

1 A bill to be entitled

2 An act relating to military and veteran support;  
3 amending s. 250.10, F.S.; revising participation  
4 requirements and authorizing certain courses for the  
5 Educational Dollars for Duty program; directing the  
6 Adjutant General to adopt certain rules; providing  
7 appropriations; amending s. 250.35, F.S.; updating  
8 references with respect to courts-martial; creating s.  
9 265.004, F.S.; establishing the Florida Veterans' Walk  
10 of Honor and the Florida Veterans' Memorial Garden;  
11 directing the Department of Management Services, in  
12 consultation with the direct-support organization of  
13 the Department of Veterans' Affairs, to make space  
14 available for such purpose; amending ss. 295.065,  
15 295.07, 295.08, and 295.085, F.S.; revising and  
16 providing governmental employment preference for  
17 certain persons; amending ss. 296.06 and 296.36, F.S.;  
18 revising the eligibility requirements for residency in  
19 the Florida State Veterans' Domiciliary Home and  
20 admittance to a state veterans' nursing home; amending  
21 s. 322.031, F.S.; providing conditions under which the  
22 spouses and dependents of servicemembers are exempt  
23 from obtaining or displaying a driver license or  
24 learner's permit; amending s. 322.121, F.S.; granting  
25 an automatic extension for the expiration of a driver  
26 license to the spouse and dependents of

27 servicemembers; amending s. 455.213, F.S.; extending  
 28 the application deadline for military veterans to have  
 29 certain fees waived by the Department of Business and  
 30 Professional Regulation and waiving such fees for the  
 31 spouses of veterans; amending ss. 458.315 and  
 32 459.0076, F.S.; revising application requirements and  
 33 procedures for physicians to obtain a temporary  
 34 certificate for practice in areas of critical need;  
 35 creating ss. 458.3151 and 459.00761, F.S.; providing  
 36 application requirements and procedures for active  
 37 duty military and veteran physicians to obtain a  
 38 certificate for practice in areas of critical need;  
 39 amending s. 499.012, F.S.; providing that specified  
 40 military service meets certain permitting  
 41 requirements; amending s. 1009.26, F.S.; directing  
 42 state universities and Florida College System  
 43 institutions to waive certain fees for veterans;  
 44 providing applicability; providing appropriations;  
 45 providing an effective date.

46  
 47 Be It Enacted by the Legislature of the State of Florida:

48  
 49 Section 1. Subsections (7) and (8) of section 250.10,  
 50 Florida Statutes, are amended, and subsection (9) is added to  
 51 that section, to read:

52 250.10 Appointment and duties of the Adjutant General.—

53 (7) The Adjutant General shall develop an education  
 54 assistance program for members in good standing of the Florida  
 55 National Guard who enroll in an authorized course of study at a  
 56 public or nonpublic institution of higher learning in the state  
 57 which has been accredited by an accrediting body recognized by  
 58 the United States Department of Education or licensed by the  
 59 Commission for Independent Education. This program shall be  
 60 known as the Educational Dollars for Duty program (EDD).

61 (a) The program shall set forth application requirements,  
 62 including, but not limited to, requirements that the applicant:

- 63 1. Be 17 years of age or older.
- 64 2. Be presently domiciled in the state.
- 65 3. Be an active drilling member and in good standing in  
 66 the Florida National Guard at the beginning of and throughout  
 67 the entire academic term for which benefits are received.
- 68 4. Maintain continuous satisfactory participation in the  
 69 Florida National Guard for the ~~any~~ school term for which  
 70 exemption benefits are received.
- 71 5. Upon enrollment in the program, complete a memorandum  
 72 of agreement to:
  - 73 a. Comply with the rules of the program. ~~and~~
  - 74 b. Serve in the Florida National Guard for the period  
 75 specified in the member's enlistment or reenlistment contract.
  - 76 c. Authorize the release of information by the institution  
 77 of higher learning to the Department of Military Affairs. An  
 78 institution of higher learning that accepts funding from the

79 program shall provide course enrollment, course withdrawal,  
 80 course cancellation, course completion or failure, and grade  
 81 verification for each student to the education service office of  
 82 the Department of Military Affairs.

83 (b) The program shall define those members of the Florida  
 84 National Guard who are ineligible to participate in the program  
 85 and those courses of study which are not authorized for the  
 86 program.

87 1. Ineligible members include, but are not limited to, a  
 88 ~~any~~ member, commissioned officer, warrant officer, or enlisted  
 89 person who has obtained a master's degree using the program.

90 2. Courses not authorized include noncredit courses,  
 91 courses that do not meet degree requirements, courses that do  
 92 not meet requirements for completion of career training, or  
 93 other courses as determined by program definitions.

94 3. Developmental education courses are authorized for the  
 95 program.

96 (c) The Adjutant General shall adopt rules for the overall  
 97 policy, guidance, administration, implementation, and proper use  
 98 of the program. Such rules must include, but not be limited to:7

99 1. Guidelines for certification by the Adjutant General of  
 100 a guard member's eligibility.7

101 2. Guidelines for approving courses of study that are  
 102 authorized for the program, including online courses, courses  
 103 that are part of the Complete Florida Degree Program under s.  
 104 1006.735, and courses leading to a degree offered by a Florida

105 College System institution as part of a program to offer  
 106 baccalaureate degrees which cost a student no more than \$10,000.

107 3. Procedures for notification to an institution of a  
 108 guard member's termination of eligibility.~~and~~

109 4. Procedures for restitution when a guard member fails to  
 110 comply with the penalties described in this section.

111 5. Procedures to facilitate the award of academic credit,  
 112 pursuant to s. 1004.096, for college-level training and  
 113 education acquired in the military.

114  
 115 In developing these rules, the Adjutant General may work with  
 116 the University of Florida Institute for Online Learning to  
 117 establish guidelines for eligibility for University of Florida  
 118 online baccalaureate degree programs.

