

Committee Substitute for Senate Bill No. 646

An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

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

Section 1. Section 381.0035, Florida Statutes, is amended to read:

381.0035 Educational course on HIV and AIDS; employees and clients of certain health care facilities.—

(1) The Department of Health shall require all employees and clients of facilities licensed under ~~chapter~~ chapters 393, chapter 394, or chapter and 397 and employees of facilities licensed under chapter 395, part ~~parts~~ II, part III, or part and IV of chapter 400, or ~~and~~ part I of chapter 429 to complete, ~~biennially~~, a one-time continuing educational course on the modes of transmission, infection control procedures, clinical management, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome with an emphasis on appropriate behavior and attitude change. Such instruction shall include information on current Florida law and its impact on testing, confidentiality of test results, and treatment of patients and any protocols and procedures applicable to human immunodeficiency counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to ss. 381.004 and 384.25. An employee who has completed the educational course required in this subsection is not required to repeat the course upon changing employment to a different facility licensed under chapter 393, chapter 394, chapter 395, chapter 397, part II, part III, or part IV of chapter 400, or part I of chapter 429.

~~(2) New employees shall be required to complete a course on human immunodeficiency virus and acquired immune deficiency syndrome, with instruction to include information on current Florida law and its impact on testing, confidentiality of test results, and treatment of patients.~~

~~(2)(3)~~ Facilities licensed under chapter ~~chapters~~ 393, chapter 394, chapter 395, or chapter and 397, part ~~parts~~ II, part III, or part and IV of chapter 400, or ~~and~~ part I of chapter 429 shall maintain a record of employees and dates of attendance at human immunodeficiency virus and acquired immune deficiency syndrome educational courses.

~~(3)(4)~~ The department shall have the authority to review the records of each facility to determine compliance with the requirements of this section. The department may adopt rules to carry out the provisions of this section.

(4) This section does not apply to an employee who is subject to the requirements of s. 456.033.

Section 2. Paragraph (e) is added to subsection (8) of section 400.506, Florida Statutes, to read:

400.506 Licensure of nurse registries; requirements; penalties.—

(8) Each nurse registry must require every applicant for contract to complete an application form providing the following information:

(e) Proof of completion of a continuing educational course on modes of transmission, infection control procedures, clinical management, and prevention of human immunodeficiency virus and acquired immune deficiency syndrome with an emphasis on appropriate behavior and attitude change. Such instruction shall include information on current Florida law and its effect on testing, confidentiality of test results, and treatment of patients and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, offering HIV testing to pregnant women, and partner notification issues pursuant to ss. 381.004 and 384.25.

Section 3. This act shall take effect July 1, 2008.

Approved by the Governor June 10, 2008.

Filed in Office Secretary of State June 10, 2008.