



422702

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2023	.	
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The Committee on Fiscal Policy (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 381.00316, Florida Statutes, is amended
to read:

381.00316 Discrimination by governmental and business
entities based on health care choices; prohibition COVID-19
vaccine documentation.—

(1)(a) It is the intent of the Legislature that Floridians



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11 be free from mandated facial coverings, mandates of any kind
12 relating to vaccines as provided in this section, and
13 discrimination based on such vaccination status.

14 (b) The Legislature finds that society is harmed by
15 discrimination based on vaccination status as provided in this
16 section when healthy persons are prevented from participating in
17 society and accessing employment opportunities. The Legislature
18 further finds that remedies to prevent such discrimination are
19 in the best interest of this state.

20 (2) As used in this section, the term:

21 (a) "Business entity" has the same meaning as in s. 606.03.
22 The term also includes a charitable organization as defined in
23 s. 496.404, a corporation not for profit as defined in s.
24 617.01401, or any other business operating in this state.

25 (b) "COVID-19" means the novel coronavirus identified as
26 SARS-CoV-2; any disease caused by SARS-CoV-2, its viral
27 fragments, or a virus mutating therefrom; and all conditions
28 associated with the disease which are caused by SARS-CoV-2, its
29 viral fragments, or a virus mutating therefrom.

30 (c) "COVID-19 vaccine" means a preparation designed to
31 stimulate the human body's immune response against COVID-19.

32 (d) "Department" means the Department of Legal Affairs.

33 (e) "Emergency use authorization vaccine" means any vaccine
34 that is authorized for emergency use under 21 U.S.C. 360bbb-
35 3(a)(1) and qualifies as an unapproved product under 21 U.S.C.
36 360bbb-3(a)(2)(A).

37 (f) "Governmental entity" means the state or any political
38 subdivision thereof, including the executive, legislative, and
39 judicial branches of government; the independent establishments



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40 of the state, counties, municipalities, districts, authorities,
41 boards, or commissions; or any agencies that are subject to
42 chapter 286. The term does not include an educational
43 institution as defined in s. 381.00319.

44 (g) "Messenger ribonucleic acid vaccine" means any vaccine
45 that uses laboratory-produced messenger ribonucleic acid to
46 trigger the human body's immune system to generate an immune
47 response.

48 (3) (a) ~~(1)~~ A business entity, as defined in s. 768.38 to
49 include any business operating in this state, may not require
50 any person patrons or customers to provide any documentation
51 certifying COVID-19 vaccination with any vaccine defined under
52 subsection (2) or postinfection recovery from COVID-19, or
53 require a COVID-19 test, to gain access to, entry upon, or
54 service from the business operations in this state or as a
55 condition of contracting, hiring, promotion, or continued
56 employment with the business entity.

57 (b) A business entity may not discharge or refuse to hire a
58 person; deprive or attempt to deprive a person of employment
59 opportunities; adversely affect a person's status as an employee
60 or as an applicant for employment; or otherwise discriminate
61 against a person based on knowledge or belief of the person's
62 status relating to vaccination with any vaccine defined under
63 subsection (2) or COVID-19 postinfection recovery, or a person's
64 failure to take a COVID-19 test.

65 (c) For matters relating to vaccines other than those
66 defined under subsection (2), a business entity shall provide
67 for exemptions and reasonable accommodations for religious and
68 medical reasons in accordance with federal law ~~This subsection~~



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69 ~~does not otherwise restrict businesses from instituting~~
70 ~~screening protocols consistent with authoritative or controlling~~
71 ~~government issued guidance to protect public health.~~

72 (4) (a) ~~(2)~~ A governmental entity as defined in s. 768.38 may
73 not require any person persons to provide any documentation
74 certifying ~~COVID-19~~ vaccination with any vaccine defined under
75 subsection (2) or postinfection recovery from COVID-19, or
76 require a COVID-19 test, to gain access to, entry upon, or
77 service from the governmental entity's operations in this state
78 or as a condition of contracting, hiring, promotion, or
79 continued employment with the governmental entity.

