

1 A bill to be entitled
2 An act relating to responsiveness to
3 emergencies and disasters; providing
4 legislative findings; amending s. 381.0011,
5 F.S.; revising duties of the Department of
6 Health; authorizing the State Health Officer to
7 take specified emergency actions to protect the
8 public health; amending s. 381.0034, F.S.;
9 providing a requirement for instruction of
10 certain health care licensees on conditions
11 caused by nuclear, biological, and chemical
12 terrorism, as a condition of initial licensure,
13 and, in lieu of the requirement for instruction
14 on HIV and AIDS, as a condition of relicensure;
15 amending s. 381.0035, F.S.; providing a
16 requirement for instruction of employees at
17 certain health care facilities on conditions
18 caused by nuclear, biological, and chemical
19 terrorism, upon initial employment, and, in
20 lieu of the requirement of instruction on HIV
21 and AIDS, as biennial continuing education;
22 providing an exception; creating s. 381.0421,
23 F.S.; requiring postsecondary education
24 institutions to provide information on
25 hepatitis B; requiring individuals residing in
26 on-campus housing to document vaccinations
27 against hepatitis B or sign a waiver; amending
28 ss. 395.1027 and 401.245, F.S.; correcting
29 cross references; amending s. 401.23, F.S.;
30 revising definitions of "advanced life support"
31 and "basic life support" and defining

1 "emergency medical condition"; amending s.
2 401.252, F.S.; authorizing physician assistants
3 to conduct interfacility transfers in a
4 permitted ambulance under certain
5 circumstances; amending s. 401.27, F.S.;
6 providing that the course on conditions caused
7 by nuclear, biological, and chemical terrorism
8 shall count toward the total required hours for
9 biennial recertification of emergency medical
10 technicians and paramedics; amending s.
11 456.033, F.S.; providing a requirement for
12 instruction of certain health care
13 practitioners on conditions caused by nuclear,
14 biological, and chemical terrorism, as a
15 condition of initial licensure, and, in lieu of
16 the requirement for instruction on HIV and
17 AIDS, as part of biennial relicensure; creating
18 s. 456.0345, F.S.; providing continuing
19 education credits to health care practitioners
20 for certain life support training; amending s.
21 456.072, F.S.; conforming provisions relating
22 to grounds for disciplinary actions to changes
23 in health care practitioners' course
24 requirements; amending s. 456.38, F.S.;
25 revising provisions relating to the health care
26 practitioner registry for disasters and
27 emergencies; prohibiting certain termination of
28 or discrimination against a practitioner
29 providing disaster medical assistance; amending
30 ss. 458.319 and 459.008, F.S.; conforming
31 provisions relating to exceptions to continuing

1 education requirements for physicians and
2 osteopathic physicians; amending ss. 401.2715,
3 633.35, and 943.135, F.S.; authorizing certain
4 substitution of terrorism response training for
5 other training required for recertification of
6 emergency medical technicians and paramedics,
7 certification of firefighters, and continued
8 employment or appointment of law enforcement
9 officers, correctional officers, and
10 correctional probation officers; authorizing
11 rulemaking; providing an effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
14

15 Section 1. Legislative findings.--The Legislature
16 finds that it is critical that Florida be prepared to respond
17 appropriately to a health crisis and injuries in the event of
18 an emergency or disaster. The Legislature finds that there is
19 a need to better educate health care practitioners on diseases
20 and conditions that might be caused by nuclear, biological,
21 and chemical terrorism so that health care practitioners can
22 more effectively care for patients and better educate patients
23 as to prevention and treatment. Additionally, the Legislature
24 finds that not all health care practitioners have been
25 recently trained in life support and first aid and that all
26 health care practitioners should be encouraged to obtain such
27 training. The Legislature finds that health care practitioners
28 who are willing to respond in emergencies or disasters should
29 not be penalized for providing their assistance.

30 Section 2. Section 381.0011, Florida Statutes, is
31 amended to read:

1 381.0011 Duties and powers of the Department of
2 Health; authority of State Health Officer.--

3 (1) It is the duty of the Department of Health to:

4 (a)~~(1)~~ Assess the public health status and needs of
5 the state through statewide data collection and other
6 appropriate means, with special attention to future needs that
7 may result from population growth, technological advancements,
8 new societal priorities, or other changes.

9 (b)~~(2)~~ Formulate general policies affecting the public
10 health of the state.

11 (c)~~(3)~~ Include in the department's strategic plan
12 developed under s. 186.021 a summary of all aspects of the
13 public health mission and health status objectives to direct
14 the use of public health resources with an emphasis on
15 prevention.

16 (d)~~(4)~~ Administer and enforce laws and rules relating
17 to sanitation, control of communicable diseases, illnesses and
18 hazards to health among humans and from animals to humans, and
19 the general health of the people of the state.

