

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to medical countermeasures; amending
3 s. 401.265, F.S.; providing that a medical director is
4 liable for any act or omission of a paramedic under
5 his or her supervision who administers medical
6 countermeasures in a nonemergency environment;
7 providing for a State Emergency Medical Services
8 Medical Director appointed by the State Surgeon
9 General; requiring the medical director to meet
10 certain minimum qualifications and perform certain
11 duties; amending s. 401.272, F.S.; defining the terms
12 "health promotion and wellness activities" and
13 "medical countermeasures"; authorizing paramedics to
14 administer medical countermeasures in a nonemergency
15 environment under the direction of a medical director;
16 providing that a paramedic's medical director may have
17 a certain required written agreement with the
18 Department of Health, rather than only with a county
19 health department; requiring medical directors to
20 verify and document that paramedics under their
21 direction have received sufficient training and
22 experience to administer medical countermeasures;
23 authorizing independent special fire control districts
24 to allow their paramedics and emergency medical
25 technicians to perform certain activities and
26 administer certain services in accordance with
27 specified provisions; revising the department's
28 rulemaking authority; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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32 Section 1. Present subsection (5) of section 401.265,
33 Florida Statutes, is redesignated as subsection (6), a new
34 subsection (5) is added to that section, and subsection (4) of
35 that section is amended, to read:

36 401.265 Medical directors.—

37 (4) Each medical director who uses a paramedic or emergency
38 medical technician to perform blood pressure screenings or
39 ~~screening,~~ health promotion~~,~~ and wellness activities~~,~~ or to
40 administer immunizations or medical countermeasures in a
41 nonemergency environment ~~immunization on any patient~~ under a
42 protocol as specified in s. 401.272~~,~~ ~~which is not in the~~
43 ~~provision of emergency care,~~ is liable for any act or omission
44 of any paramedic or emergency medical technician acting under
45 his or her supervision and control when performing such
46 activities or services.

47 (5) A State Emergency Medical Services (EMS) Medical
48 Director shall be appointed by and report to the State Surgeon
49 General. The State EMS Medical Director must be a physician
50 licensed under chapter 458 or chapter 459 who has specialized
51 training and experience in the provision of emergency medical
52 services and who has recognized skills in leadership and the
53 promotion of emergency medical services programs. The State EMS
54 Medical Director shall perform such duties as directed by the
55 State Surgeon General and serve on the Emergency Medical
56 Services Advisory Council created under s. 401.245.

57 Section 2. Section 401.272, Florida Statutes, is amended to
58 read:

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59 401.272 Emergency medical services community health care.-

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

61 (a) "Health promotion and wellness activities" means the
62 provision of public health programs relating to the prevention
63 or reduction of illness or injury.

64 (b) "Medical countermeasures" means lifesaving medication
65 or medical supplies regulated by the United States Food and Drug
66 Administration which can be used to diagnose, prevent, protect
67 from, or treat conditions associated with chemical, biological,
68 radiological, or nuclear threats, emerging infectious diseases,
69 or natural disasters.

70 (2) The purpose of this section is to encourage more
71 effective utilization of the skills of emergency medical
72 technicians and paramedics by enabling them to perform, in
73 partnership with local county health departments, specific
74 additional health care tasks that are consistent with the public
75 health and welfare.

76 ~~(3)-(2)~~ Notwithstanding any other ~~provision of~~ law to the
77 contrary:

78 (a) Paramedics or emergency medical technicians may perform
79 health promotion and wellness activities and blood pressure
80 screenings in a nonemergency environment, within the scope of
81 their training, and under the direction of a medical director.
82 ~~As used in this paragraph, the term "health promotion and~~
83 ~~wellness" means the provision of public health programs~~
84 ~~pertaining to the prevention of illness and injury.~~

85 (b) Paramedics may administer immunizations or medical
86 countermeasures in a nonemergency environment, within the scope
87 of their training, and under the direction of a medical

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88 director. There must be a written agreement between the
89 paramedic's medical director and the department or the county
90 health department located in each county in which the paramedic
91 administers immunizations or medical countermeasures. This
92 agreement must establish the protocols, policies, and procedures
93 under which the paramedic must operate.

94 (4)~~(3)~~ Each medical director under whose direction a
95 paramedic administers immunizations or medical countermeasures
96 must verify and document that the paramedic has received
97 sufficient training and experience to administer immunizations
98 or medical countermeasures, as applicable. The verification must
99 be documented on forms developed by the department, and the
100 completed forms must be maintained at the service location of
101 the licensee and made available to the department upon request.

102 (5) An independent special fire control district as defined
103 in s. 191.003 may allow its paramedics and emergency medical
104 technicians to perform blood pressure screenings or health
105 promotion and wellness activities or to administer immunizations
106 or medical countermeasures in accordance with this section.

107 (6)~~(4)~~ The department may adopt and enforce all rules
108 necessary to enforce the provisions relating to a paramedic's
109 administration of immunizations and medical countermeasures and
110 the performance of health promotion and wellness activities and
111 blood pressure screenings by a paramedic or emergency medical
112 technician in a nonemergency environment.

113 Section 3. This act shall take effect upon becoming a law.