

By Senator Diaz

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1 A bill to be entitled
2 An act relating to collaborative practice in health
3 care; amending s. 395.0191, F.S.; specifying that
4 certified registered nurse anesthetists administering
5 anesthesia in hospital settings must be working in
6 collaboration with, rather than under the direction
7 of, certain health care practitioners; defining the
8 term "collaboration"; amending s. 464.003, F.S.;
9 revising the definition of the term "advanced or
10 specialized nursing practice"; defining the term
11 "collaboration"; amending s. 464.012, F.S.; exempting
12 certified registered nurse anesthetists from specified
13 protocol requirements under certain circumstances;
14 authorizing certified registered nurse anesthetists to
15 perform specified functions in collaboration with,
16 rather than pursuant to an established protocol under,
17 certain health care practitioners; amending s. 960.28,
18 F.S.; conforming a cross-reference; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Paragraph (b) of subsection (2) of section
24 395.0191, Florida Statutes, is amended to read:

25 395.0191 Staff membership and clinical privileges.—

26 (2)

27 (b) An advanced practice registered nurse who is certified
28 as a registered nurse anesthetist licensed under part I of
29 chapter 464 shall administer anesthesia in collaboration with

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30 ~~under the onsite medical direction of a~~ health care practitioner
31 ~~professional~~ licensed under chapter 458, chapter 459, or chapter
32 466. For purposes of this paragraph, the term "collaboration"
33 has the same meaning as in s. 464.003, ~~and in accordance with an~~
34 ~~established protocol approved by the medical staff. The medical~~
35 ~~direction shall specifically address the needs of the individual~~
36 ~~patient.~~

37 Section 2. Present subsections (10) through (22) of section
38 464.003, Florida Statutes, are redesignated as subsections (11)
39 through (23), respectively, a new subsection (10) is added to
40 that section, and subsection (2) of that section is amended, to
41 read:

42 464.003 Definitions.—As used in this part, the term:

43 (2) "Advanced or specialized nursing practice" means, in
44 addition to the practice of professional nursing, the
45 performance of advanced-level nursing acts approved by the board
46 which, by virtue of postbasic specialized education, training,
47 and experience, are appropriately performed by an advanced
48 practice registered nurse. Within the context of advanced or
49 specialized nursing practice, the advanced practice registered
50 nurse may perform acts of nursing diagnosis and nursing
51 treatment of alterations of the health status. The advanced
52 practice registered nurse may also perform acts of medical
53 diagnosis and treatment, prescription, and operation as
54 authorized within the framework of an established supervisory
55 protocol or in collaboration with a licensed health care
56 practitioner as specified in subsection (10). The department
57 ~~may~~, by rule, may require that a copy of the protocol be filed
58 with the department along with the notice required by s.

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59 458.348.

60 (10) "Collaboration" means the cooperative working
61 relationship between a health care practitioner licensed under
62 chapter 458, chapter 459, or chapter 466 who is performing a
63 medical or surgical procedure, or is directly involved in such
64 procedure, and a certified registered nurse anesthetist
65 performing the functions described in s. 464.012(4)(b) before,
66 during, or after a medical or surgical procedure. The term
67 includes the shared formulation and discussion of patient
68 treatment in which each practitioner contributes his or her
69 respective expertise in the management and delivery of health
70 care.

71 Section 3. Subsection (3) and paragraph (b) of subsection
72 (4) of section 464.012, Florida Statutes, are amended to read:

73 464.012 Licensure of advanced practice registered nurses;
74 fees; controlled substance prescribing.—

75 (3) An advanced practice registered nurse shall perform
76 those functions authorized in this section within the framework
77 of an established protocol that must be maintained on site at
78 the location or locations at which an advanced practice
79 registered nurse practices, unless the advanced practice
80 registered nurse is registered and practicing under s. 464.0123
81 or is licensed and practicing as a certified registered nurse
82 anesthetist in collaboration with a health care practitioner
83 licensed under chapter 458, chapter 459, or chapter 466. In the
84 case of an advanced practice registered nurse practicing under
85 multiple supervising physicians in the same group, the an
86 advanced practice registered nurse must enter into a supervisory
87 protocol with at least one physician within the physician group

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88 practice. A practitioner currently licensed under chapter 458,
89 chapter 459, or chapter 466 shall maintain supervision of the
90 advanced practice registered nurse for directing the specific
91 course of medical treatment. Within the established framework,
92 an advanced practice registered nurse may:

93 (a) Prescribe, dispense, administer, or order any drug;
94 however, an advanced practice registered nurse may prescribe or
95 dispense a controlled substance as defined in s. 893.03 only if
96 the advanced practice registered nurse has graduated from a
97 program leading to a master's or doctoral degree in a clinical
98 nursing specialty area with training in specialized practitioner
99 skills.