20 (e)~~(5)~~ Cooperate with and accept assistance from
21 federal, state, and local officials for the prevention and
22 suppression of communicable and other diseases, illnesses,
23 injuries, and hazards to human health.

24 (f)~~(6)~~ Declare, enforce, modify, and abolish
25 quarantine of persons, animals, and premises as the
26 circumstances indicate for controlling communicable diseases
27 or providing protection from unsafe conditions that pose a
28 threat to public health, except as provided in ss. 384.28 and
29 392.545-392.60.

30
31

1 1.(a) The department shall adopt rules to specify the
2 conditions and procedures for imposing and releasing a
3 quarantine. The rules must include provisions related to:

4 a.1. The closure of premises.

5 b.2. The movement of persons or animals exposed to or
6 infected with a communicable disease.

7 c.3. The tests or ~~prophylactic~~ treatment, including
8 vaccination, for communicable disease required prior to
9 employment or admission to the premises or to comply with a
10 quarantine.

11 d.4. Testing or destruction of animals with or
12 suspected of having a disease transmissible to humans.

13 e.5. Access by the department to quarantined premises.

14 f.6. The disinfection of quarantined animals, persons,
15 or premises.

16 g. Methods of quarantine.

17 2.(b) Any health regulation that restricts travel or
18 trade within the state may not be adopted or enforced in this
19 state except by authority of the department.

20 (g)(7) Provide for a thorough investigation and study
21 of the incidence, causes, modes of propagation and
22 transmission, and means of prevention, control, and cure of
23 diseases, illnesses, and hazards to human health.

24 (h)(8) Provide for the dissemination of information to
25 the public relative to the prevention, control, and cure of
26 diseases, illnesses, and hazards to human health. The
27 department shall conduct a workshop before issuing any health
28 alert or advisory relating to food-borne illness or
29 communicable disease in public lodging or food service
30 establishments in order to inform persons, trade associations,
31 and businesses of the risk to public health and to seek the

1 input of affected persons, trade associations, and businesses
2 on the best methods of informing and protecting the public,
3 except in an emergency, in which case the workshop must be
4 held within 14 days after the issuance of the emergency alert
5 or advisory.

6 ~~(i)(9)~~ Act as registrar of vital statistics.

7 ~~(j)(10)~~ Cooperate with and assist federal health
8 officials in enforcing public health laws and regulations.

9 ~~(k)(11)~~ Cooperate with other departments, local
10 officials, and private boards and organizations for the
11 improvement and preservation of the public health.

12 ~~(l)(12)~~ Cooperate with other departments, local
13 officials, and private organizations in developing and
14 implementing a statewide injury control program.

15 ~~(m)(13)~~ Adopt rules pursuant to ss. 120.536(1) and
16 120.54 to implement the provisions of law conferring duties
17 upon it. This paragraph ~~subsection~~ does not authorize the
18 department to require a permit or license unless such
19 requirement is specifically provided by law.

20 ~~(n)(14)~~ Perform any other duties prescribed by law.

21 (2) The State Health Officer is authorized to take the
22 following actions to protect the public health:

23 (a) Notwithstanding chapters 465 and 499 and rules
24 adopted thereunder, the State Health Officer may direct
25 pharmacists employed by the department to compound bulk
26 prescription drugs and provide these bulk prescription drugs
27 to county health department physicians, physician assistants,
28 and nurses for administration to persons as part of a
29 prophylactic or treatment regimen when there is a significant
30 risk to the public health from a disease, an environmental
31

1 contaminant, or a suspected act of nuclear, biological, or
2 chemical terrorism.

3 (b) The State Health Officer, upon declaration of a
4 public health emergency pursuant to s. 381.00315, may take
5 such actions as are necessary to protect the public health.
6 Such actions shall include, but are not limited to:

7 1. Directing Florida manufacturers and wholesalers of
8 prescription and over-the-counter drugs permitted under
9 chapter 499 to give priority to shipping such drugs to
10 pharmacies and health care providers located in geographic
11 areas identified by the State Health Officer. Florida
12 manufacturers and wholesalers must respond to the State Health
13 Officer's priority shipping directive before shipping the
14 specified drugs to other pharmacies or health care providers
15 in Florida.

16 2. Notwithstanding s. 456.036, temporarily
17 reactivating the inactive licenses of physicians licensed
18 under chapter 458 or chapter 459; physician assistants
19 licensed under chapter 458 or chapter 459; licensed practical
20 nurses, registered nurses, and advanced registered nurse
21 practitioners licensed under chapter 464; respiratory
22 therapists licensed under part V of chapter 468; and emergency
23 medical technicians and paramedics licensed under chapter 401
24 when such practitioners are needed to respond to the public
25 health emergency. Only those licensees referenced in this
26 subparagraph who request reactivation and have unencumbered
27 inactive licenses are eligible for reactivation. Any inactive
28 license reactivated pursuant to this subparagraph shall return
29 to inactive status when the public health emergency ends or
30 prior to the end of the public health emergency if the State
31 Health Officer determines that the health care practitioner is

1 no longer needed to provide services during the emergency. The
2 license may only be reactivated for a period not to exceed 90
3 days without meeting the requirements of s. 456.036 or chapter
4 401. If a physician assistant or advanced registered nurse
5 practitioner requests reactivation and volunteers during the
6 declared public health emergency, the county health department
7 medical director, if appropriate, shall serve as the
8 supervising physician for the physician assistant and shall be
9 authorized to delegate acts of medical diagnosis and treatment
10 to the advanced registered nurse practitioner.