80 (b) A governmental entity may not discharge or refuse to
81 hire a person; deprive or attempt to deprive a person of
82 employment opportunities; adversely affect a person's status as
83 an employee; or otherwise discriminate against a person based on
84 the knowledge or belief of the person's status relating to
85 vaccination with any vaccine defined under subsection (2) or a
86 person's failure to take a COVID-19 test.

87 (c) For matters relating to vaccines other than those
88 defined under subsection (2), a governmental entity shall
89 provide for exemptions and reasonable accommodations for
90 religious and medical reasons in accordance with federal law.

91 (5) (a) A business entity or governmental entity may not
92 require a person to wear a face mask, a face shield, or any
93 other facial covering that covers the mouth and nose. A business
94 entity or governmental entity may not deny any person access to,
95 entry upon, service from, or admission to such entity or
96 otherwise discriminate against a person based on such person's
97 refusal to wear a face mask, a face shield, or any other facial



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98 covering that covers the mouth and nose.

99 (b) Paragraph (a) does not apply to:

100 1. A health care provider or health care practitioner as
101 those terms are defined in s. 408.824, provided that such health
102 care provider or health care practitioner is in compliance with
103 that section.

104 2. A business entity or governmental entity when a face
105 mask, a face shield, or any other facial covering that covers
106 the mouth and nose is required safety equipment consistent with
107 occupational or laboratory safety requirements, in accordance
108 with standards adopted by the Department of Health. The
109 Department of Health shall adopt emergency rules to develop such
110 standards. Emergency rules adopted under this subparagraph are
111 exempt from s. 120.54(4)(c) and shall remain in effect until
112 replaced by rules adopted under the nonemergency rulemaking
113 procedures of the Administrative Procedure Act ~~This subsection~~
114 ~~does not otherwise restrict governmental entities from~~
115 ~~instituting screening protocols consistent with authoritative or~~
116 ~~controlling government-issued guidance to protect public health.~~

117 ~~(3) An educational institution as defined in s. 768.38 may~~
118 ~~not require students or residents to provide any documentation~~
119 ~~certifying COVID-19 vaccination or postinfection recovery for~~
120 ~~attendance or enrollment, or to gain access to, entry upon, or~~
121 ~~service from such educational institution in this state. This~~
122 ~~subsection does not otherwise restrict educational institutions~~
123 ~~from instituting screening protocols consistent with~~
124 ~~authoritative or controlling government-issued guidance to~~
125 ~~protect public health.~~

126 (6) (a)-(4) The department may impose an administrative a



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127 fine not to exceed \$5,000 for each individual and separate per
128 violation of this section.

129 (b) For purposes of conducting an investigation or a
130 proceeding, the department may administer oaths, take
131 depositions, make inspections when authorized by law, issue
132 subpoenas supported by affidavit, serve subpoenas and other
133 process, and compel the attendance of witnesses and the
134 production of books, papers, documents, and other evidence.
135 Challenges to and enforcement of subpoenas or orders shall be in
136 accordance with s. 120.569.

137 (c) Fines collected pursuant to this section must be
138 deposited into the General Revenue Fund.

139 (7) This section does not limit the right of the person
140 aggrieved by a violation of this section to recover damages or
141 other relief under any other applicable law.

142 (8) If a governmental entity fails to comply with
143 subsection (4), an employee terminated based on such
144 noncompliance may be eligible for reemployment assistance under
145 chapter 443 in addition to any other remedy available to the
146 employee for a violation of this section.

147 ~~(5) This section does not apply to a health care provider~~
148 ~~as defined in s. 768.38; a service provider licensed or~~
149 ~~certified under s. 393.17, part III of chapter 401, or part IV~~
150 ~~of chapter 468; or a provider with an active health care clinic~~
151 ~~exemption under s. 400.9935.~~

152 (9) ~~(6)~~ The department may adopt rules pursuant to ss.
153 120.536 and 120.54 to implement this section.

