

By the Committee on Health Policy; and Senator Bean

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1 A bill to be entitled
2 An act relating to acute care at-home patients in
3 nonemergent community settings; amending s. 401.272,
4 F.S.; revising a legislative purpose regarding
5 emergency medical services community health care;
6 authorizing certified paramedics to perform basic life
7 support services, advanced life support services, and
8 additional health care services to acute care at-home
9 patients in nonemergent community settings under
10 certain circumstances; providing that a physician or
11 medical director who supervises or directs the
12 provision of such services by a paramedic is liable
13 for any act or omission during the provision of such
14 services; requiring supervising physicians and medical
15 directors to verify and document that paramedics
16 providing such services under their supervision or
17 direction are sufficiently trained and experienced to
18 do so; revising the Department of Health's rulemaking
19 authority to conform to changes made by the act;
20 amending s. 465.019, F.S.; specifying that Class III
21 institutional pharmacies may dispense, distribute,
22 compound, and fill prescriptions for medicinal drugs
23 for inpatients and acute care at-home patients in
24 nonemergent community settings; authorizing hospitals
25 to dispense medicinal drugs to certain patients
26 without first securing a community pharmacy permit
27 under certain circumstances; amending ss. 14.33,
28 252.515, 395.1027, 401.23, and 401.245, F.S.; making
29 technical changes; providing an effective date.

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

Section 1. Section 401.272, Florida Statutes, is amended to read:

401.272 Emergency medical services community health care.—

(1) The purpose of this section is to encourage more effective use ~~utilization~~ of the skills of emergency medical technicians and paramedics in nonemergent community settings by enabling them to perform, in partnership with local county health departments and hospitals as defined in s. 395.002(13), specific additional health care tasks that are consistent with the public health and welfare.

(2) Notwithstanding any other provision of law to the contrary:

(a) Certified paramedics or emergency medical technicians may perform health promotion and wellness activities and blood pressure screenings in a nonemergency environment, within the scope of their training, and under the supervision of a physician or the direction of a medical director. As used in this paragraph, the term "health promotion and wellness" means the provision of public health programs pertaining to the prevention of illness and injury.

(b) Certified paramedics may administer immunizations in a nonemergency environment, within the scope of their training, and under the supervision of a physician or the direction of a medical director. There must be a written agreement between the paramedic's supervising physician or medical director and the county health department located in each county in which the

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59 paramedic administers immunizations. This agreement must
60 establish the protocols, policies, and procedures under which
61 the paramedic must operate.

62 (c) Certified paramedics may provide basic life support
63 services, advanced life support services, and additional health
64 care services to acute care at-home patients in a nonemergent
65 community setting as specified in the paramedic's formal
66 supervisory relationship with a physician or standing orders as
67 described in s. 401.265, s. 458.348, or s. 459.025. Each
68 physician who supervises or provides medical direction to a
69 paramedic who administers basic life support services, advanced
70 life support services, or additional health care services to
71 acute care at-home patients in a nonemergent community setting
72 pursuant to a formal supervisory relationship or standing orders
73 is liable for any act or omission of the paramedic acting under
74 the physician's supervision or medical direction when performing
75 such services.

76 (3) Each physician or medical director under whose
77 supervision or direction a paramedic administers immunizations
78 or provides basic life support services, advanced life support
79 services, or additional health care services to acute care at-
80 home patients in a nonemergency community setting must verify
81 and document that the paramedic has received sufficient training
82 and experience to administer immunizations or provide basic life
83 support services, advanced life support services, or additional
84 health care services to acute care at-home patients in a
85 nonemergency community setting, as applicable. The verification
86 must be documented on forms developed by the department, and the
87 completed forms must be maintained at the service location of

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88 the licensee and made available to the department upon request.