11 3. Notwithstanding any law to the contrary, compelling
12 an individual to be examined, tested, vaccinated, treated, or
13 quarantined for communicable diseases that have significant
14 morbidity or mortality and present a severe danger to public
15 health. Prior to taking action under this subparagraph, the
16 State Health Officer shall, to the extent possible, consult
17 with the Governor.

18 a. Examination, testing, or treatment may be performed
19 by any qualified person authorized by the State Health
20 Officer.

21 b. If the individual poses a danger to public health,
22 the State Health Officer may subject the individual to
23 quarantine. If there is no practicable method to quarantine
24 the individual, the State Health Officer may use any means
25 necessary to vaccinate or treat the individual.

26 c. Any order of the State Health Officer given to
27 effectuate this subparagraph shall be immediately enforceable
28 by law enforcement.

29
30 Individuals who assist the State Health Officer at his or her
31 request on a volunteer basis during a public health emergency

1 declared pursuant to s. 381.00315 shall be entitled to the
2 benefits in s. 110.504(2), (3), (4), and (5).

3 Section 3. Section 381.0034, Florida Statutes, is
4 amended to read:

5 381.0034 Requirement for instruction on conditions
6 caused by nuclear, biological, and chemical terrorism and on
7 human immunodeficiency virus and acquired immune deficiency
8 syndrome.--

9 (1) ~~As of July 1, 1991,~~The Department of Health shall
10 require each person licensed or certified under chapter 401,
11 chapter 467, part IV of chapter 468, or chapter 483, as a
12 condition of biennial relicensure, to complete an educational
13 course approved by the department on conditions caused by
14 nuclear, biological, and chemical terrorism. The course shall
15 consist of education on diagnosis and treatment, the modes of
16 transmission, infection control procedures, and clinical
17 management. Such course shall also include information on
18 reporting suspected cases of conditions caused by nuclear,
19 biological, or chemical terrorism to the appropriate health
20 and law enforcement authorities, and prevention of human
21 immunodeficiency virus and acquired immune deficiency
22 syndrome. Such course shall include information on current
23 Florida law on acquired immune deficiency syndrome and its
24 impact on testing, confidentiality of test results, and
25 treatment of patients. Each such licensee or certificateholder
26 shall submit confirmation of having completed said course, on
27 a form provided by the department, when submitting fees or
28 application for each biennial renewal.

29 (2) Failure to complete the requirements of this
30 section shall be grounds for disciplinary action contained in
31 the chapters specified in subsection (1). In addition to

1 discipline by the department, the licensee or
 2 certificateholder shall be required to complete the required
 3 ~~said course or courses~~.

4 (3) The department shall require, as a condition of
 5 granting a license under the chapters specified in subsection
 6 (1), that an applicant making initial application for
 7 licensure complete respective ~~an~~ educational courses ~~course~~
 8 acceptable to the department on conditions caused by nuclear,
 9 biological, and chemical terrorism and on human
 10 immunodeficiency virus and acquired immune deficiency
 11 syndrome. An applicant who has not taken such courses ~~a~~
 12 ~~course~~ at the time of licensure shall, upon an affidavit
 13 showing good cause, be allowed 6 months to complete this
 14 requirement.

15 (4) The department shall have the authority to adopt
 16 rules to carry out the provisions of this section.

17 (5) Any professional holding two or more licenses or
 18 certificates subject to the provisions of this section shall
 19 be permitted to show proof of having taken one
 20 department-approved course on conditions caused by nuclear,
 21 biological, and chemical terrorism ~~human immunodeficiency~~
 22 ~~virus and acquired immune deficiency syndrome~~, for purposes of
 23 relicensure or recertification for the additional licenses.

24 Section 4. Section 381.0035, Florida Statutes, is
 25 amended to read:

26 381.0035 Educational courses ~~course~~ on human
 27 immunodeficiency virus and acquired immune deficiency syndrome
 28 and on conditions caused by nuclear, biological, and chemical
 29 terrorism; employees and clients of certain health care
 30 facilities.--

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1 (1)(a) The Department of Health shall require all
2 ~~employees and~~ clients of facilities licensed under chapters
3 393, 394, and 397 ~~and employees of facilities licensed under~~
4 ~~chapter 395 and parts II, III, IV, and VI of chapter 400~~ to
5 complete, biennially, a continuing educational course on the
6 modes of transmission, infection control procedures, clinical
7 management, and prevention of human immunodeficiency virus and
8 acquired immune deficiency syndrome with an emphasis on
9 appropriate behavior and attitude change. Such instruction
10 shall include information on current Florida law and its
11 impact on testing, confidentiality of test results, and
12 treatment of patients and any protocols and procedures
13 applicable to human immunodeficiency counseling and testing,
14 reporting, the offering of HIV testing to pregnant women, and
15 partner notification issues pursuant to ss. 381.004 and
16 384.25.