154 Section 2. Section 381.00319, Florida Statutes, is amended
155 to read:



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156 381.00319 Prohibition on mask mandates and COVID-19
157 vaccination and testing mandates for educational institutions
158 students.—

159 (1) For purposes of this section, the term:

160 (a) "COVID-19" has the same meaning as in s. 381.00316
161 381.00317(1).

162 (b) "COVID-19 vaccine" has the same meaning as in s.
163 381.00316.

164 (c) "Educational institution" means a public or private
165 school, including a preschool, elementary school, middle school,
166 junior high school, secondary school, career center, or
167 postsecondary school has the same meaning as in s. 112.0441(1).

168 (d) "Emergency use authorization vaccine" has the same
169 meaning as in s. 381.00316.

170 (e) "Messenger ribonucleic acid vaccine" has the same
171 meaning as in s. 381.00316.

172 ~~(c) "Parent" has the same meaning as in s. 1000.21(5).~~

173 (2) ~~(a) Notwithstanding any other law to the contrary, An~~
174 ~~educational institution or elected or appointed local official~~
175 ~~may not impose a COVID-19 vaccination mandate on for any person~~
176 ~~requiring vaccination with any vaccine defined under subsection~~
177 ~~(1) student.~~

178 (b) An educational institution may not require any person
179 to provide any documentation certifying vaccination with any
180 vaccine defined under subsection (1) or postinfection recovery
181 from COVID-19, or require a COVID-19 test, to gain admission or
182 access to, entry upon, or service from the educational
183 institution in this state. An educational institution may not
184 otherwise discriminate against any person based on such person's



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185 status relating to vaccination with any vaccine defined under
186 subsection (1) or COVID-19 postinfection recovery, or such
187 person's failure to take a COVID-19 test.

188 (c) For matters relating to vaccines other than those
189 defined under subsection (1), a business entity shall provide
190 for exemptions and reasonable accommodations for religious and
191 medical reasons in accordance with federal law.

192 (3) (a) An educational institution may not require a person
193 to wear a face mask, a face shield, or any other facial covering
194 that covers the mouth and nose. An educational institution may
195 not deny any person access to, entry upon, service from, or
196 admission to such educational institution or otherwise
197 discriminate against a person based on such person's refusal to
198 wear a face mask, a face shield, or any other facial covering
199 that covers the mouth and nose.

200 (b) Paragraph (a) does not apply to:

201 1. A health care provider or health care practitioner as
202 those terms are defined in s. 408.824, provided such health care
203 provider or health care practitioner is in compliance with that
204 section.

205 2. An educational institution when a face mask, a face
206 shield, or any other facial covering that covers the mouth and
207 nose is used as required safety equipment in a course of study
208 consistent with occupational or laboratory safety requirements,
209 in accordance with standards adopted by the Department of
210 Health. The Department of Health shall adopt emergency rules to
211 develop such standards. Emergency rules adopted under this
212 subparagraph are exempt from s. 120.54(4)(c) and shall remain in
213 effect until replaced by rules adopted under the nonemergency



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214 rulemaking procedures of the Administrative Procedure Act.

215 (4) (a) The Department of Health may impose an
216 administrative fine not to exceed \$5,000 for each individual and
217 separate violation of this section.

218 (b) For the purpose of conducting an investigation or a
219 proceeding, the Department of Health may administer oaths, take
220 depositions, make inspections when authorized by law, issue
221 subpoenas supported by affidavit, serve subpoenas and other
222 process, and compel the attendance of witnesses and the
223 production of books, papers, documents, and other evidence.

224 Challenges to and enforcement of subpoenas or orders shall be in
225 accordance with s. 120.569.

226 (c) Fines collected pursuant to this section must be
227 deposited in the General Revenue Fund.

228 (5) This section does not limit the right of the person
229 aggrieved by a violation of this section to recover damages or
230 other relief under any other applicable law.