119 (8) Subject to appropriations, the Department of Military  
 120 Affairs may pay the full cost of tuition and fees for required  
 121 courses for current members of the Florida National Guard.  
 122 Members are eligible to use the program upon enlistment in the  
 123 Florida National Guard. If a member is enrolled in a nonpublic  
 124 postsecondary education institution or a nonpublic vocational-  
 125 technical program, the Department of Military Affairs shall pay  
 126 an amount equal to the amount that would be required to pay for  
 127 the average tuition and fees at a public postsecondary education  
 128 institution or public vocational-technical program.

129 (a) The Department of Military Affairs may, at the  
 130 discretion of the Adjutant General, reimburse student textbook

131 and instructional material costs and fees in accordance with  
132 limits set each fiscal year based on funding availability.

133 (b)~~(a)~~ A member may participate in the program if he or  
134 she maintains satisfactory participation in, and is an active  
135 drilling member of, the Florida National Guard. Inactive members  
136 of the Florida National Guard and members of the Individual  
137 Ready Reserve (IRR) are not eligible to participate in the  
138 program.

139 (c)~~(b)~~ Penalties for noncompliance with program  
140 requirements include, but are not limited to, the following:

141 1. If a member of the Florida National Guard receives  
142 payment of tuition and fees for an ~~any~~ academic term and fails  
143 to maintain satisfactory participation in the Florida National  
144 Guard during that academic term, the member shall reimburse the  
145 Department of Military Affairs all tuition charges and student  
146 fees for the academic term for which the member received  
147 payment.

148 2. If a member of the Florida National Guard leaves the  
149 Florida National Guard during the period specified in the  
150 member's enlistment or reenlistment contract, the member shall  
151 reimburse the Department of Military Affairs all tuition charges  
152 and student fees for which the member received payments,  
153 regardless of whether the obligation to reimburse the department  
154 was incurred before, on, or after July 1, 2009, unless the  
155 Adjutant General finds that there are justifiable extenuating  
156 circumstances.

157           3. If the service of a member of the Florida National  
 158 Guard is terminated or the member is placed on scholastic  
 159 probation while receiving payments, the member shall reimburse  
 160 the Department of Military Affairs all tuition charges and  
 161 student fees for the academic term for which the member received  
 162 payment.

163           4. If a member defaults on any reimbursement made under  
 164 this paragraph, the department may charge the member the maximum  
 165 interest rate authorized by law.

166           (9) (a) Beginning in the 2014-2015 fiscal year, the sum of  
 167 \$5 million in recurring funds is appropriated from the General  
 168 Revenue Fund to the Department of Military Affairs to pay the  
 169 full tuition and fees, not to exceed the in-state rate at the  
 170 applicable state university or Florida College System  
 171 institution, for members of the Florida National Guard deployed  
 172 on or after October 31, 2013. Funds appropriated pursuant to  
 173 this paragraph may be used to reimburse student textbook and  
 174 instructional material costs and fees after tuition and fees for  
 175 all eligible members are paid for that fiscal year.

176           (b) A member who is eligible for funds under paragraph (a)  
 177 and who elects to benefit from the funds must:

178           1. Enroll in a classroom-based or online baccalaureate  
 179 degree program at a state university or Florida College System  
 180 institution within 1 year after the end of his or her  
 181 deployment.

182           2. Meet the eligibility criteria and application

183 requirements of the Educational Dollars for Duty program.

184 Section 2. For the 2014-2015 fiscal year, the sum of  
 185 \$250,000 in nonrecurring funds is appropriated from the General  
 186 Revenue Fund to the Department of Military Affairs for the  
 187 purpose of information technology upgrades to accommodate  
 188 administering and auditing the Educational Dollars for Duty  
 189 program.

190 Section 3. Subsections (1) and (2) of section 250.35,  
 191 Florida Statutes, are amended to read:

192 250.35 Courts-martial.—

193 (1) The Uniform Code of Military Justice (UCMJ), 10 U.S.C.  
 194 ss. 801 et seq., and the Manual for Courts-Martial (2012 ~~2008~~  
 195 Edition) are adopted for use by the Florida National Guard,  
 196 except as otherwise provided by this chapter.

197 (2) Courts-martial may try a ~~any~~ member of the Florida  
 198 National Guard for any crime or offense made punishable by the  
 199 Uniform Code of Military Justice (2012 ~~2008~~ Edition), except  
 200 that a commissioned officer, warrant officer, or cadet may not  
 201 be tried by summary courts-martial.

202 Section 4. Section 265.004, Florida Statutes, is created  
 203 to read:

204 265.004 Florida Veterans' Walk of Honor and Florida  
 205 Veterans' Memorial Garden.—

206 (1) To recognize and honor those military veterans who  
 207 have made significant contributions to the state through their  
 208 service to the United States, the Florida Veterans' Walk of



209 Honor and the Florida Veterans' Memorial Garden are established.

210 (2) The Florida Veterans' Walk of Honor and the Florida  
 211 Veterans' Memorial Garden shall be administered by the direct-  
 212 support organization of the Department of Veterans' Affairs  
 213 without funding from the state. However, donations made to the  
 214 Florida Veterans' Walk of Honor and the Florida Veterans'  
 215 Memorial Garden shall be credited to the direct-support  
 216 organization of the Department of Veterans' Affairs and used  
 217 solely to support the Florida Veterans' Walk of Honor, the  
 218 Florida Veterans' Memorial Garden, and other efforts of the  
 219 direct-support organization.

220 (3) The Department of Management Services, in consultation  
 221 with the Department of Veterans' Affairs and the direct-support  
 222 organization of the Department of Veterans' Affairs, shall make  
 223 space available on the Capitol Complex grounds for the  
 224 construction of the Florida Veterans' Walk of Honor and the  
 225 Florida Veterans' Memorial Garden.

226 Section 5. Section 295.065, Florida Statutes, is amended  
 227 to read:

228 295.065 Legislative intent.—It is the intent of the  
 229 Legislature to provide preference and priority in the hiring  
 230 practices of this state as set forth in this chapter. In all  
 231 written job announcements and audio and video advertisements  
 232 used by employing agencies of the state and its political  
 233 subdivisions, there shall be a notation that certain veterans,  
 234 ~~and spouses~~ and family members of veterans, and servicemembers

235 receive preference and priority in employment by the state and  
 236 are encouraged to apply for the positions being filled.