17 (b) The department shall require all employees of
18 facilities licensed under chapters 393, 394, 395, and 397 and
19 parts II, III, IV, and VI of chapter 400 to complete,
20 biennially, a continuing educational course on conditions
21 caused by nuclear, biological, and chemical terrorism. The
22 course shall consist of education on diagnosis and treatment,
23 modes of transmission, infection control procedures, and
24 clinical management. Such course shall also include
25 information on reporting suspected cases of conditions caused
26 by nuclear, biological, or chemical terrorism to the
27 appropriate health and law enforcement authorities.

28 (2) New employees of facilities licensed under
29 chapters 393, 394, 395, and 397 and parts II, III, IV, and VI
30 of chapter 400 shall be required to complete a course on human
31 immunodeficiency virus and acquired immune deficiency

1 syndrome, with instruction to include information on current
2 Florida law and its impact on testing, confidentiality of test
3 results, and treatment of patients. New employees of such
4 facilities shall also be required to complete a course on
5 conditions caused by nuclear, biological, and chemical
6 terrorism, with instruction to include information on
7 reporting suspected cases to the appropriate health and law
8 enforcement authorities.

9 (3) Facilities licensed under chapters 393, 394, 395,
10 and 397, and parts II, III, IV, and VI of chapter 400 shall
11 maintain a record of employees and dates of attendance at
12 ~~human immunodeficiency virus and acquired immune deficiency~~
13 ~~syndrome~~ educational courses on human immunodeficiency virus
14 and acquired immune deficiency syndrome and on conditions
15 caused by nuclear, biological, and chemical terrorism.

16 (4) The department shall have the authority to review
17 the records of each facility to determine compliance with the
18 requirements of this section. The department may adopt rules
19 to carry out the provisions of this section.

20 (5) In lieu of completing a course as required in
21 paragraph (1)(b), the employee may complete a course on
22 end-of-life care and palliative health care or a course on
23 HIV/AIDS so long as the employee completed an approved course
24 on conditions caused by nuclear, biological, and chemical
25 terrorism in the immediately preceding biennium.

26 Section 5. Section 381.0421, Florida Statutes, is
27 created to read:

28 381.0421 Vaccination against hepatitis B.--

29 (1) A postsecondary education institution shall
30 provide detailed information concerning the risks associated
31 with hepatitis B and the availability, effectiveness, and

1 known contraindications of any required or recommended vaccine
2 against hepatitis B to every student, or to the student's
3 parent or guardian if the student is a minor, who has been
4 accepted for admission.

5 (2) An individual enrolled in a postsecondary
6 education institution who will be residing in on-campus
7 housing shall provide documentation of vaccinations against
8 hepatitis B unless the individual, if the individual is 18
9 years of age or older, or the individual's parent or guardian,
10 if the individual is a minor, declines the vaccinations and
11 the individual, parent, or guardian signs a waiver provided by
12 the institution acknowledging receipt and review of the
13 information provided.

14 (3) This section does not require any postsecondary
15 education institution to provide or pay for vaccinations
16 against hepatitis B.

17 Section 6. Subsection (4) of section 395.1027, Florida
18 Statutes, is amended to read:

19 395.1027 Regional poison control centers.--

20 (4) By October 1, 1999, each regional poison control
21 center shall develop a prehospital emergency dispatch protocol
22 with each licensee defined by s. 401.23~~(14)~~⁽¹³⁾ in the
23 geographic area covered by the regional poison control center.
24 The prehospital emergency dispatch protocol shall be developed
25 by each licensee's medical director in conjunction with the
26 designated regional poison control center responsible for the
27 geographic area in which the licensee operates. The protocol
28 shall define toxic substances and describe the procedure by
29 which the designated regional poison control center may be
30 consulted by the licensee. If a call is transferred to the
31 designated regional poison control center in accordance with

1 the protocol established under this section and s. 401.268,
2 the designated regional poison control center shall assume
3 responsibility and liability for the call.

