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Session 3
State Law & Standing Orders: FLORIDA

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Associate Professor
Milken Institute School of Public Health
George Washington University
Overview

• Professions Practice Acts
• Indentified:
  – Terms equivalent to Standing Orders
  – Terms equivalent to Vaccination
  – Elements of Immunization Practice
• Immunization Practice in FLORIDA
• Supervision Requirements
• Practice Settings
• Summary
Purpose

Ensure supervising physicians understand:

• Immunization practice = medical practice
• All states have laws governing how physicians delegate medical tasks to health professionals
• Laws may address:
  – The medical practice eligible for delegation
  – Which professionals may participate
  – Level of required supervision
  – Where the practice may occur
• Broad variability among states – No state authorizes all NPHPs to assess, prescribe and administer vaccines
State Law Review

Reviewed all laws, regulations, case law, attorney’s general advisory opinions governing:

- Medical Assistants
- Midwives
- Nurses
  - Advanced Practice Nurse
  - Nurse Practitioner
  - Practical Nurse
  - Registered Nurse
  - Vocational Nurse
- Pharmacists
- Physician Assistants
Terms Equivalent to “Standing Orders”

1. Standardized Procedures
2. Written Guidelines
3. Collaboration:
   – With collaboration
   – Collaborative practice
   – Collaborative practice agreement
   – Collaborative authority
   – Collaborating provider
4. Delegation
   – Delegated authority
   – Delegation order, agreement
5. Protocol
   – Prescriber-approved protocol
FLORIDA law does not include the term “standing orders”

<table>
<thead>
<tr>
<th>Professional</th>
<th>Equivalent Terms</th>
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</thead>
<tbody>
<tr>
<td>• Advanced Registered Nurse Practitioner</td>
<td>Standing Protocols</td>
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<tr>
<td>• Certified Nurse Midwife</td>
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<tr>
<td>• Clinical Nurse Specialist</td>
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<td>• Nurse Practitioner</td>
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<tr>
<td>Medical Assistant</td>
<td>SILENT</td>
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<tr>
<td>Practical Nurse</td>
<td>SILENT</td>
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<tr>
<td>Registered Nurse</td>
<td>Protocol (RN’s working in a county health department)</td>
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<tr>
<td>Vocational Nurse</td>
<td>SILENT</td>
</tr>
<tr>
<td>Pharmacist</td>
<td>Established protocol</td>
</tr>
<tr>
<td>Physician Assistant</td>
<td>Written protocol</td>
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</tbody>
</table>
Terms Equivalent to “Vaccination”

- Immunization
- Diagnostic or therapeutic regimens/measures
- Drug or device by injection
- Nonscheduled legend drug/substance*
- Medication**
- Pharmacological agents
- Prescription drugs or devices
- Schedule VI controlled substances

* **LEGEND DRUGS** are approved by the FDA and must be dispensed to the public only when a licenses physician or other licensed provider prescribes them. Legend drugs may be a controlled substance or a non-narcotic.


** **MEDICATION** includes drugs and pharmaceuticals and may be administered by injection or other methods.
### Defining “Vaccination” in FLORIDA Law

<table>
<thead>
<tr>
<th>Professional</th>
<th>Term</th>
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| • Advanced Registered Nurse Practitioner  
• Certified Nurse Midwife  
• Clinical Nurse Specialist  
• Nurse Practitioner  
• Medical Assistant  
• Practical Nurse  
• Registered Nurse | Medications |
| Vocational Nurse | SILENT |
| Pharmacist | Immunizations and Vaccines:  
1. As listed on the CDC Adult Schedule  
2. CDC Travel Schedule  
3. During a Governor-declared emergency |
| Physician Assistant | Medications listed on a formulary of a county health department |
Immunization Practice includes:

**Assessment:** Screening, examining, diagnosing, treating

- *EXCLUDES:* merely collecting or reporting data, interviewing or taking patient history

**Prescription:** Oral, written or electronic

- *EXCLUDES:* simply transmitting a prescription issued by another provider

**Administration:** Injection, oral, nasal

- *EXCLUDES:* Dispensing medication
<table>
<thead>
<tr>
<th>Professional</th>
<th>Assessment</th>
<th>Prescription</th>
<th>Administration</th>
</tr>
</thead>
</table>
| • Clinical Nurse Specialist  
• Certified Nurse Midwife  
• Advanced Registered Nurse Practitioner  
• Nurse Practitioner         | OWN AUTHORITY   | DELEGATED     | DELEGATED      |
| Medical Assistant           | SILENT          | SILENT       | DELEGATED      |
| Practical Nurse             | SILENT          | SILENT       | DELEGATED      |
| Registered Nurse            | OWN AUTHORITY   | DELEGATED     | DELEGATED      |
| Vocational Nurse            | SILENT          | SILENT       | SILENT         |
| Pharmacist                  | SILENT          | SILENT       | DELEGATED      |
| Physician Assistant         | DELEGATED       | DELEGATED     | SILENT         |
Supervision Requirements Include

Medical Assistant
Direct, within close proximity of supervisor, undefined supervision, at physician’s discretion

Midwife
Collaborative agreements with supervising physicians if midwife is an Advanced Practice Nurse

Nurses in Advanced Practice
Collaborative agreement with supervising physician/system governs entire practice
Supervision Requirements (cont.)