237 Section 6. Subsections (1) and (3) of section 295.07,  
 238 Florida Statutes, are amended to read:

239 295.07 Preference in appointment and retention.—

240 (1) The state and political subdivisions in the state  
 241 shall give preference in appointment and retention in positions  
 242 of employment to:

243 (a) Those disabled veterans:

244 1. Who have served on active duty in any branch of the  
 245 United States Armed Forces ~~of the United States~~, have received  
 246 an been separated therefrom under honorable discharge  
 247 ~~conditions~~, and have established the present existence of a  
 248 service-connected disability that ~~which~~ is compensable under  
 249 public laws administered by the United States ~~U.S.~~ Department of  
 250 Veterans ~~Veterans'~~ Affairs;; or

251 2. Who are receiving compensation, disability retirement  
 252 benefits, or pension by reason of public laws administered by  
 253 the United States ~~U.S.~~ Department of Veterans ~~Veterans'~~ Affairs  
 254 and the United States Department of Defense.

255 (b) The spouse of a ~~any~~ person who has a total disability,  
 256 permanent in nature, resulting from a service-connected  
 257 disability and who, because of this disability, cannot qualify  
 258 for employment, and the spouse of a ~~any~~ person missing in  
 259 action, captured in line of duty by a hostile force, or forcibly  
 260 detained or interned in line of duty by a foreign government or

261 power.

262 (c) A veteran of a ~~any~~ war as defined in s. 1.01(14), who  
 263 ~~has.~~ ~~The veteran must have~~ served at least 1 day during a  
 264 wartime period ~~to be eligible for veterans' preference.~~ Active  
 265 duty for training shall not be allowed for eligibility under  
 266 this paragraph.

267 (d) The unremarried widow or widower of a veteran who died  
 268 of a service-connected disability.

269 (e) The mother, father, legal guardian, or unremarried  
 270 widow or widower of a servicemember who died as a result of  
 271 military service, as verified by the United States Department of  
 272 Defense.

273 (f) A veteran as defined in s. 1.01(14). Active duty for  
 274 training shall not be allowed for eligibility under this  
 275 paragraph.

276 (g) A current member of any reserve component of the  
 277 United States Armed Forces or the Florida National Guard.

278 (2) The Department of Veterans' Affairs shall adopt rules  
 279 to ensure that veterans are given special consideration in the  
 280 employing agency's selection and retention processes. The rules  
 281 must include the award of point values as articulated in s.  
 282 295.08, if applicable, or, where point values are not relevant,  
 283 must include procedures to ensure that veterans are given  
 284 special consideration at each step of the employment selection  
 285 process, unless the sponsoring governmental entity is a party to  
 286 a collective bargaining agreement, in which case the collective

287 bargaining agreement must comply within 90 days after ~~following~~  
288 ratification of a successor collective bargaining agreement or  
289 extension of an ~~any~~ existing collective bargaining agreement.

290 (3) Preference in employment and retention may be given  
291 only to eligible persons who are described in subsection (1) ~~and~~  
292 ~~who are residents of this state.~~

293 Section 7. Section 295.08, Florida Statutes, is amended to  
294 read:

295 295.08 Positions for which a numerically based selection  
296 process is used.—For positions for which an examination is used  
297 to determine the qualifications for entrance into employment  
298 with the state or political subdivisions in the state, 15 points  
299 shall be added to the earned ratings of a person included under  
300 s. 295.07(1)(a), 10 points shall be added to the earned ratings  
301 of a ~~any~~ person included under s. 295.07(1)(b)-(e) ~~295.07(1)(a)~~  
302 ~~or (b)~~, and 5 points shall be added to the earned rating of a  
303 ~~any~~ person included under s. 295.07(1)(f) and (g) ~~295.07(1)(e)~~  
304 ~~and (d)~~, if the person has obtained a qualifying score on the  
305 examination for the position. The names of persons eligible for  
306 preference shall be entered on an appropriate register or list  
307 in accordance with their respective augmented ratings. However,  
308 except for classes of positions with Federal Government  
309 designations of professional or technician, the names of all  
310 persons qualified to receive a 10-point preference whose  
311 service-connected disabilities have been rated by the United  
312 States Department of Veterans Affairs or its predecessor or the

313 United States Department of Defense to be 30 percent or more  
 314 shall be placed at the top of the appropriate register or  
 315 employment list, in accordance with their respective augmented  
 316 ratings. The respective augmented rating is the examination  
 317 score or evaluated score in addition to the applicable veteran's  
 318 preference points.

319 Section 8. Section 295.085, Florida Statutes, is amended  
 320 to read:

321 295.085 Positions for which a numerically based selection  
 322 process is not used.—In all positions in which the appointment  
 323 or employment of persons is not subject to a written  
 324 examination, with the exception of positions that are exempt  
 325 under s. 295.07(4), first preference in appointment, employment,  
 326 and retention shall be given by the state and political  
 327 subdivisions in the state to persons included under s.  
 328 295.07(1)(a) ~~295.07(1)(a) and (b)~~, and second preference shall  
 329 be given to persons included under s. 295.07(1)(b)-(g)  
 330 ~~295.07(1)(c) and (d)~~ who possess the minimum qualifications  
 331 necessary to discharge the duties of the position involved.

332 Section 9. Paragraph (b) of subsection (2) of section  
 333 296.06, Florida Statutes, is amended to read:

334 296.06 State policy; eligibility requirements.—

335 (2) To be eligible for residency in the home, a veteran  
 336 must:

337 (b) ~~Have been a resident of the state for 1 year~~  
 338 ~~immediately preceding application and~~ Be a resident of the state

339 at the time of application.