4 Section 7. Section 401.23, Florida Statutes, is
5 amended to read:

6 401.23 Definitions.--As used in this part, the term:

7 (1) "Advanced life support" means the use of skills
8 and techniques described in the most recent United States
9 Department of Transportation National Standard Paramedic
10 Curriculum by a paramedic under the supervision of a
11 licensee's medical director as required by rules of the
12 department. The term "advanced life support" also includes
13 other techniques that have been approved and are performed
14 under conditions specified by rules of the department. The
15 term "advanced life support" also includes provision of care
16 by a paramedic under the supervision of a licensee's medical
17 director to a person experiencing an emergency medical
18 condition as defined in subsection (11)~~treatment of~~
19 ~~life-threatening medical emergencies through the use of~~
20 ~~techniques such as endotracheal intubation, the administration~~
21 ~~of drugs or intravenous fluids, telemetry, cardiac monitoring,~~
22 ~~and cardiac defibrillation by a qualified person, pursuant to~~
23 ~~rules of the department.~~

24 (2) "Advanced life support service" means any
25 emergency medical transport or nontransport service which uses
26 advanced life support techniques.

27 (3) "Air ambulance" means any fixed-wing or
28 rotary-wing aircraft used for, or intended to be used for, air
29 transportation of sick or injured persons requiring or likely
30 to require medical attention during transport.

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1 (4) "Air ambulance service" means any publicly or
2 privately owned service, licensed in accordance with the
3 provisions of this part, which operates air ambulances to
4 transport persons requiring or likely to require medical
5 attention during transport.

6 (5) "Ambulance" or "emergency medical services
7 vehicle" means any privately or publicly owned land or water
8 vehicle that is designed, constructed, reconstructed,
9 maintained, equipped, or operated for, and is used for, or
10 intended to be used for, land or water transportation of sick
11 or injured persons requiring or likely to require medical
12 attention during transport.

13 (6) "Ambulance driver" means any person who meets the
14 requirements of s. 401.281.

15 (7) "Basic life support" means the use of skills and
16 techniques described in the most recent United States
17 Department of Transportation National Standard EMT-Basic
18 Curriculum by an emergency medical technician or paramedic
19 under the supervision of a licensee's medical director as
20 required by rules of the department. The term "basic life
21 support" also includes other techniques that have been
22 approved and are performed under conditions specified by rules
23 of the department. The term "basic life support" also includes
24 provision of care by a paramedic or emergency medical
25 technician under the supervision of a licensee's medical
26 director to a person experiencing an emergency medical
27 condition as defined in subsection (11)~~treatment of medical~~
28 ~~emergencies by a qualified person through the use of~~
29 ~~techniques such as patient assessment, cardiopulmonary~~
30 ~~resuscitation (CPR), splinting, obstetrical assistance,~~
31 ~~bandaging, administration of oxygen, application of medical~~

1 ~~antishock trousers, administration of a subcutaneous injection~~
2 ~~using a premeasured autoinjector of epinephrine to a person~~
3 ~~suffering an anaphylactic reaction, and other techniques~~
4 ~~described in the Emergency Medical Technician Basic Training~~
5 ~~Course Curriculum of the United States Department of~~
6 ~~Transportation. The term "basic life support" also includes~~
7 ~~other techniques which have been approved and are performed~~
8 ~~under conditions specified by rules of the department.~~

9 (8) "Basic life support service" means any emergency
10 medical service which uses only basic life support techniques.

11 (9) "Certification" means any authorization issued
12 pursuant to this part to a person to act as an emergency
13 medical technician or a paramedic.

14 (10) "Department" means the Department of Health.

15 (11) "Emergency medical condition" means:

16 (a) A medical condition manifesting itself by acute
17 symptoms of sufficient severity, which may include severe
18 pain, psychiatric disturbances, symptoms of substance abuse,
19 or other acute symptoms, such that the absence of immediate
20 medical attention could reasonably be expected to result in
21 any of the following:

22 1. Serious jeopardy to the health of a patient,
23 including a pregnant woman or fetus.

24 2. Serious impairment to bodily functions.

25 3. Serious dysfunction of any bodily organ or part.

26 (b) With respect to a pregnant woman, that there is
27 evidence of the onset and persistence of uterine contractions
28 or rupture of the membranes.

29 (c) With respect to a person exhibiting acute
30 psychiatric disturbance or substance abuse, that the absence
31

1 of immediate medical attention could reasonably be expected to
2 result in:

3 1. Serious jeopardy to the health of a patient; or

4 2. Serious jeopardy to the health of others.

5 (12)~~(11)~~ "Emergency medical technician" means a person
6 who is certified by the department to perform basic life
7 support pursuant to this part.

8 (13)~~(12)~~ "Interfacility transfer" means the
9 transportation by ambulance of a patient between two
10 facilities licensed under chapter 393, chapter 395, or chapter
11 400, pursuant to this part.

12 (14)~~(13)~~ "Licensee" means any basic life support
13 service, advanced life support service, or air ambulance
14 service licensed pursuant to this part.

15 (15)~~(14)~~ "Medical direction" means direct supervision
16 by a physician through two-way voice communication or, when
17 such voice communication is unavailable, through established
18 standing orders, pursuant to rules of the department.