89 (4) The department may adopt and enforce all rules
90 necessary to enforce the provisions relating to paramedics and
91 emergency medical technicians practicing in a nonemergent
92 community setting under subsection (2) a paramedic's
93 ~~administration of immunizations and the performance of health~~
94 ~~promotion and wellness activities and blood pressure screenings~~
95 ~~by a paramedic or emergency medical technician in a nonemergency~~
96 ~~environment.~~

97 Section 2. Paragraph (d) of subsection (2) and paragraph
98 (a) of subsection (4) of section 465.019, Florida Statutes, are
99 amended to read:

100 465.019 Institutional pharmacies; permits.—

101 (2) The following classes of institutional pharmacies are
102 established:

103 (d)1. "Class III institutional pharmacies" are those
104 institutional pharmacies, including central distribution
105 facilities, affiliated with a hospital which ~~that~~ provide the
106 same services that are authorized by a Class II institutional
107 pharmacy permit. Class III institutional pharmacies may also:

108 a. Dispense, distribute, compound, and fill prescriptions
109 for medicinal drugs for inpatient treatment or for acute care
110 at-home patients in a nonemergent community setting.

111 b. Prepare prepackaged drug products.

112 c. Conduct other pharmaceutical services for the affiliated
113 hospital and for entities under common control that are each
114 permitted under this chapter to possess medicinal drugs.

115 d. Provide the services in sub-subparagraphs a.-c. to an
116 entity under common control which holds an active health care

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117 clinic establishment permit as required under s. 499.01(2)(r).

118 2. A Class III institutional pharmacy shall maintain
119 policies and procedures addressing:

120 a. The consultant pharmacist responsible for pharmaceutical
121 services.

122 b. Safe practices for the preparation, dispensing,
123 prepackaging, distribution, and transportation of medicinal
124 drugs and prepackaged drug products.

125 c. Recordkeeping to monitor the movement, distribution, and
126 transportation of medicinal drugs and prepackaged drug products.

127 d. Recordkeeping of pharmacy staff responsible for each
128 step in the preparation, dispensing, prepackaging,
129 transportation, and distribution of medicinal drugs and
130 prepackaged drug products.

131 e. Medicinal drugs and prepackaged drug products that may
132 not be safely distributed among Class III institutional
133 pharmacies.

134 (4)(a) Medicinal drugs shall be dispensed in an
135 institutional pharmacy to outpatients only when that institution
136 has secured a community pharmacy permit from the department.
137 However, ~~medicinal drugs may be dispensed by~~ a hospital that has
138 not secured a community pharmacy permit but operates a Class II
139 or Class III institutional pharmacy may dispense medicinal drugs
140 to a patient of the hospital's emergency department, an acute
141 care at-home patient in a nonemergent community setting, or a
142 hospital inpatient upon discharge if a prescriber, as defined in
143 s. 465.025(1), treating the patient in such hospital determines
144 that the medicinal drug is warranted and that community pharmacy
145 services are not readily accessible, geographically or

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146 otherwise, to the patient. Such prescribing and dispensing must
147 be for a supply of the drug that will last for the greater of
148 the following:

- 149 1. Up to 48 hours; or
- 150 2. Through the end of the next business day.

151 Section 3. Subsection (1) of section 14.33, Florida
152 Statutes, is amended to read:

153 14.33 Medal of Heroism.—

154 (1) The Governor may award a Medal of Heroism of
155 appropriate design, with ribbons and appurtenances, to a law
156 enforcement, correctional, or correctional probation officer, as
157 defined in s. 943.10(14); a firefighter, as defined in s.
158 112.191(1)(b); an emergency medical technician, as defined in s.
159 401.23 ~~s. 401.23(11)~~; or a paramedic, as defined in s. 401.23 ~~s.~~
160 ~~401.23(17)~~. A recipient must have distinguished himself or
161 herself conspicuously by gallantry and intrepidity, must have
162 risked his or her life deliberately above and beyond the call of
163 duty while performing duty in his or her respective position,
164 and must have engaged in hazardous or perilous activities to
165 preserve lives with the knowledge that such activities might
166 result in great personal harm.