340 Section 10. Paragraph (b) of subsection (1) of section  
341 296.36, Florida Statutes, is amended to read:

342 296.36 Eligibility and priority of admittance.—

343 (1) To be eligible for admittance to the home, the person  
344 must be a veteran as provided in s. 1.01(14) or have eligible  
345 peacetime service as defined in s. 296.02 and must:

346 (b) Be ~~Have been~~ a resident of the state ~~for 1 year~~  
347 ~~immediately preceding,~~ and at the time of application for,  
348 admission to the home.

349 Section 11. Section 322.031, Florida Statutes, is amended  
350 to read:

351 322.031 Nonresident; when license required.—

352 (1) In each ~~every~~ case in which a nonresident, except a  
353 nonresident migrant or seasonal farm worker as defined in s.  
354 316.003(61), accepts employment or engages in a ~~any~~ trade,  
355 profession, or occupation in this state or enters his or her  
356 children to be educated in the public schools of this state,  
357 such nonresident shall, within 30 days after beginning ~~the~~  
358 ~~commencement~~ of such employment or education, be required to  
359 obtain a Florida driver ~~driver's~~ license if such nonresident  
360 operates a motor vehicle on the highways of this state. The  
361 spouse or dependent child of such nonresident shall also be  
362 required to obtain a Florida driver ~~driver's~~ license within that  
363 30-day period before ~~prior to~~ operating a motor vehicle on the  
364 highways of this state.

365 (2) A member of the United States Armed Forces on active  
 366 duty in this state, his or her spouse, or a dependent residing  
 367 with him or her, is ~~shall not be~~ required to obtain or display a  
 368 Florida driver ~~driver's~~ license if he or she is in possession of  
 369 a valid military identification card and either a valid driver  
 370 license or learner's permit issued by another state, or a valid  
 371 military driving permit. Such a person is not required to obtain  
 372 or display a Florida driver license ~~under this section solely~~  
 373 because he or she enters his or her children to be educated in  
 374 the public schools of this state or because he or she accepts  
 375 employment or engages in a trade, profession, or occupation in  
 376 this state if he or she has a valid military driving permit or a  
 377 valid driver's license issued by another state.

378 (3) A nonresident who is domiciled in another state and  
 379 who commutes into this state in order to work is ~~shall not be~~  
 380 required to obtain a Florida driver ~~driver's~~ license under this  
 381 section solely because he or she has accepted employment or  
 382 engages in a ~~any~~ trade, profession, or occupation in this state  
 383 if he or she has a valid driver ~~driver's~~ license issued by  
 384 another state. A ~~Further, any~~ person who is enrolled as a  
 385 student in a college or university and who is a nonresident but  
 386 is in this state for a period of up to 6 months engaged in a  
 387 work-study program for which academic credits are earned from a  
 388 college whose credits or degrees are accepted for credit by at  
 389 least three accredited institutions of higher learning, as  
 390 defined in s. 1005.02, is ~~shall not be~~ required to obtain a

391 Florida driver ~~driver's~~ license for the duration of the work-  
 392 study program if such person has a valid driver ~~driver's~~ license  
 393 issued by another state. A ~~Any~~ nonresident who is enrolled as a  
 394 full-time student in ~~any~~ such institution of higher learning is  
 395 also exempt from the requirement of obtaining a Florida driver  
 396 ~~driver's~~ license for the duration of such enrollment.

397 (4) A nonresident who is at least 21 years of age and who  
 398 has in his or her immediate possession a valid commercial driver  
 399 ~~driver's~~ license issued in substantial compliance with the  
 400 Commercial Motor Vehicle Safety Act of 1986 may operate a motor  
 401 vehicle of the type permitted by his or her license to be  
 402 operated in this state.

403 Section 12. Subsection (5) of section 322.121, Florida  
 404 Statutes, is amended to read:

405 322.121 Periodic reexamination of all drivers.—

406 (5) A member ~~Members~~ of the United States Armed Forces,  
 407 his or her spouse, or a dependent ~~their dependents~~ residing with  
 408 him or her ~~them~~, shall be granted an automatic extension for the  
 409 expiration of his or her ~~their~~ Class E license ~~licenses~~ without  
 410 reexamination while the member of the United States Armed Forces  
 411 is serving on active duty outside this state. This extension is  
 412 valid for 90 days after the member of the United States Armed  
 413 Forces is either discharged or returns to this state to live.

414 Section 13. Subsection (12) of section 455.213, Florida  
 415 Statutes, is amended to read:

416 455.213 General licensing provisions.—



417 (12) The department shall waive the initial licensing fee,  
 418 the initial application fee, and the initial unlicensed activity  
 419 fee for a military veteran or the spouse of a military veteran  
 420 who applies to the department for a license, in a format  
 421 prescribed by the department, within 60 ~~24~~ months after the  
 422 veteran is discharged ~~discharge~~ from any branch of the United  
 423 States Armed Forces. To qualify for this waiver, the veteran  
 424 must have been honorably discharged.

425 Section 14. Section 458.315, Florida Statutes, is amended  
 426 to read:

427 458.315 Temporary certificate for practice in areas of  
 428 critical need.—

429 ~~(1) A certificate issued pursuant to this section may be~~  
 430 ~~cited as the "Rear Admiral LeRoy Collins, Jr., Temporary~~  
 431 ~~Certificate for Practice in Areas of Critical Need."~~

432 ~~(2) Any physician who:~~

433 ~~(a) Is licensed to practice in any jurisdiction in the~~  
 434 ~~United States and whose license is currently valid; or~~

435 ~~(b) Has served as a physician in the United States Armed~~  
 436 ~~Forces for at least 10 years and received an honorable discharge~~  
 437 ~~from the military;~~

438  
 439 ~~and who pays an application fee of \$300 may be issued a~~  
 440 ~~temporary certificate for practice in areas of critical need.~~

441 (1)-(3) The board may issue a temporary certificate for  
 442 practice in areas of critical need ~~A certificate may be issued~~

443 to a physician who holds an active and valid license to practice  
444 in any jurisdiction in the United States, who pays an  
445 application fee of \$300, and who will:

446 (a) ~~Will~~ Practice in an area of critical need;

447 (b) ~~Will~~ Be employed by or practice in a county health  
448 department; correctional facility; Department of Veterans'  
449 Affairs clinic; community health center funded by s. 329, s.  
450 330, or s. 340 of the United States Public Health Services Act;  
451 or other agency or institution that is approved by the State  
452 Surgeon General and provides health care to meet the needs of  
453 underserved populations in this state; or

454 (c) ~~Will~~ Practice for a limited time to address critical  
455 physician-specialty, demographic, or geographic needs for this  
456 state's physician workforce as determined by the State Surgeon  
457 General.