19 (16)~~(15)~~ "Medical director" means a physician who is
20 employed or contracted by a licensee and who provides medical
21 supervision, including appropriate quality assurance but not
22 including administrative and managerial functions, for daily
23 operations and training pursuant to this part.

24 (17)~~(16)~~ "Mutual aid agreement" means a written
25 agreement between two or more entities whereby the signing
26 parties agree to lend aid to one another under conditions
27 specified in the agreement and as sanctioned by the governing
28 body of each affected county.

29 (18)~~(17)~~ "Paramedic" means a person who is certified
30 by the department to perform basic and advanced life support
31 pursuant to this part.

1 ~~(18)~~ (19) "Permit" means any authorization issued
2 pursuant to this part for a vehicle to be operated as a basic
3 life support or advanced life support transport vehicle or an
4 advanced life support nontransport vehicle providing basic or
5 advanced life support.

6 ~~(19)~~ (20) "Physician" means a practitioner who is
7 licensed under the provisions of chapter 458 or chapter 459.
8 For the purpose of providing "medical direction" as defined in
9 subsection ~~(14)~~ (15) for the treatment of patients immediately
10 prior to or during transportation to a United States
11 Department of Veterans Affairs medical facility, "physician"
12 also means a practitioner employed by the United States
13 Department of Veterans Affairs.

14 ~~(20)~~ (21) "Registered nurse" means a practitioner who
15 is licensed to practice professional nursing pursuant to part
16 I of chapter 464.

17 ~~(21)~~ (22) "Secretary" means the Secretary of Health.

18 ~~(22)~~ (23) "Service location" means any permanent
19 location in or from which a licensee solicits, accepts, or
20 conducts business under this part.

21 Section 8. Paragraph (b) of subsection (2) of section
22 401.245, Florida Statutes, is amended to read:

23 401.245 Emergency Medical Services Advisory Council.--

24 (2)

25 (b) Representation on the Emergency Medical Services
26 Advisory Council shall include: two licensed physicians who
27 are "medical directors" as defined in s. 401.23 ~~(15)~~ (16) or
28 whose medical practice is closely related to emergency medical
29 services; two emergency medical service administrators, one of
30 whom is employed by a fire service; two certified paramedics,
31 one of whom is employed by a fire service; two certified

1 emergency medical technicians, one of whom is employed by a
2 fire service; one emergency medical services educator; one
3 emergency nurse; one hospital administrator; one
4 representative of air ambulance services; one representative
5 of a commercial ambulance operator; and two laypersons who are
6 in no way connected with emergency medical services, one of
7 whom is a representative of the elderly. Ex officio members of
8 the advisory council from state agencies shall include, but
9 shall not be limited to, representatives from the Department
10 of Education, the Department of Management Services, the
11 Department of Insurance, the Department of Highway Safety and
12 Motor Vehicles, the Department of Transportation, and the
13 Department of Community Affairs.

14 Section 9. Subsection (1) of section 401.252, Florida
15 Statutes, is amended to read:

16 401.252 Interfacility transfer.--

17 (1) A licensed basic or advanced life support
18 ambulance service may conduct interfacility transfers in a
19 permitted ambulance, using a registered nurse or physician
20 assistant in place of an emergency medical technician or
21 paramedic, if:

22 (a) The registered nurse or physician assistant holds
23 a current certificate of successful course completion in
24 advanced cardiac life support;

25 (b) The physician in charge has granted permission for
26 such a transfer, has designated the level of service required
27 for such transfer, and has deemed the patient to be in such a
28 condition appropriate to this type of ambulance staffing; and

29 (c) The registered nurse operates within the scope of
30 part I of chapter 464 or the physician assistant operates

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1 within the physician assistant's scope of practice under
2 chapter 458 or chapter 459.

3 Section 10. Subsection (6) of section 401.27, Florida
4 Statutes, is amended to read:

5 401.27 Personnel; standards and certification.--

6 (6)(a) The department shall establish by rule a
7 procedure for biennial renewal certification of emergency
8 medical technicians. Such rules must require a United States
9 Department of Transportation refresher training program of at
10 least 30 hours as approved by the department every 2 years.
11 Completion of the course required by s. 381.0034(1) shall
12 count toward the 30 hours.The refresher program may be
13 offered in multiple presentations spread over the 2-year
14 period. The rules must also provide that the refresher course
15 requirement may be satisfied by passing a challenge
16 examination.

17 (b) The department shall establish by rule a procedure
18 for biennial renewal certification of paramedics. Such rules
19 must require candidates for renewal to have taken at least 30
20 hours of continuing education units during the 2-year period.
21 Completion of the course required by s. 381.0034(1) shall
22 count toward the 30 hours.The rules must provide that the
23 continuing education requirement may be satisfied by passing a
24 challenge examination.

