



1 A bill to be entitled
 2 An act relating to psychiatric nurses; amending s.
 3 394.455, F.S.; revising the definition of the term
 4 "psychiatric nurse" to require specified national
 5 certification; amending s. 394.463, F.S.; authorizing
 6 a psychiatric nurse to approve the involuntary
 7 examination or release of a patient from a receiving
 8 facility in accordance with a specified protocol and
 9 under certain conditions; providing an effective date.

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

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13 Section 1. Subsection (23) of section 394.455, Florida
 14 Statutes, is amended to read:

15 394.455 Definitions.—As used in this part, unless the
 16 context clearly requires otherwise, the term:

17 (23) "Psychiatric nurse" means an advanced ~~a~~ registered
 18 nurse practitioner certified under s. 464.012 who has a master's
 19 or doctoral degree in psychiatric nursing, holds a national
 20 advanced practice certification as a psychiatric mental health
 21 advanced practice nurse, and has licensed under part I of
 22 ~~chapter 464 who has a master's degree or a doctorate in~~
 23 ~~psychiatric nursing and 2 years of post-master's clinical~~
 24 experience under the supervision of a physician.

25 Section 2. Paragraph (f) of subsection (2) of section
 26 394.463, Florida Statutes, is amended to read:



27 | 394.463 Involuntary examination.—
28 | (2) INVOLUNTARY EXAMINATION.—
29 | (f) A patient shall be examined by a physician, a ~~or~~
30 | clinical psychologist, or a psychiatric nurse performing within
31 | the framework of an established protocol with a psychiatrist at
32 | a receiving facility without unnecessary delay and may, upon the
33 | order of a physician, be given emergency treatment if it is
34 | determined that such treatment is necessary for the safety of
35 | the patient or others. The patient may not be released by the
36 | receiving facility or its contractor without the documented
37 | approval of a psychiatrist ~~or~~ a clinical psychologist, or, if
38 | the receiving facility is owned or operated by a hospital or
39 | health system, the release may also be approved by a psychiatric
40 | nurse performing within the framework of an established protocol
41 | with a psychiatrist or an attending emergency department
42 | physician with experience in the diagnosis and treatment of
43 | mental and nervous disorders and after completion of an
44 | involuntary examination pursuant to this subsection. A
45 | psychiatric nurse may not approve the release of a patient if
46 | the involuntary examination was initiated by a psychiatrist
47 | unless the release is approved by the initiating
48 | psychiatrist. However, a patient may not be held in a receiving
49 | facility for involuntary examination longer than 72 hours.
50 | Section 3. This act shall take effect July 1, 2015.