458 ~~(2)(4)~~ The board ~~of Medicine~~ may issue a ~~this~~ temporary  
459 certificate with the following restrictions:

460 (a) The State Surgeon General shall determine the areas of  
461 critical need. Such areas include, but are not limited to,  
462 health professional shortage areas designated by the United  
463 States Department of Health and Human Services.

464 1. A recipient of a temporary certificate for practice in  
465 areas of critical need may use the certificate to work for any  
466 approved entity in any area of critical need or as authorized by  
467 the State Surgeon General.

468 2. The recipient of a temporary certificate for practice

469 in areas of critical need shall, within 30 days after accepting  
 470 employment, notify the board of all approved institutions in  
 471 which the licensee practices and of all approved institutions  
 472 where practice privileges have been denied.

473 (b) ~~The board may administer an abbreviated oral~~  
 474 ~~examination to determine the physician's competency, but a~~  
 475 ~~written regular examination is not required.~~ Within 10 ~~60~~ days  
 476 after receipt of a complete ~~an~~ application for a temporary  
 477 certificate, the board shall review the application and:

- 478 1. Issue the temporary certificate;
- 479 2. Deny the temporary certificate; notify the applicant of  
 480 ~~denial,~~ or
- 481 3. Require ~~notify~~ the applicant ~~that the board recommends~~  
 482 to complete additional assessment, training, education, or other  
 483 requirements as a condition of certification.

484 (c) If the applicant has not actively practiced during the  
 485 prior 3 years and the board determines that the applicant may  
 486 lack clinical competency, possess diminished or inadequate  
 487 skills, lack necessary medical knowledge, or exhibit patterns of  
 488 deficits in clinical decisionmaking, the board may, within 10  
 489 days after receipt of a complete application:

- 490 1. Deny the application;
- 491 2. Issue a temporary certificate having reasonable  
 492 restrictions that may include, but are not limited to, a  
 493 requirement for the applicant to practice under the supervision  
 494 of a physician approved by the board; or

495 3. Issue a temporary certificate upon receipt of  
 496 documentation confirming that the applicant has met any  
 497 reasonable conditions of the board which may include, but are  
 498 not limited to, completing continuing education or undergoing an  
 499 assessment of skills and training.

500 (d)~~(e)~~ A temporary ~~Any~~ certificate issued under this  
 501 section is valid only so long as the State Surgeon General  
 502 determines that the reason for which it was issued remains a  
 503 critical need to the state. The board ~~of Medicine~~ shall review  
 504 each temporary certificateholder at least ~~not less than~~ annually  
 505 to ascertain compliance with ~~that~~ the minimum requirements of  
 506 the Medical Practice Act and its adopted rules ~~are being~~  
 507 ~~complied with~~. If it is determined that such minimum  
 508 requirements are not being met, the board shall revoke such  
 509 certificate or shall impose restrictions or conditions, or both,  
 510 as a condition of continued practice under the certificate.

511 (e)~~(d)~~ The board may not issue a temporary certificate for  
 512 practice in areas ~~an area~~ of critical need to a ~~any~~ physician  
 513 who is under investigation in any jurisdiction in the United  
 514 States for an act that would constitute a violation of this  
 515 chapter until such time as the investigation is complete, at  
 516 which time the provisions of s. 458.331 apply.

517 (3)~~(5)~~ The application fee and all licensure fees,  
 518 including neurological injury compensation assessments, shall be  
 519 waived for an applicant ~~those persons~~ obtaining a temporary  
 520 certificate to practice in areas of critical need for the

521 purpose of providing volunteer, uncompensated care for low-  
522 income residents. The applicant must submit an affidavit from  
523 the employing agency or institution stating that the physician  
524 will not receive any compensation for any service involving the  
525 practice of medicine.

526 (4) The board shall create a simplified application for a  
527 temporary certificate for practice in areas of critical need to  
528 reduce administrative impediments and maximize participation.  
529 The application may not request redundant information, including  
530 information:

531 (a) Accessible through the department's licensing  
532 database.

533 (b) Regarding qualifications, including education or  
534 training, required for the applicant's current license in  
535 another jurisdiction.

536 Section 15. Section 458.3151, Florida Statutes, is created  
537 to read:

538 458.3151 Temporary certificate for active duty military  
539 and veterans practicing in areas of critical need.-

540 (1) A certificate issued pursuant to this section may be  
541 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary  
542 Certificate for Practice in Areas of Critical Need."

543 (2) The board may issue a temporary certificate to a  
544 physician who complies with subsection (3) and who will:

545 (a) Practice in an area of critical need;

546 (b) Be employed by or practice in a county health

547 department; correctional facility; Department of Veterans'  
548 Affairs clinic; community health center funded by s. 329, s.  
549 330, or s. 340 of the United States Public Health Services Act;  
550 or other agency or institution that is approved by the State  
551 Surgeon General and provides health care to meet the needs of  
552 underserved populations in this state; or

553 (c) Practice for a limited time to address critical  
554 physician-specialty, demographic, or geographic needs for this  
555 state's physician workforce as determined by the State Surgeon  
556 General.

557 (3) To be eligible for a temporary certificate, a  
558 physician must submit to the board:

559 (a) A complete application.

560 (b) Proof of an active and valid license to practice in a  
561 jurisdiction in the United States.

562 (c) An affidavit from the employing agency or institution  
563 stating that the physician will not receive any compensation for  
564 any service involving the practice of medicine.