231 (6) The Department of Health may adopt rules to implement
232 this section.

233 ~~(3) A parent of a student, a student who is an emancipated~~
234 ~~minor, or a student who is 18 years of age or older may bring an~~
235 ~~action against the educational institution to obtain a~~
236 ~~declaratory judgment that an act or practice violates this~~
237 ~~section and to seek injunctive relief. A prevailing parent or~~
238 ~~student, as applicable, must be awarded reasonable attorney fees~~
239 ~~and court costs.~~

240 ~~(4) This section expires June 1, 2023.~~

241 Section 3. Section 381.00321, Florida Statutes, is created
242 to read:



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243 381.00321 International health organization policies.—A
244 governmental entity as defined in s. 381.00316 or an educational
245 institution as defined in s. 381.00319 may not adopt, implement,
246 or enforce an international health organization’s public health
247 policies or guidelines unless authorized to do so under state
248 law, rule, or executive order issued by the Governor under s.
249 252.36.

250 Section 4. Section 395.1057, Florida Statutes, is created
251 to read:

252 395.1057 Patients’ right to choose COVID-19 treatment
253 alternatives.—A hospital may not interfere with a patient’s
254 right to choose COVID-19 treatment alternatives as recommended
255 by a health care practitioner with privileges at the hospital if
256 the health care practitioner has obtained informed consent from
257 the patient in accordance with s. 456.62. Any hospital that
258 violates this section by preventing a health care practitioner
259 from exercising his or her sound judgment is subject to agency
260 disciplinary action under s. 395.1065(2).

261 Section 5. Effective upon this act becoming a law, section
262 408.824, Florida Statutes, is created to read:

263 408.824 Facial covering requirements for health care
264 practitioners and health care providers.—

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

266 (a) “Department” means the Department of Health.

267 (b) “Facial covering” means a cloth or surgical face mask,
268 a face shield, or any other facial covering that covers the
269 mouth and nose.

270 (c) “Health care practitioner” has the same meaning as in
271 s. 456.001.



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272 (d) "Health care provider" means a provider as defined in
273 s. 408.803; a service provider licensed or certified under s.
274 393.17, part III of chapter 401, or part IV of chapter 468; a
275 provider with an active health care clinic exemption under s.
276 400.9935; an optical establishment permitted under s. 484.007; a
277 massage establishment licensed under s. 480.043; a pharmacy as
278 defined in s. 465.003; or an office registered under s. 458.328
279 or s. 459.0138.

280 (e) "Office" means an office maintained for the practice of
281 a health care practitioner's profession, as provided in his or
282 her practice act.

283 (2) (a) By July 1, 2023, the agency and the department shall
284 jointly develop standards for the appropriate use of facial
285 coverings for infection control in health care settings.

286 (b) The agency and the department shall adopt emergency
287 rules for the standards developed under paragraph (a). Emergency
288 rules adopted under this section are exempt from s. 120.54(4)(c)
289 and shall remain in effect until replaced by rules adopted under
290 the nonemergency rulemaking procedures of the Administrative
291 Procedure Act.

292 (c) The agency and the department shall publish the
293 standards developed under paragraph (a) on their respective
294 websites and provide a link for persons to report violations of
295 the standards.

296 (3) By August 1, 2023, each health care practitioner who
297 owns or operates an office and each health care provider shall
298 establish facial covering policies and procedures for their
299 respective health care settings, if such health care
300 practitioner or health care provider requires any individual to



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301 wear a facial covering for any reason. Such policies and
302 procedures must comply with the standards developed under
303 subsection (2) and must be accessible from the home page of such
304 health care practitioner's or health care provider's website or
305 conspicuously displayed in the lobby of its health care service
306 setting or settings.

307 (4) Effective August 1, 2023:

308 (a) Health care practitioners and health care providers may
309 not require any person to wear a facial covering for any reason
310 unless the requirement is in accordance with the standards
311 developed under subsection (2) and the policies and procedures
312 established under subsection (3).