**Practical Nurse**
Direct, on-site supervision from physician, dentist, podiatrist, nurse in advanced practice, registered nurse, physician assistant

**Registered Nurse**
In collaboration with physician, dentist, podiatrist

**Vocational Nurse**
None listed

**Pharmacist**
Under own license or under delegated authority, protocol

**Physician Assistant**
With adequate physician supervision
## Supervision Requirements: FLORIDA Law

<table>
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<th>Professional</th>
<th>Provision</th>
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<tr>
<td>Clinical Nurse Specialist</td>
<td>General supervision of a practitioner within framework of standing protocols</td>
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<tr>
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<td>Advanced Registered Nurse Practitioner</td>
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<tr>
<td>Nurse Practitioner</td>
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</tr>
<tr>
<td>Medical Assistant</td>
<td>Direct supervision and responsibility of the physician</td>
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<tr>
<td>Practical Nurse</td>
<td>Under the direction of a registered nurse, physician, osteopathic or podiatric physician, dentist</td>
</tr>
<tr>
<td>Registered Nurse</td>
<td>Physician will supervise patient care activities</td>
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<tr>
<td>Vocational Nurse</td>
<td>SILENT</td>
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<tr>
<td>Pharmacist</td>
<td>Supervising physician with protocol</td>
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<tr>
<td>Physician Assistant</td>
<td>Supervising physician in county health department</td>
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</tbody>
</table>
Permissible Practice Settings

Medical Assistant
• Public, private ambulatory care setting, delegating physician’s office, licensed clinics

Midwife
• Public/private clinical settings, physician’s offices

Nurses in Advanced Practice (APN; CNS; NP)
• Public/private clinical settings, patient’s home, schools, occupational health, community health settings

Practical Nurse
• Public/private clinical settings, patient’s home, schools, occupational health, community health settings
Permissible Practice Settings (cont.)

Registered Nurse
- Public/private clinical settings, patient’s home, schools, occupational health, community health settings

Vocational Nurse
- Public/private clinical settings, patient’s home, schools, occupational health, community health settings

Pharmacist
- Hospitals, pharmacies, other health care facilities, jails

Physician Assistant
- Clinical and community locations
## Practice Settings in FLORIDA Law

<table>
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<tr>
<th>Professional</th>
<th>Setting</th>
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<td>SILENT</td>
</tr>
<tr>
<td><strong>Registered Nurse</strong></td>
<td>County health department</td>
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<tr>
<td><strong>Vocational Nurse</strong></td>
<td>SILENT</td>
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<tr>
<td><strong>Pharmacist</strong></td>
<td>SILENT</td>
</tr>
<tr>
<td><strong>Physician Assistant</strong></td>
<td>Supervising physician’s office, hospital, clinic, outside of physician’s office, county health department</td>
</tr>
<tr>
<td>Professional</td>
<td>Summary</td>
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<td>--------------------------------------</td>
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</tr>
<tr>
<td>• Clinical Nurse Specialist</td>
<td>Assess patient status under their own authority or standing protocols. Administer medications under general supervision of a physician within a standing protocol.</td>
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<td>• Certified Nurse Midwife</td>
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<tr>
<td>Medical Assistant</td>
<td>Administer medication under direct supervision/responsibility of a physician</td>
</tr>
<tr>
<td>Practical Nurse</td>
<td>Administer medication under direction of a registered nurse or physician</td>
</tr>
<tr>
<td>Registered Nurse</td>
<td>Assess patient status under own authority. Administer medications as prescribed or authorized by a practitioner authorized to prescribe. County Health Departments: Under a protocol approved by a physician who supervises the patient care activities: Assess patient status,Prescribe medications that are prepackaged and prelabeled with dosage instructions, and appearing in a formulary.</td>
</tr>
<tr>
<td>Pharmacist</td>
<td>Administer immunizations and vaccines to adults based on a protocol, under a physician’s supervision: 1) As listed on the CDC Adult Schedule; 2) CDC Travel Schedule; 3) during a Governor-declared emergency</td>
</tr>
<tr>
<td>Physician Assistant</td>
<td>Assess patient status and prescribe prepackaged medications listed in a formulary under protocols and physician supervision</td>
</tr>
</tbody>
</table>
Comments????
Citations