565 (d) If on active duty, a letter from the physician's  
566 military command authorizing the physician to practice medicine  
567 at an approved entity in an area of critical need.

568 (e) Documentation demonstrating the physician is serving  
569 on active duty in the United States Armed Forces as a  
570 commissioned medical officer or has served as a commissioned  
571 medical officer in the United States Armed Forces for at least  
572 10 years and received an honorable discharge from the military.

573       (4) The board shall use a simplified application for a  
 574 temporary certificate for practice in areas of critical need to  
 575 reduce administrative impediments and maximize participation.  
 576 The board may not request redundant information, including  
 577 information:

578       (a) Available in the department's licensing database.

579       (b) Regarding qualifications, including education or  
 580 training, required for the applicant's current license in  
 581 another jurisdiction.

582       (c) Contained in the supporting documentation provided by  
 583 the applicant pursuant to paragraphs (3) (a)-(d).

584       (5) The application fee and all licensure fees shall be  
 585 waived for a physician obtaining a temporary certificate to  
 586 practice in areas of critical need under this section.

587       (6) (a) Within 10 days after receipt of a complete  
 588 application for a temporary certificate, the board shall review  
 589 the application and associated documentation and:

590       1. Issue the temporary certificate;

591       2. Deny the temporary certificate; or

592       3. Require the applicant to complete additional  
 593 assessment, training, education, or other requirements as a  
 594 condition of certification. The board shall issue a temporary  
 595 certificate upon receipt of documentation demonstrating that the  
 596 requirements of the board have been met.

597       (b) If an applicant has not actively practiced medicine  
 598 during the prior 3 years and the board determines the applicant

599 may lack clinical competency, possess diminished or inadequate  
600 skills, lack necessary medical knowledge, or exhibit patterns of  
601 deficits in clinical decisionmaking, the board may, within 10  
602 days after receipt of a complete application:

603 1. Deny the application;

604 2. Issue a temporary certificate having reasonable  
605 restrictions, including, but not limited to, a requirement that  
606 the applicant practice under the supervision of a physician  
607 approved by the board; or

608 3. Issue a temporary certificate upon receipt of  
609 documentation confirming that the applicant has met any  
610 reasonable conditions of the board, including, but not limited  
611 to, completing continuing education or undergoing an assessment  
612 of skills and training.

613 (c) The board may not issue a temporary certificate for  
614 practice in areas of critical need to a physician who is under  
615 investigation in any jurisdiction in the United States for an  
616 act that would constitute a violation of this chapter until such  
617 time as the investigation is complete, at which time the  
618 provisions of s. 458.331 apply.

619 (7) The recipient of a temporary certificate for practice  
620 in areas of critical need shall, within 30 days after accepting  
621 employment, notify the board of all approved institutions in  
622 which the licensee practices and of all approved institutions  
623 where practice privileges have been denied. A physician holding  
624 a temporary certificate for practice in areas of critical need



625 may enter into a contract to provide volunteer health care  
 626 services pursuant to s. 766.1115.

627 (8) A temporary certificate issued under this section is  
 628 valid only so long as the State Surgeon General determines that  
 629 the reason for which it was issued remains a critical need to  
 630 the state. The board shall review each temporary  
 631 certificateholder at least annually to ascertain compliance with  
 632 the minimum requirements of this section and the Medical  
 633 Practice Act and its adopted rules. If it is determined that  
 634 such minimum requirements are not being met, the board shall  
 635 revoke such certificate or shall impose restrictions or  
 636 conditions, or both, as a condition of continued practice under  
 637 the certificate.

638 Section 16. Section 459.0076, Florida Statutes, is amended  
 639 to read:

640 459.0076 Temporary certificate for practice in areas of  
 641 critical need.—

642 ~~(1) A certificate issued pursuant to this section may be~~  
 643 ~~eited as the "Rear Admiral LeRoy Collins, Jr., Temporary~~  
 644 ~~Certificate for Practice in Areas of Critical Need."~~

645 ~~(2) Any physician who:~~

646 ~~(a) Is licensed to practice in any jurisdiction in the~~  
 647 ~~United States and whose license is currently valid; or~~

648 ~~(b) Has served as a physician in the United States Armed~~  
 649 ~~Forces for at least 10 years and received an honorable discharge~~  
 650 ~~from the military;~~

651  
652 ~~and who pays an application fee of \$300 may be issued a~~  
653 ~~temporary certificate for practice in areas of critical need.~~

654 (1)(3) The board may issue a temporary certificate for  
655 practice in areas of critical need ~~A certificate may be issued~~  
656 ~~to a physician who holds an active and valid license to practice~~  
657 ~~in any jurisdiction in the United States, who pays an~~  
658 ~~application fee of \$300, and who will:~~

- 659 (a) ~~Will~~ Practice in an area of critical need;
- 660 (b) ~~Will~~ Be employed by or practice in a county health  
661 department; correctional facility; Department of Veterans'  
662 Affairs clinic; community health center funded by s. 329, s.  
663 330, or s. 340 of the United States Public Health Services Act;  
664 or other agency or institution that is approved by the State  
665 Surgeon General and provides health care to meet the needs of  
666 underserved populations in this state; or
- 667 (c) ~~Will~~ Practice for a limited time to address critical  
668 physician-specialty, demographic, or geographic needs for this  
669 state's physician workforce as determined by the State Surgeon  
670 General.

671 (2)(4) The board of Osteopathic Medicine may issue a ~~this~~  
672 ~~temporary certificate with the following restrictions:~~

- 673 (a) The State Surgeon General shall determine the areas of  
674 critical need. Such areas include, but are not limited to,  
675 health professional shortage areas designated by the United  
676 States Department of Health and Human Services.

677 1. A recipient of a temporary certificate for practice in  
 678 areas of critical need may use the certificate to work for any  
 679 approved entity in any area of critical need or as authorized by  
 680 the State Surgeon General.

681 2. The recipient of a temporary certificate for practice  
 682 in areas of critical need shall, within 30 days after accepting  
 683 employment, notify the board of all approved institutions in  
 684 which the licensee practices and of all approved institutions  
 685 where practice privileges have been denied.

