

26 | under part I of chapter 464 may perform only those services or
 27 | care to clients that the person has been certified to perform or
 28 | trained to perform as required by law or rules of the Agency for
 29 | Health Care Administration or the Department of Business and
 30 | Professional Regulation. Providing services beyond the scope
 31 | authorized under this subsection constitutes the unauthorized
 32 | practice of medicine or a violation of the Nurse Practice Act
 33 | and is punishable as provided under chapter 458, chapter 459, or
 34 | part I of chapter 464. If a nurse registry authorizes a
 35 | registered nurse to delegate tasks, including medication
 36 | administration, to a certified nursing assistant under chapter
 37 | 464 or to a home health aide under s. 400.490, the nurse
 38 | registry must ensure that such delegation meets the requirements
 39 | of this chapter and chapter 464 and the rules adopted
 40 | thereunder.

41 | Section 2. Subsection (2) of section 464.0156, Florida
 42 | Statutes, is amended to read:

43 | 464.0156 Delegation of duties.—

44 | (2) A registered nurse may delegate to a certified nursing
 45 | assistant or a home health aide the administration of oral,
 46 | transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
 47 | topical prescription medications to a patient of a home health
 48 | agency or nurse registry or to a patient in a county detention
 49 | facility as defined in s. 951.23(1)⁷ if the certified nursing
 50 | assistant or home health aide meets the requirements of s.

51 464.2035 or s. 400.489, respectively. A registered nurse may not
 52 delegate the administration of any controlled substance listed
 53 in Schedule II, Schedule III, or Schedule IV of s. 893.03 or 21
 54 U.S.C. s. 812.

55 Section 3. Subsections (1) and (3) of section 464.2035,
 56 Florida Statutes, are amended to read:

57 464.2035 Administration of medication.—

58 (1) A certified nursing assistant may administer oral,
 59 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
 60 topical prescription medication to a patient of a home health
 61 agency or nurse registry or to a patient in a county detention
 62 facility as defined in s. 951.23(1) if the certified nursing
 63 assistant has been delegated such task by a registered nurse
 64 licensed under part I of this chapter, has satisfactorily
 65 completed an initial 6-hour training course approved by the
 66 board, and has been found competent to administer medication to
 67 a patient in a safe and sanitary manner. The training,
 68 determination of competency, and initial and annual validation
 69 required under this section must be conducted by a registered
 70 nurse licensed under this chapter or a physician licensed under
 71 chapter 458 or chapter 459.

72 (3) The board, in consultation with the Agency for Health
 73 Care Administration, shall establish by rule standards and
 74 procedures that a certified nursing assistant must follow when
 75 administering medication to a patient of a home health agency or

76 | nurse registry. Such rules must, at a minimum, address
77 | qualification requirements for trainers, requirements for
78 | labeling medication, documentation and recordkeeping, the
79 | storage and disposal of medication, instructions concerning the
80 | safe administration of medication, informed-consent requirements
81 | and records, and the training curriculum and validation
82 | procedures.

83 | Section 4. This act shall take effect July 1, 2022.