100 (b) Initiate appropriate therapies for certain conditions.

101 (c) Perform additional functions as may be determined by
102 rule in accordance with s. 464.003(2).

103 (d) Order diagnostic tests and physical and occupational
104 therapy.

105 (e) Order any medication for administration to a patient in
106 a facility licensed under chapter 395 or part II of chapter 400,
107 notwithstanding any provisions in chapter 465 or chapter 893.

108 (4) In addition to the general functions specified in
109 subsection (3), an advanced practice registered nurse may
110 perform the following acts within his or her specialty:

111 (b) A ~~The~~ certified registered nurse anesthetist, in
112 collaboration with a health care practitioner licensed under
113 chapter 458, chapter 459, or chapter 466, may do, ~~to the extent~~
114 ~~authorized by established protocol approved by the medical staff~~
115 ~~of the facility in which the anesthetic service is performed,~~
116 ~~perform~~ any ~~or all~~ of the following:

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117 1. Determine the health status of the patient as it relates
118 to the risk factors and to the anesthetic management of the
119 patient through the performance of the general functions.

120 2. Based on history, physical assessment, and supplemental
121 laboratory results, determine, ~~with the consent of the~~
122 ~~responsible physician,~~ the appropriate type of anesthesia ~~within~~
123 ~~the framework of the protocol.~~

124 3. Order ~~under the protocol~~ preanesthetic medication.

125 4. Perform ~~under the protocol~~ procedures commonly used to
126 render the patient insensible to pain during the performance of
127 surgical, obstetrical, therapeutic, or diagnostic clinical
128 procedures. These procedures include ordering and administering
129 regional, spinal, and general anesthesia; inhalation agents and
130 techniques; intravenous agents and techniques; and techniques of
131 hypnosis.

132 5. Order or perform monitoring procedures indicated as
133 pertinent to the anesthetic health care management of the
134 patient.

135 6. Support life functions during anesthesia health care,
136 including induction and intubation procedures, the use of
137 appropriate mechanical supportive devices, and the management of
138 fluid, electrolyte, and blood component balances.

139 7. Recognize and take appropriate corrective action for
140 abnormal patient responses to anesthesia, adjunctive medication,
141 or other forms of therapy.

142 8. Recognize and treat a cardiac arrhythmia while the
143 patient is under anesthetic care.

144 9. Participate in management of the patient while in the
145 postanesthesia recovery area, including ordering the

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146 administration of fluids and drugs.

147 10. Place special peripheral and central venous and
148 arterial lines for blood sampling and monitoring as appropriate.

149 Section 4. Subsection (2) of section 960.28, Florida
150 Statutes, is amended to read:

151 960.28 Payment for victims' initial forensic physical
152 examinations.—

153 (2) The Crime Victims' Services Office of the department
154 shall pay for medical expenses connected with an initial
155 forensic physical examination of a victim of sexual battery as
156 defined in chapter 794 or a lewd or lascivious offense as
157 defined in chapter 800. Such payment shall be made regardless of
158 whether the victim is covered by health or disability insurance
159 and whether the victim participates in the criminal justice
160 system or cooperates with law enforcement. The payment shall be
161 made only out of moneys allocated to the Crime Victims' Services
162 Office for the purposes of this section, and the payment may not
163 exceed \$1,000 with respect to any violation. The department
164 shall develop and maintain separate protocols for the initial
165 forensic physical examination of adults and children. Payment
166 under this section is limited to medical expenses connected with
167 the initial forensic physical examination, and payment may be
168 made to a medical provider using an examiner qualified under
169 part I of chapter 464, excluding s. 464.003(16) ~~s. 464.003(15)~~;
170 chapter 458; or chapter 459. Payment made to the medical
171 provider by the department shall be considered by the provider
172 as payment in full for the initial forensic physical examination
173 associated with the collection of evidence. The victim may not
174 be required to pay, directly or indirectly, the cost of an

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175 initial forensic physical examination performed in accordance
176 with this section.

177 Section 5. This act shall take effect July 1, 2022.