686 (b) ~~The board may administer an abbreviated oral~~  
 687 ~~examination to determine the physician's competency, but a~~  
 688 ~~written regular examination is not required.~~ Within 10 ~~60~~ days  
 689 after receipt of a complete ~~an~~ application for a temporary  
 690 certificate, the board shall review the application and:

- 691 1. Issue the temporary certificate;
- 692 2. Deny the temporary certificate; notify the applicant of  
 693 ~~denial,~~ or
- 694 3. Require ~~notify~~ the applicant ~~that the board recommends~~  
 695 to complete additional assessment, training, education, or other  
 696 requirements as a condition of certification.

697 (c) If the applicant has not actively practiced during the  
 698 prior 3 years and the board determines that the applicant may  
 699 lack clinical competency, possess diminished or inadequate  
 700 skills, lack necessary medical knowledge, or exhibit patterns of  
 701 deficits in clinical decisionmaking, the board may, within 10  
 702 days after receipt of a complete application:

- 703           1. Deny the application;
- 704           2. Issue a temporary certificate having reasonable
- 705 restrictions that may include, but are not limited to, a
- 706 requirement for the applicant to practice under the supervision
- 707 of a physician approved by the board; or
- 708           3. Issue a temporary certificate upon receipt of
- 709 documentation confirming that the applicant has met any
- 710 reasonable conditions of the board which may include, but are
- 711 not limited to, completing continuing education or undergoing an
- 712 assessment of skills and training.

713           ~~(d)(e)~~ A temporary ~~Any~~ certificate issued under this

714 section is valid only so long as the State Surgeon General

715 determines that the reason for which it was issued remains a

716 critical need to the state. The board ~~of Osteopathic Medicine~~

717 shall review each temporary certificateholder at least ~~not less~~

718 ~~than~~ annually to ascertain compliance with ~~that~~ the minimum

719 requirements of the Osteopathic Medical Practice Act and its

720 adopted rules ~~are being complied with~~. If it is determined that

721 such minimum requirements are not being met, the board shall

722 revoke such certificate or shall impose restrictions or

723 conditions, or both, as a condition of continued practice under

724 the certificate.

725           ~~(e)(d)~~ The board may not issue a temporary certificate for

726 practice in areas ~~an area~~ of critical need to a ~~any~~ physician

727 who is under investigation in any jurisdiction in the United

728 States for an act that would constitute a violation of this

729 chapter until such time as the investigation is complete, at  
 730 which time the provisions of s. 459.015 apply.

731 (3)~~(5)~~ The application fee and all licensure fees,  
 732 including neurological injury compensation assessments, shall be  
 733 waived for an applicant ~~those persons~~ obtaining a temporary  
 734 certificate to practice in areas of critical need for the  
 735 purpose of providing volunteer, uncompensated care for low-  
 736 income residents. The applicant must submit an affidavit from  
 737 the employing agency or institution stating that the physician  
 738 will not receive any compensation for any service involving the  
 739 practice of medicine.

740 (4) The board shall create a simplified application for a  
 741 temporary certificate for practice in areas of critical need to  
 742 reduce administrative impediments and maximize participation.  
 743 The application may not request redundant information, including  
 744 information:

745 (a) Accessible through the department's licensing  
 746 database.

747 (b) Regarding qualifications, including education or  
 748 training, required for the applicant's current license in  
 749 another jurisdiction.

750 Section 17. Section 459.00761, Florida Statutes, is  
 751 created to read:

752 459.00761 Temporary certificate for active duty military  
 753 and veterans practicing in areas of critical need.-

754 (1) A certificate issued pursuant to this section may be

755 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary  
756 Certificate for Practice in Areas of Critical Need."

757 (2) The board may issue a temporary certificate to a  
758 physician who complies with subsection (3) and who will:

759 (a) Practice in an area of critical need;

760 (b) Be employed by or practice in a county health  
761 department; correctional facility; Department of Veterans'  
762 Affairs clinic; community health center funded by s. 329, s.  
763 330, or s. 340 of the United States Public Health Services Act;  
764 or other agency or institution that is approved by the State  
765 Surgeon General and provides health care to meet the needs of  
766 underserved populations in this state; or

767 (c) Practice for a limited time to address critical  
768 physician-specialty, demographic, or geographic needs for this  
769 state's physician workforce as determined by the State Surgeon  
770 General.

771 (3) To be eligible for a temporary certificate, a  
772 physician must submit to the board:

773 (a) A complete application.

774 (b) Proof of an active and valid license to practice in  
775 any jurisdiction in the United States.

776 (c) An affidavit from the employing agency or institution  
777 stating that the physician will not receive any compensation for  
778 any service involving the practice of medicine.

779 (d) If on active duty, a letter from the physician's  
780 military command authorizing the physician to practice medicine

781 at an approved entity in an area of critical need.

782 (e) Documentation demonstrating the physician is serving  
783 on active duty in the United States Armed Forces as a  
784 commissioned medical officer or has served as a commissioned  
785 medical officer in the United States Armed Forces for at least  
786 10 years and received an honorable discharge from the military.

787 (4) The board shall use a simplified application for a  
788 temporary certificate for practice in areas of critical need to  
789 reduce administrative impediments and maximize participation.

790 The board may not request redundant information, including  
791 information:

792 (a) Available in the department's licensing database.

793 (b) Regarding qualifications, including education or  
794 training, required for the applicant's current license in  
795 another jurisdiction.

796 (c) Contained in the supporting documentation provided by  
797 the applicant pursuant to paragraphs (3) (a)-(d).

798 (5) The application fee and all licensure fees shall be  
799 waived for a physician obtaining a temporary certificate to  
800 practice in areas of critical need under this section.

801 (6) (a) Within 10 days after receipt of a complete  
802 application for a temporary certificate, the board shall review  
803 the application and associated documentation and:

804 1. Issue the temporary certificate;

805 2. Deny the temporary certificate; or

806 3. Require the applicant to complete additional

807 assessment, training, education, or other requirements as a  
808 condition of certification. The board shall issue a temporary  
809 certificate upon receipt of documentation demonstrating that the  
810 requirements of the board have been met.