313 (b) A health care practitioner or a health care provider in
314 violation of paragraph (a) or subsection (3) is subject to
315 disciplinary action by the agency or a board as defined in s.
316 456.001, or the department if there is no board, as applicable.

317 Section 6. Section 456.62, Florida Statutes, is created to
318 read:

319 456.62 Communication of COVID-19 treatment alternatives.-

320 (1) A health care practitioner treating a patient diagnosed
321 with COVID-19 shall obtain the informed consent of the patient
322 or the patient's legal representative before prescribing any
323 medication for the treatment of COVID-19.

324 (2) To obtain informed consent, the health care
325 practitioner must provide an explanation of alternative
326 medications for the treatment of COVID-19 and the relative
327 advantages, disadvantages, and risks associated with such
328 alternative medications to the extent necessary to allow the
329 patient or the patient's legal representative to make a prudent



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330 decision regarding treatment.

331 (3) In determining which alternative medications to present
332 to a patient for purposes of obtaining informed consent, the
333 health care practitioner must include any medications currently
334 authorized or approved by the United States Food and Drug
335 Administration for the treatment of COVID-19 and use his or her
336 best clinical judgment to identify any alternative medications
337 that could reasonably be expected to benefit the patient.

338 (4) In providing such information regarding alternative
339 medications, the health care practitioner shall take into
340 consideration the physical state of the patient and the
341 patient's ability to understand the information.

342 (5) A health care practitioner treating a patient diagnosed
343 with COVID-19 shall indicate on such patient's medical record
344 the health care practitioner's compliance or noncompliance with
345 this section.

346 (6) This section does not supersede any other provision of
347 law regarding informed consent.

348 Section 7. Section 465.0266, Florida Statutes, is amended
349 to read:

350 465.0266 Common database.—Nothing contained in this chapter
351 may ~~shall~~ be construed to prohibit the dispensing by a
352 pharmacist licensed in this state or another state of a
353 prescription contained in a common database, and such dispensing
354 does ~~shall~~ not constitute a transfer as defined in s.
355 465.026(1)-(6), provided that the following conditions are met:

356 (1) All pharmacies involved in the transactions pursuant to
357 which the prescription is dispensed are under common ownership
358 and utilize a common database.



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359 (2) All pharmacies involved in the transactions pursuant to
360 which the prescription is dispensed and all pharmacists engaging
361 in dispensing functions are properly licensed, permitted, or
362 registered in this state or another state.

363 (3) The common database maintains a record of all
364 pharmacists involved in the process of dispensing a
365 prescription.

366 (4) The owner of the common database maintains a policy and
367 procedures manual that governs its participating pharmacies,
368 pharmacists, and pharmacy employees and that is available to the
369 board or its agent upon request. The policy and procedures
370 manual must ~~shall~~ include the following information:

371 (a) A best practices model detailing how each pharmacy and
372 each pharmacist accessing the common database will comply with
373 applicable federal and state laws, rules, and regulations.

374 (b) The procedure for maintaining appropriate records for
375 regulatory oversight for tracking a prescription during each
376 stage of the filling and dispensing process, identifying the
377 pharmacists involved in filling and dispensing the prescription
378 and counseling the patient, and responding to any requests for
379 information made by the board under s. 465.0156.

380 (c) The policy and procedure for providing adequate
381 security to protect the confidentiality and integrity of patient
382 information.

383 (d) A quality assurance program designed to objectively and
384 systematically monitor, evaluate, and improve the quality and
385 appropriateness of patient care through the use of the common
386 database.

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388 Any pharmacist dispensing a prescription has at all times the
389 right and obligation to exercise his or her independent
390 professional judgment. Any pharmacist properly dispensing an
391 alternative medication prescribed for the treatment of COVID-19
392 is not subject to disciplinary action by the board or the
393 department based solely on such dispensing. Notwithstanding
394 ~~other provisions in this section, a~~ no pharmacist licensed in
395 this state ~~participating in the~~ dispensing ~~of~~ a prescription
396 pursuant to this section is not ~~shall be~~ responsible for the
397 acts and omissions of another person participating in the
398 dispensing process provided such person is not under the direct
399 supervision and control of the pharmacist licensed in this
400 state.

