

1                                   A bill to be entitled  
 2           An act relating to self-administration of medications  
 3           in assisted living facilities; amending s. 429.256,  
 4           F.S.; revising criteria for assistance with self-  
 5           administration of medication; providing an effective  
 6           date.

8   Be It Enacted by the Legislature of the State of Florida:  
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10           Section 1. Subsections (3), (4), and (5) of section  
 11   429.256, Florida Statutes, are amended to read:

12           429.256 Assistance with self-administration of  
 13   medication.—

14           (3) Assistance with self-administration of medication  
 15   includes:

16           (a) Bringing to the resident medication that was  
 17   previously dispensed in a properly labeled container from where  
 18   it is stored. Such medication includes insulin syringes that are  
 19   prefilled with the proper dosage by a pharmacist and insulin  
 20   pens that are prefilled by the manufacturer ~~Taking the~~  
 21   ~~medication, in its previously dispensed, properly labeled~~  
 22   ~~container, from where it is stored, and bringing it to the~~  
 23   ~~resident.~~

24           (b) In the presence of the resident, reading the label,  
 25   opening the container, removing a prescribed amount of  
 26   medication from the container, and closing the container.

27 (c) Placing an oral dosage in the resident's hand or  
 28 placing the dosage in another container and helping the resident  
 29 by lifting the container to his or her mouth.

30 (d) Applying topical medications.

31 (e) Returning the medication container to proper storage.

32 (f) Keeping a record of when a resident receives  
 33 assistance with self-administration under this section.

34 (g) Assisting a resident in using a nebulizer, including  
 35 removing the cap of the nebulizer, opening the unit dose of  
 36 nebulizer solution, and pouring the prescribed premeasured dose  
 37 of medication into the dispensing cup of the nebulizer.

38 (h) Using a glucometer to perform blood glucose checks.

39 (i) Assisting with the putting on and taking off of anti-  
 40 embolism stockings.

41 (j) Assisting with applying and removing an oxygen  
 42 cannula, but not with titrating the prescribed oxygen settings.

43 (k) Assisting with the use of a continuous positive airway  
 44 pressure device (CPAP), but not with titrating the prescribed  
 45 setting of the device.

46 (l) Assisting with the measuring of vital signs.

47 (m) Assisting with the use of colostomy bags.

48 (n) Dialing the dosage of a predetermined number of units  
 49 from an insulin pen.

50 (4) Assistance with self-administration does not include:

51 (a) The mixing, compounding, converting, or calculating of  
 52 medication doses, except for the measuring of a prescribed

53 amount of liquid medication or the breaking of a scored tablet  
54 or the crushing of a tablet as prescribed.

55 (b) The preparation of syringes for injection or the  
56 administration of medications by any injectable route.

57 (c) The administration of medications through intermittent  
58 positive pressure breathing machines ~~or a nebulizer~~.

59 (d) The administration of medications by way of a tube  
60 inserted in a cavity of the body.

61 (e) The administration of parenteral preparations.

62 (f) Irrigations or debriding agents used in the treatment  
63 of a skin condition.

64 (g) Rectal, urethral, or vaginal preparations.

65 (h) Medications ordered by the physician or health care  
66 professional who has ~~with~~ prescriptive authority to be given "as  
67 needed," unless the order is written with specific parameters  
68 that preclude independent judgment on the part of the unlicensed  
69 person, and at the request of a competent resident.

70 (i) Medications for which the time of administration, the  
71 amount, the strength of dosage, the method of administration, or  
72 the reason for administration requires judgment or discretion on  
73 the part of the unlicensed person.

74 (5) Assistance with the self-administration of medication  
75 by an unlicensed person as described in this section is ~~shall~~  
76 not ~~be considered~~ administration as defined in s. 465.003.

77 Section 2. This act shall take effect July 1, 2014.