811 (b) If an applicant has not actively practiced medicine  
812 during the prior 3 years and the board determines the applicant  
813 may lack clinical competency, possess diminished or inadequate  
814 skills, lack necessary medical knowledge, or exhibit patterns of  
815 deficits in clinical decisionmaking, the board may, within 10  
816 days after receipt of a complete application:

817 1. Deny the application;

818 2. Issue a temporary certificate having reasonable  
819 restrictions, including, but not limited to, a requirement that  
820 the applicant practice under the supervision of a physician  
821 approved by the board; or

822 3. Issue a temporary certificate upon receipt of  
823 documentation confirming that the applicant has met any  
824 reasonable conditions of the board, including, but not limited  
825 to, completing continuing education or undergoing an assessment  
826 of skills and training.

827 (c) The board may not issue a temporary certificate for  
828 practice in areas of critical need to a physician who is under  
829 investigation in any jurisdiction in the United States for an  
830 act that would constitute a violation of this chapter until such  
831 time as the investigation is complete, at which time the  
832 provisions of s. 459.015 apply.



833       (7) The recipient of a temporary certificate for practice  
 834 in areas of critical need shall, within 30 days after accepting  
 835 employment, notify the board of all approved institutions in  
 836 which the licensee practices and of all approved institutions  
 837 where practice privileges have been denied. A physician holding  
 838 a temporary certificate for practice in areas of critical need  
 839 may enter into a contract to provide volunteer health care  
 840 services pursuant to s. 766.1115.

841       (8) A temporary certificate issued under this section is  
 842 valid as long as the State Surgeon General determines that the  
 843 reason for which it was issued remains a critical need to the  
 844 state. The board shall review each temporary certificateholder  
 845 at least annually to ascertain compliance with the minimum  
 846 requirements of this section and the Osteopathic Practice Act  
 847 and its adopted rules. If it is determined that such minimum  
 848 requirements are not being met, the board shall revoke such  
 849 certificate or shall impose restrictions or conditions, or both,  
 850 as a condition of continued practice under the certificate.

851       Section 18. Paragraph (b) of subsection (16) of section  
 852 499.012, Florida Statutes, is amended to read:

853       499.012 Permit application requirements.—

854       (16)

855       (b) To be certified as a designated representative, a  
 856 natural person must:

857       1. Submit an application on a form furnished by the  
 858 department and pay the appropriate fees.†

- 859           2. Be at least 18 years of age.~~†~~
- 860           3. Have at least ~~not less than~~ 2 years of verifiable full-
- 861 time:
- 862           a. Work experience in a pharmacy licensed in this state or
- 863 another state, where the person's responsibilities included, but
- 864 were not limited to, recordkeeping for prescription drugs;~~†~~~~or~~
- 865 ~~have not less than 2 years of verifiable full-time~~
- 866           b. Managerial experience with a prescription drug
- 867 wholesale distributor licensed in this state or in another
- 868 state;~~†~~or
- 869           c. Managerial experience with the United States military,
- 870 where the person's responsibilities included, but were not
- 871 limited to, recordkeeping, warehousing, distributing, or other
- 872 logistics services pertaining to prescription drugs.~~†~~
- 873           4. Receive a passing score of at least 75 percent on an
- 874 examination given by the department regarding federal laws
- 875 governing distribution of prescription drugs and this part and
- 876 the rules adopted by the department governing the wholesale
- 877 distribution of prescription drugs. This requirement shall be
- 878 effective 1 year after the results of the initial examination
- 879 are mailed to the persons that took the examination. The
- 880 department shall offer such examinations at least four times
- 881 each calendar year.~~†~~~~and~~
- 882           5. Provide the department with a personal information
- 883 statement and fingerprints pursuant to subsection (9).
- 884           Section 19. Subsection (12) is added to section 1009.26,

885 Florida Statutes, to read:

886 1009.26 Fee waivers.—

887 (12) (a) There is established the Congressman C. W. Bill  
888 Young Veteran Tuition Waiver Program. A state university or  
889 Florida College System institution shall waive out-of-state fees  
890 for an honorably discharged veteran of the United States Armed  
891 Forces, the United States Reserve Forces, or the National Guard  
892 who physically resides in this state while enrolled in the  
893 institution. Tuition and fees charged to a veteran who qualifies  
894 for the out-of-state fee waiver under this subsection may not  
895 exceed the tuition and fees charged to a resident student. The  
896 waiver is applicable for 110 percent of the required credit  
897 hours of the degree or certificate program for which the student  
898 is enrolled. Each state university and Florida College System  
899 institution shall report to the Board of Governors and the State  
900 Board of Education, respectively, the number and value of all  
901 fee waivers granted annually under this subsection.

902 (b) This subsection may be cited as the "Congressman C.W.  
903 Bill Young Tuition Waiver Act."

904 Section 20. For the 2014-2015 fiscal year, the sum of  
905 \$12.5 million in nonrecurring funds is appropriated from the  
906 General Revenue Fund to the Department of Military Affairs for  
907 the purpose of continuing renovations to state readiness centers  
908 to meet state and federal building codes.

909 Section 21. For the 2014-2015 fiscal year, the following  
910 sums of nonrecurring funds are appropriated from the General

CS/HB 7015

2014

911 Revenue Fund to the Department of Economic Opportunity for the  
912 Military Base Protection Program to allow the Board of Trustees  
913 of the Internal Improvement Trust Fund to acquire, pursuant to  
914 s. 288.980, Florida Statutes, nonconservation land adjacent to  
915 the following installations for the purpose of securing and  
916 protecting the installations against encroachment:

- 917 (1) MacDill Air Force Base, \$4.9 million.  
918 (2) Naval Support Activity Panama City, \$2.4 million.  
919 (3) Naval Station Mayport, \$1.5 million.

920 Section 22. This act shall take effect July 1, 2014.