25 Section 11. Section 456.033, Florida Statutes, is
26 amended to read:

27 456.033 Requirement for instruction for certain
28 licensees on conditions caused by nuclear, biological, and
29 chemical terrorism and on HIV and AIDS.--

30 (1) The appropriate board shall require each person
31 licensed or certified under chapter 457; chapter 458; chapter

1 459; chapter 460; chapter 461; chapter 463; part I of chapter
2 464; chapter 465; chapter 466; part II, part III, part V, or
3 part X of chapter 468; or chapter 486 to complete a continuing
4 educational course, approved by the board, on conditions
5 caused by nuclear, biological, and chemical terrorism ~~human~~
6 ~~immunodeficiency virus and acquired immune deficiency syndrome~~
7 as part of biennial relicensure or recertification. The course
8 shall consist of education on diagnosis and treatment, the
9 modes of transmission, infection control procedures, and
10 clinical management. Such course shall also include
11 information on reporting suspected cases of conditions caused
12 by nuclear, biological, or chemical terrorism to the
13 appropriate health and law enforcement authorities, ~~and~~
14 ~~prevention of human immunodeficiency virus and acquired immune~~
15 ~~deficiency syndrome.~~ Such course shall include information on
16 ~~current Florida law on acquired immune deficiency syndrome and~~
17 ~~its impact on testing, confidentiality of test results,~~
18 ~~treatment of patients, and any protocols and procedures~~
19 ~~applicable to human immunodeficiency virus counseling and~~
20 ~~testing, reporting, the offering of HIV testing to pregnant~~
21 ~~women, and partner notification issues pursuant to ss. 381.004~~
22 ~~and 384.25.~~

23 (2) Each such licensee or certificateholder shall
24 submit confirmation of having completed said course, on a form
25 as provided by the board, when submitting fees for each
26 biennial renewal.

27 (3) The board shall have the authority to approve
28 additional equivalent courses that may be used to satisfy the
29 requirements in subsection (1). Each licensing board that
30 requires a licensee to complete an educational course pursuant
31 to this section may count the hours required for completion of

1 the course included in the total continuing educational
2 requirements as required by law.

3 (4) Any person holding two or more licenses subject to
4 the provisions of this section shall be permitted to show
5 proof of having taken one board-approved course on conditions
6 caused by nuclear, biological, and chemical terrorism ~~human~~
7 ~~immunodeficiency virus and acquired immune deficiency~~
8 ~~syndrome~~, for purposes of relicensure or recertification for
9 additional licenses.

10 (5) Failure to comply with the ~~above~~ requirements of
11 this section shall constitute grounds for disciplinary action
12 under each respective licensing chapter and s. 456.072(1)(e).
13 In addition to discipline by the board, the licensee shall be
14 required to complete the required course or courses.

15 (6) The board shall require as a condition of granting
16 a license under the chapters and parts specified in subsection
17 (1) that an applicant making initial application for licensure
18 complete respective ~~an~~ educational courses ~~course~~ acceptable
19 to the board on conditions caused by nuclear, biological, and
20 chemical terrorism and on human immunodeficiency virus and
21 acquired immune deficiency syndrome. An applicant who has not
22 taken such courses ~~a course~~ at the time of licensure shall,
23 upon an affidavit showing good cause, be allowed 6 months to
24 complete this requirement.

25 (7) The board shall have the authority to adopt rules
26 to carry out the provisions of this section.

27 (8) The board shall report to the Legislature by March
28 1 of each year as to the implementation and compliance with
29 the requirements of this section.

30 (9)(a) In lieu of completing a course as required in
31 subsection (1), the licensee may complete a course on ~~in~~

1 end-of-life care and palliative health care or a course on
2 HIV/AIDS, so long as the licensee completed an approved
3 AIDS/HIV course on conditions caused by nuclear, biological,
4 and chemical terrorism in the immediately preceding biennium.

5 (b) In lieu of completing a course as required by
6 subsection (1), a person licensed under chapter 466 ~~who has~~
7 ~~completed an approved AIDS/HIV course in the immediately~~
8 ~~preceding 2 years~~ may complete a course approved by the Board
9 of Dentistry.

10 Section 12. Section 456.0345, Florida Statutes, is
11 created to read:

12 456.0345 Life support training.--Health care
13 practitioners who obtain training in advanced cardiac life
14 support, cardiopulmonary resuscitation, or emergency first aid
15 shall receive an equivalent number of continuing education
16 course credits which may be applied toward licensure renewal
17 requirements.

18 Section 13. Paragraph (e) of subsection (1) of section
19 456.072, Florida Statutes, is amended to read:

20 456.072 Grounds for discipline; penalties;
21 enforcement.--

22 (1) The following acts shall constitute grounds for
23 which the disciplinary actions specified in subsection (2) may
24 be taken:

25 (e) Failing to comply with the educational course
26 requirements for conditions caused by nuclear, biological, and
27 chemical terrorism or for human immunodeficiency virus and
28 acquired immune deficiency syndrome.

