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2012

1                   A bill to be entitled  
2           An act relating to health care practitioners; amending  
3           s. 456.013, F.S.; requiring that a licensed health  
4           care practitioner wear a name badge indicating  
5           licensure credentials when rendering health care  
6           services; amending s. 464.012, F.S.; expanding the  
7           scope of practice to authorize an advanced registered  
8           nurse practitioner to prescribe, order, administer,  
9           monitor, and alter any drug or drug therapies that are  
10          necessary for the proper medical care and treatment of  
11          a patient under specified circumstances; requiring  
12          that the Board of Nursing adopt rules; authorizing a  
13          certified registered nurse anesthetist, while  
14          participating in the management of a patient in the  
15          postanesthesia recovery area, to order the  
16          administration of drugs that are commonly used to  
17          alleviate pain; amending s. 483.035, F.S., relating to  
18          licensure and regulation of clinical laboratories  
19          operated by practitioners for exclusive use; providing  
20          applicability to clinical laboratories operated by  
21          practitioners licensed to practice nursing; amending  
22          s. 893.02, F.S.; revising the definition of the term  
23          "practitioner" to include advanced registered nurse  
24          practitioners; providing an effective date.

25  
26   Be It Enacted by the Legislature of the State of Florida:

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28           Section 1. Subsection (13) is added to section 456.013,

29 Florida Statutes, to read:

30 456.013 Department; general licensing provisions.—

31 (13) When rendering professional health care services, a  
 32 health care practitioner shall wear at all times a name badge  
 33 that indicates his or her appropriate licensure credentials.

34 Section 2. Subsection (3) and paragraph (a) of subsection  
 35 (4) of section 464.012, Florida Statutes, are amended to read:

36 464.012 Certification of advanced registered nurse  
 37 practitioners; fees.—

38 (3) An advanced registered nurse practitioner shall  
 39 perform those functions authorized in this section within the  
 40 framework of an established protocol that is filed with the  
 41 board upon biennial license renewal and within 30 days after  
 42 entering into a supervisory relationship with a physician or  
 43 changes to the protocol. The board shall review the protocol to  
 44 ensure compliance with applicable regulatory standards for  
 45 protocols. The board shall refer to the department licensees  
 46 submitting protocols that are not compliant with the regulatory  
 47 standards for protocols. A practitioner currently licensed under  
 48 chapter 458, chapter 459, or chapter 466 shall maintain  
 49 supervision for directing the specific course of medical  
 50 treatment. Within the established framework, an advanced  
 51 registered nurse practitioner may:

52 (a) Prescribe, order, administer, monitor, and alter any  
 53 drug or drug therapies that are necessary for the proper medical  
 54 care and treatment of a patient, including Schedule II through  
 55 Schedule V controlled substances under chapter 893 agreed upon

56 by the advanced registered nurse practitioner and the  
57 supervising practitioner and specified in the protocol.

58 1. An advanced registered nurse practitioner may  
59 prescribe, order, or administer such drugs under the following  
60 conditions:

61 a. The drugs are prescribed, ordered, or administered by  
62 an advanced registered nurse practitioner in accordance with a  
63 protocol developed by the advanced registered nurse practitioner  
64 and the supervising practitioner, and the drugs ordered are  
65 consistent with the advanced registered nurse practitioner's  
66 educational preparation or for which clinical competency has  
67 been established and maintained.

68 b. The protocol covering the prescription, order, or  
69 administration of drugs specifies the name of the advanced  
70 registered nurse practitioner who may prescribe, administer, or  
71 order the drugs, the drugs that may be prescribed or ordered and  
72 the circumstances under which they may be prescribed or ordered,  
73 the extent of the supervising practitioner's supervision of the  
74 advanced registered nurse practitioner, and the method of  
75 periodic review of the advanced registered nurse practitioner's  
76 competence, including peer review. The protocol for prescribing,  
77 ordering, or administering Schedule II controlled substances  
78 must address the illness, injury, or condition for which the  
79 Schedule II controlled substance may be used.

80 c. The administering or ordering of drugs by an advanced  
81 registered nurse practitioner occurs under practitioner  
82 supervision. As used in this paragraph, the term "practitioner  
83 supervision" means a collaboration between the advanced

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84 registered nurse practitioner and the supervising practitioner  
85 on the development of the protocol and the availability of the  
86 supervising practitioner via telephonic contact at the time the  
87 patient is examined by the advanced registered nurse  
88 practitioner. The term does not mean that the physical presence  
89 of the supervising practitioner is required. A supervising  
90 practitioner may not supervise more than four advanced  
91 registered nurse practitioners at any one time.

