77 sufficient training and experience to administer immunizations  
78 or medical countermeasures. The verification must be documented  
79 on forms developed by the department, and the completed forms  
80 must be maintained at the service location of the licensee and  
81 made available to the department upon request.

82 ~~(5)-(4)~~ The department may adopt and enforce all rules  
83 necessary to enforce the provisions relating to a paramedic's  
84 administration of immunizations and medical countermeasures and  
85 the performance of health promotion and wellness activities and  
86 blood pressure screenings by a paramedic or emergency medical  
87 technician in a nonemergency environment.

30-01525-21

20211822\_\_

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