167 Section 4. Paragraph (a) of subsection (3) of section
168 252.515, Florida Statutes, is amended to read:

169 252.515 Postdisaster Relief Assistance Act; immunity from
170 civil liability.—

171 (3) As used in this section, the term:

172 (a) "Emergency first responder" means:

- 173 1. A physician licensed under chapter 458.
- 174 2. An osteopathic physician licensed under chapter 459.

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- 175 3. A chiropractic physician licensed under chapter 460.
176 4. A podiatric physician licensed under chapter 461.
177 5. A dentist licensed under chapter 466.
178 6. An advanced practice registered nurse licensed under s.
179 464.012.
180 7. A physician assistant licensed under s. 458.347 or s.
181 459.022.
182 8. A worker employed by a public or private hospital in the
183 state.
184 9. A paramedic as defined in s. 401.23 ~~s. 401.23(17)~~.
185 10. An emergency medical technician as defined in s. 401.23
186 ~~s. 401.23(11)~~.
187 11. A firefighter as defined in s. 633.102.
188 12. A law enforcement officer as defined in s. 943.10.
189 13. A member of the Florida National Guard.
190 14. Any other personnel designated as emergency personnel
191 by the Governor pursuant to a declared emergency.
- 192 Section 5. Subsection (5) of section 395.1027, Florida
193 Statutes, is amended to read:
194 395.1027 Regional poison control centers.—
195 (5) By October 1, 1999, each regional poison control center
196 shall develop a prehospital emergency dispatch protocol with
197 each licensee as defined in s. 401.23 ~~by s. 401.23(13)~~ in the
198 geographic area covered by the regional poison control center.
199 The prehospital emergency dispatch protocol shall be developed
200 by each licensee's medical director in conjunction with the
201 designated regional poison control center responsible for the
202 geographic area in which the licensee operates. The protocol
203 shall define toxic substances and describe the procedure by

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204 which the designated regional poison control center may be
205 consulted by the licensee. If a call is transferred to the
206 designated regional poison control center in accordance with the
207 protocol established under this section and s. 401.268, the
208 designated regional poison control center shall assume
209 responsibility and liability for the call.

210 Section 6. Subsection (19) of section 401.23, Florida
211 Statutes, is amended to read:

212 401.23 Definitions.—As used in this part, the term:

213 (19) "Physician" means a practitioner who is licensed under
214 ~~the provisions of~~ chapter 458 or chapter 459. For the purpose of
215 providing "medical direction" as defined in this section
216 ~~subsection (14)~~ for the treatment of patients immediately before
217 ~~prior to~~ or during transportation to a United States Department
218 of Veterans Affairs medical facility, "physician" also means a
219 practitioner employed by the United States Department of
220 Veterans Affairs.

221 Section 7. Paragraph (b) of subsection (2) of section
222 401.245, Florida Statutes, is amended to read:

223 401.245 Emergency Medical Services Advisory Council.—

224 (2)

225 (b) Representation on the Emergency Medical Services
226 Advisory Council shall include ~~+~~ two licensed physicians who are
227 "medical directors" as defined in s. 401.23 ~~s. 401.23(15)~~ or
228 whose medical practice is closely related to emergency medical
229 services; two emergency medical service administrators, one of
230 whom is employed by a fire service; two certified paramedics,
231 one of whom is employed by a fire service; two certified
232 emergency medical technicians, one of whom is employed by a fire

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233 service; one emergency medical services educator; one emergency
234 nurse; one hospital administrator; one representative of air
235 ambulance services; one representative of a commercial ambulance
236 operator; and two laypersons who are in no way connected with
237 emergency medical services, one of whom is a representative of
238 the elderly. Ex officio members of the advisory council from
239 state agencies shall include, but are ~~shall~~ not ~~be~~ limited to,
240 representatives from the Department of Education, the Department
241 of Management Services, the State Fire Marshal, the Department
242 of Highway Safety and Motor Vehicles, the Department of
243 Transportation, and the Division of Emergency Management.

244 Section 8. This act shall take effect July 1, 2022.