401 Section 8. Paragraph (n) of subsection (3) of section
402 1002.20, Florida Statutes, is amended to read:

403 1002.20 K-12 student and parent rights.—Parents of public
404 school students must receive accurate and timely information
405 regarding their child's academic progress and must be informed
406 of ways they can help their child to succeed in school. K-12
407 students and their parents are afforded numerous statutory
408 rights including, but not limited to, the following:

409 (3) HEALTH ISSUES.—

410 (n) *Face covering mandates and quarantine mandates in*
411 *response to COVID-19.*—

412 1. A district school board, a district school
413 superintendent, an elected or appointed local official, or any
414 district school board employee may not:

415 a. Require a student to wear a face mask, a face shield, or
416 any other facial covering that fits over the mouth or nose.



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417 However, a parent, at the parent's sole discretion, may allow
418 his or her child to wear a face mask, a face shield, or any
419 other facial covering that fits over the mouth or nose. This
420 prohibition does not apply to safety equipment required as part
421 of a course of study consistent with occupational or laboratory
422 safety requirements.

423 b. Prohibit a student from attending school or school-
424 sponsored activities, prohibit a student from being on school
425 property, or subject a student to restrictions or disparate
426 treatment, based on an exposure to COVID-19, so long as the
427 student remains asymptomatic and has not received a positive
428 test for COVID-19 as defined in s. 381.00319(1) ~~s. 381.00317(1)~~.

429
430 A parent of a student, a student who is an emancipated minor, or
431 a student who is 18 years of age or older may bring an action
432 against the school district to obtain a declaratory judgment
433 that an act or practice violates this subparagraph and to seek
434 injunctive relief. A prevailing parent or student, as
435 applicable, must be awarded reasonable attorney fees and court
436 costs.

437 2. A district school board, a district school
438 superintendent, an elected or appointed local official, or any
439 school district employee may not prohibit an employee from
440 returning to work or subject an employee to restrictions or
441 disparate treatment based on an exposure to COVID-19 so long as
442 the employee remains asymptomatic and has not received a
443 positive test for COVID-19 as defined in s. 381.00319(1) ~~s.~~
444 ~~381.00317(1)~~.

445 ~~3. This paragraph expires June 1, 2023.~~



446 Section 9. Sections 381.00316(2)(g) and 381.00319(1)(e),
447 Florida Statutes, as created by this act, are repealed on June
448 1, 2025.

449 Section 10. Except as otherwise provided in this act, and
450 except for this section, which shall take effect upon this act
451 becoming a law, this act shall take effect June 1, 2023.

452

453 ===== T I T L E A M E N D M E N T =====

454 And the title is amended as follows:

455 Delete everything before the enacting clause
456 and insert:

457 A bill to be entitled
458 An act relating to protection from discrimination
459 based on health care choices; amending s. 381.00316,
460 F.S.; providing legislative intent and findings;
461 defining terms; prohibiting business entities and
462 governmental entities from requiring certain
463 documentation or COVID-19 testing to gain access to,
464 entry upon, or service from such entities or as a
465 condition of contracting, hiring, promotion, or
466 continued employment; prohibiting business and
467 governmental entities from refusing to hire persons,
468 discharging persons, depriving or attempting to
469 deprive persons of employment opportunities, adversely
470 affecting persons with respect to employment, or
471 otherwise discriminating against any person based on
472 knowledge or belief of a person's vaccination or
473 COVID-19 postinfection recovery status or failure to
474 take a COVID-19 test; requiring such entities to