92 d. A copy of the section of the advanced registered nurse  
93 practitioner's protocol relating to controlled substances must  
94 be provided upon request to the licensed pharmacist who  
95 dispenses the drugs.

96 e. The board has certified that the advanced registered  
97 nurse practitioner has satisfactorily completed:

98 (I) At least 6 months of direct supervision in  
99 prescribing, ordering, and administering controlled substances;  
100 and

101 (II) A course in pharmacology covering the prescribing,  
102 ordering, and administration of controlled substances.

103 2. The board shall adopt rules to administer this  
104 paragraph.

105 (b) Initiate appropriate therapies for certain conditions.

106 (c) Perform additional functions as may be determined by  
107 rule in accordance with s. 464.003(2).

108 (d) Order diagnostic tests and physical and occupational  
109 therapy.

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110 (4) In addition to the general functions specified in  
111 subsection (3), an advanced registered nurse practitioner may  
112 perform the following acts within his or her specialty:

113 (a) The certified registered nurse anesthetist may, to the  
114 extent authorized by established protocol approved by the  
115 medical staff of the facility in which the anesthetic service is  
116 performed, perform any or all of the following:

117 1. Determine the health status of the patient as it  
118 relates to the risk factors and to the anesthetic management of  
119 the patient through the performance of the general functions.

120 2. Based on history, physical assessment, and supplemental  
121 laboratory results, determine, with the consent of the  
122 responsible physician, the appropriate type of anesthesia within  
123 the framework of the protocol.

124 3. Order under the protocol preanesthetic medication.

125 4. Perform under the protocol procedures commonly used to  
126 render the patient insensible to pain during the performance of  
127 surgical, obstetrical, therapeutic, or diagnostic clinical  
128 procedures. These procedures include ordering and administering  
129 regional, spinal, and general anesthesia; inhalation agents and  
130 techniques; intravenous agents and techniques; and techniques of  
131 hypnosis.

132 5. Order or perform monitoring procedures indicated as  
133 pertinent to the anesthetic health care management of the  
134 patient.

135 6. Support life functions during anesthesia health care,  
136 including induction and intubation procedures, the use of

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137 appropriate mechanical supportive devices, and the management of  
138 fluid, electrolyte, and blood component balances.

139 7. Recognize and take appropriate corrective action for  
140 abnormal patient responses to anesthesia, adjunctive medication,  
141 or other forms of therapy.

142 8. Recognize and treat a cardiac arrhythmia while the  
143 patient is under anesthetic care.

144 9. Participate in management of the patient while in the  
145 postanesthesia recovery area, including ordering the  
146 administration of fluids and drugs, which include those drugs  
147 that are commonly used to alleviate pain.

148 10. Place special peripheral and central venous and  
149 arterial lines for blood sampling and monitoring as appropriate.

150 Section 3. Subsection (1) of section 483.035, Florida  
151 Statutes, is amended to read:

152 483.035 Clinical laboratories operated by practitioners  
153 for exclusive use; licensure and regulation.—

154 (1) A clinical laboratory operated by one or more  
155 practitioners licensed under chapter 458, chapter 459, chapter  
156 460, chapter 461, chapter 462, chapter 464, or chapter 466,  
157 exclusively in connection with the diagnosis and treatment of  
158 their own patients, must be licensed under this part and must  
159 comply with the provisions of this part, except that the agency  
160 shall adopt rules for staffing, for personnel, including  
161 education and training of personnel, for proficiency testing,  
162 and for construction standards relating to the licensure and  
163 operation of the laboratory based upon and not exceeding the  
164 same standards contained in the federal Clinical Laboratory

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165 Improvement Amendments of 1988 and the federal regulations  
166 adopted thereunder.

167 Section 4. Subsection (21) of section 893.02, Florida  
168 Statutes, is amended to read:

169 893.02 Definitions.—The following words and phrases as  
170 used in this chapter shall have the following meanings, unless  
171 the context otherwise requires:

172 (21) "Practitioner" means a physician licensed pursuant to  
173 chapter 458, a dentist licensed pursuant to chapter 466, a  
174 veterinarian licensed pursuant to chapter 474, an osteopathic  
175 physician licensed pursuant to chapter 459, a naturopath  
176 licensed pursuant to chapter 462, an advanced registered nurse  
177 practitioner licensed pursuant to chapter 464, or a podiatric  
178 physician licensed pursuant to chapter 461, provided such  
179 practitioner holds a valid federal controlled substance registry  
180 number.

181 Section 5. This act shall take effect July 1, 2012.