

ENROLLED

HB 7B

2021B Legislature

1  
 2 An act relating to vaccinations during public health  
 3 emergencies; amending s. 381.00315, F.S.; removing the  
 4 authority of the State Health Officer to order the  
 5 vaccination of individuals upon declaration of a  
 6 public health emergency; revising a requirement that  
 7 the Department of Health adopt certain rules;  
 8 providing an effective date.  
 9

10 Be It Enacted by the Legislature of the State of Florida:  
 11

12 Section 1. Paragraph (d) of subsection (2) and paragraph  
 13 (c) of subsection (5) of section 381.00315, Florida Statutes,  
 14 are amended to read:

15 381.00315 Public health advisories; public health  
 16 emergencies; isolation and quarantines.—The State Health Officer  
 17 is responsible for declaring public health emergencies, issuing  
 18 public health advisories, and ordering isolation or quarantines.

19 (2)

20 (d) The State Health Officer, upon declaration of a public  
 21 health emergency, may take actions that are necessary to protect  
 22 the public health. Such actions include, but are not limited to:

23 1. Directing manufacturers of prescription drugs or over-  
 24 the-counter drugs who are permitted under chapter 499 and  
 25 wholesalers of prescription drugs located in this state who are

ENROLLED

HB 7B

2021B Legislature

26 | permitted under chapter 499 to give priority to the shipping of  
27 | specified drugs to pharmacies and health care providers within  
28 | geographic areas identified by the State Health Officer. The  
29 | State Health Officer must identify the drugs to be shipped.  
30 | Manufacturers and wholesalers located in the state must respond  
31 | to the State Health Officer's priority shipping directive before  
32 | shipping the specified drugs.

33 |         2. Notwithstanding chapters 465 and 499 and rules adopted  
34 | thereunder, directing pharmacists employed by the department to  
35 | compound bulk prescription drugs and provide these bulk  
36 | prescription drugs to physicians and nurses of county health  
37 | departments or any qualified person authorized by the State  
38 | Health Officer for administration to persons as part of a  
39 | prophylactic or treatment regimen.

40 |         3. Notwithstanding s. 456.036, temporarily reactivating  
41 | the inactive license of the following health care practitioners,  
42 | when such practitioners are needed to respond to the public  
43 | health emergency: physicians licensed under chapter 458 or  
44 | chapter 459; physician assistants licensed under chapter 458 or  
45 | chapter 459; licensed practical nurses, registered nurses, and  
46 | advanced practice registered nurses licensed under part I of  
47 | chapter 464; respiratory therapists licensed under part V of  
48 | chapter 468; and emergency medical technicians and paramedics  
49 | certified under part III of chapter 401. Only those health care  
50 | practitioners specified in this paragraph who possess an

ENROLLED

HB 7B

2021B Legislature

51 unencumbered inactive license and who request that such license  
 52 be reactivated are eligible for reactivation. An inactive  
 53 license that is reactivated under this paragraph shall return to  
 54 inactive status when the public health emergency ends or before  
 55 the end of the public health emergency if the State Health  
 56 Officer determines that the health care practitioner is no  
 57 longer needed to provide services during the public health  
 58 emergency. Such licenses may only be reactivated for a period  
 59 not to exceed 90 days without meeting the requirements of s.  
 60 456.036 or chapter 401, as applicable.

61 4. Ordering an individual to be examined, tested,  
 62 ~~vaccinated~~, treated, isolated, or quarantined for communicable  
 63 diseases that have significant morbidity or mortality and  
 64 present a severe danger to public health. Individuals who are  
 65 unable or unwilling to be examined, tested, ~~vaccinated~~, or  
 66 treated for reasons of health, religion, or conscience may be  
 67 subjected to isolation or quarantine.

68 a. Examination, testing, ~~vaccination~~, or treatment may be  
 69 performed by any qualified person authorized by the State Health  
 70 Officer.

71 b. If the individual poses a danger to the public health,  
 72 the State Health Officer may subject the individual to isolation  
 73 or quarantine. If there is no practical method to isolate or  
 74 quarantine the individual, the State Health Officer may use any  
 75 means necessary to ~~vaccinate~~ or treat the individual.

ENROLLED

HB 7B

2021B Legislature

76 c. Any order of the State Health Officer given to  
77 effectuate this paragraph is immediately enforceable by a law  
78 enforcement officer under s. 381.0012.

79 (5) The department shall adopt rules to specify the  
80 conditions and procedures for imposing and releasing an  
81 isolation or a quarantine. The rules must include provisions  
82 related to:

83 (c) The tests or treatment, ~~including vaccination,~~ for  
84 communicable disease required before employment or admission to  
85 the premises or to comply with an isolation or a quarantine.

86 Section 2. This act shall take effect upon becoming a law.