475 provide exemptions and reasonable accommodations for
476 religious and medical reasons; prohibiting such
477 entities from requiring persons to wear face coverings
478 in order to gain access to, entry upon, services from,
479 or admission to such entities or from otherwise
480 discriminating against persons based on their refusal
481 to wear a facial covering; providing exceptions;
482 requiring the Department of Health to adopt certain
483 emergency rules; providing administrative penalties;
484 authorizing the Department of Legal Affairs to take
485 specified actions for purposes of conducting
486 investigations or proceedings; requiring that
487 collected fines be deposited in the General Revenue
488 Fund; providing construction; providing that certain
489 terminated employees are eligible for reemployment
490 assistance; amending s. 381.00319, F.S.; revising and
491 defining terms; revising provisions related to the
492 prohibition on COVID-19-related mandates by
493 educational institutions; prohibiting educational
494 institutions from imposing certain vaccine mandates on
495 any person; prohibiting educational institutions from
496 requiring a person to provide certain documentation or
497 requiring a COVID-19 test to gain admission to, access
498 to, entry upon, or service from such institutions or
499 otherwise discriminating against any person based on
500 such person's vaccination or COVID-19 postinfection
501 recovery status or failure to take a COVID-19 test;
502 requiring educational institutions to provide
503 exemptions and reasonable accommodations for religious



504 and medical reasons; prohibiting educational
505 institutions from requiring persons to wear face
506 coverings, from denying persons access to, entry upon,
507 services from, or admission to such institutions, or
508 from otherwise discriminating against persons based on
509 their refusal to wear a facial covering; providing
510 exceptions; requiring the Department of Health to
511 adopt certain emergency rules; providing
512 administrative penalties; authorizing the department
513 to take specified actions for purposes of conducting
514 investigations or proceedings; requiring that
515 collected fines be deposited in the General Revenue
516 Fund; providing construction; authorizing the
517 department to adopt rules; creating s. 381.00321,
518 F.S.; prohibiting governmental entities and
519 educational institutions from adopting, implementing,
520 or enforcing certain public health policies or
521 guidelines unless authorized by state law, rule, or
522 executive order; creating s. 395.1057, F.S.;
523 prohibiting hospitals from interfering with patients'
524 right to choose COVID-19 treatment alternatives if
525 certain conditions are met; providing for disciplinary
526 action; creating s. 408.824, F.S.; defining terms;
527 requiring the Agency for Health Care Administration
528 and the Department of Health to jointly develop
529 standards for the appropriate use of facial coverings
530 in health care settings by a specified date; requiring
531 the agency and the department to adopt emergency rules
532 to develop such standards; requiring the agency and



533 the department to post such standards on their
534 respective websites and provide a link for reporting
535 related violations; requiring certain health care
536 practitioners and all health care providers to
537 establish facial covering policies and procedures by a
538 specified date; providing requirements for such
539 policies and procedures; requiring such health care
540 practitioners and health care providers to make their
541 policies and procedures easily accessible on their
542 respective websites; beginning on a specified date,
543 prohibiting health care practitioners and health care
544 providers from requiring persons to wear a facial
545 covering for any reason unless the requirement is in
546 accordance with specified policies and procedures;
547 providing for disciplinary action; creating s. 456.62,
548 F.S.; requiring health care practitioners treating
549 patients diagnosed with COVID-19 to obtain patients'
550 informed consent before prescribing any medications
551 for treatment of COVID-19; providing a requirement for
552 obtaining such informed consent; requiring health care
553 practitioners to include certain information and use
554 their best clinical judgment when making certain
555 determinations related to alternative medications for
556 treatment of COVID-19; requiring health care
557 practitioners to indicate certain information in their
558 patients' medical records; providing construction;
559 amending s. 465.0266, F.S.; exempting certain
560 pharmacists from disciplinary action under certain
561 circumstances; amending s. 1002.20, F.S.; conforming



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562 provisions to changes made by the act; abrogating the
563 future repeal of specified provisions; providing for
564 the future repeal of specified provisions; providing
565 effective dates.