29 Section 14. Section 456.38, Florida Statutes, is
30 amended to read:

31

1 456.38 Practitioner registry for disasters and
2 emergencies.--The Department of Health shall ~~may~~ include on
3 its application and renewal forms for the licensure or
4 certification of health care practitioners licensed pursuant
5 to chapter 458, chapter 459, chapter 464, or part V of chapter
6 468, as defined in s. 456.001,who could assist the department
7 in the event of a disaster a question asking if the
8 practitioner would be available to provide health care
9 services in special needs shelters or to help staff disaster
10 medical assistance teams during times of emergency or major
11 disaster. The names of practitioners who answer affirmatively
12 shall be maintained by the department as a health care
13 practitioner registry for disasters and emergencies. A health
14 care practitioner who volunteers his or her services in a
15 special needs shelter or as part of a disaster medical
16 assistance team during a time of emergency or disaster shall
17 not be terminated or discriminated against by his or her
18 employer for such volunteer work, provided that the health
19 care practitioner returns to his or her regular employment
20 within 2 weeks or within a longer period that has been
21 previously approved by the employer in writing.

22 Section 15. Subsection (4) of section 458.319, Florida
23 Statutes, is amended to read:

24 458.319 Renewal of license.--

25 (4) Notwithstanding the provisions of s. 456.033, a
26 physician may complete continuing education on end-of-life
27 care and palliative care in lieu of continuing education in
28 conditions caused by nuclear, biological, and chemical
29 terrorism ~~AIDS/HIV~~, if that physician has completed the
30 AIDS/HIV continuing education in conditions caused by nuclear,
31

1 biological, and chemical terrorism in the immediately
2 preceding biennium.

3 Section 16. Subsection (5) of section 459.008, Florida
4 Statutes, is amended to read:

5 459.008 Renewal of licenses and certificates.--

6 (5) Notwithstanding the provisions of s. 456.033, an
7 osteopathic physician may complete continuing education on
8 end-of-life and palliative care in lieu of continuing
9 education in conditions caused by nuclear, biological, and
10 chemical terrorism ~~AIDS/HIV~~, if that physician has completed
11 the ~~AIDS/HIV~~ continuing education in conditions caused by
12 nuclear, biological, and chemical terrorism in the immediately
13 preceding biennium.

14 Section 17. Subsection (4) is added to section
15 401.2715, Florida Statutes, to read:

16 401.2715 Recertification training of emergency medical
17 technicians and paramedics.--

18 (4) Any certified emergency medical technician or
19 paramedic may, as a condition of recertification, complete up
20 to 8 hours of training to respond to terrorism, as defined in
21 s. 775.30, and such hours completed may be substituted on an
22 hour-for-hour basis for any other areas of training required
23 for recertification. The department may adopt rules necessary
24 to administer this subsection.

25 Section 18. Subsection (1) of section 633.35, Florida
26 Statutes, is amended to read:

27 633.35 Firefighter training and certification.--

28 (1) The division shall establish a firefighter
29 training program of not less than 360 hours, administered by
30 such agencies and institutions as it approves for the purpose
31 of providing basic employment training for firefighters. Any

1 firefighter may, as a condition of certification, complete up
2 to 8 hours of training to respond to terrorism, as defined in
3 s. 775.30, and such hours completed may be substituted on an
4 hour-for-hour basis for any other areas of training required
5 for certification. The division may adopt rules necessary to
6 administer this subsection.Nothing herein shall require a
7 public employer to pay the cost of such training.

8 Section 19. Subsection (1) of section 943.135, Florida
9 Statutes, is amended to read:

10 943.135 Requirements for continued employment.--

11 (1) The commission shall, by rule, adopt a program
12 that requires all officers, as a condition of continued
13 employment or appointment as officers, to receive periodic
14 commission-approved continuing training or education. Such
15 continuing training or education shall be required at the rate
16 of 40 hours every 4 years, up to 8 hours of which may consist
17 of training to respond to terrorism as defined in s. 775.30.

18 No officer shall be denied a reasonable opportunity by the
19 employing agency to comply with this section. The employing
20 agency must document that the continuing training or education
21 is job-related and consistent with the needs of the employing
22 agency. The employing agency must maintain and submit, or
23 electronically transmit, the documentation to the commission,
24 in a format approved by the commission. The rule shall also
25 provide:

26 (a) Assistance to an employing agency in identifying
27 each affected officer, the date of his or her employment or
28 appointment, and his or her most recent date for successful
29 completion of continuing training or education;

30 (b) A procedure for reactivation of the certification
31 of an officer who is not in compliance with this section; and

1 (c) A remediation program supervised by the training
2 center director within the geographic area for any officer who
3 is attempting to comply with the provisions of this subsection
4 and in whom learning disabilities are identified. The officer
5 shall be assigned nonofficer duties, without loss of employee
6 benefits, and the program shall not exceed 90 days.

7 Section 20. This act shall take effect upon becoming a
8 law.

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