

By Representative Eggelletion

1 A bill to be entitled
 2 An act relating to orthotics, prosthetics, and
 3 pedorthics; amending s. 468.805, F.S.; revising
 4 grandfathering requirements for licensure to
 5 practice orthotics, prosthetics, or pedorthics
 6 without meeting statutory educational
 7 requirements; repealing s. 1, ch. 99-158, Laws
 8 of Florida, relating to a deadline to apply for
 9 licensure to practice orthotics, prosthetics,
 10 or pedorthics without meeting statutory
 11 educational requirements; providing an
 12 effective date.

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

15
 16 Section 1. Section 468.805, Florida Statutes, is
 17 amended to read:

18 468.805 Grandfathering.--

19 (1)(a) A person who has practiced orthotics,
 20 prosthetics, or pedorthics in this state for the required
 21 period between ~~since~~ July 1, 1990, and March 1, 1998, who,
 22 before October 1, 2000 ~~March 1, 1998~~, applies to the
 23 department for a license to practice orthotics, prosthetics,
 24 or pedorthics, may be licensed as a prosthetist, an orthotist,
 25 a prosthetist-orthotist, an orthotic fitter, an orthotic
 26 fitter assistant, or a pedorthist, as applicable ~~determined~~
 27 ~~from the person's experience, certification, and educational~~
 28 ~~preparation~~, without meeting the educational requirements set
 29 forth in s. 468.803, ~~upon receipt of the application fee and~~
 30 ~~licensing fee and after the board has completed an~~
 31 ~~investigation into the applicant's background and experience.~~

1 ~~The board shall require an application fee not to exceed \$500,~~
2 ~~which shall be nonrefundable. The board shall complete its~~
3 ~~investigation within 6 months after receipt of the completed~~
4 ~~application.~~

5 (b) The period of experience required for licensure
6 under this ~~subsection~~ section is 5 years for a prosthetist or
7 an orthotist and 2 years for an orthotic fitter, an orthotic
8 fitter assistant, or a pedorthist. Each applicant shall
9 document experience in the ~~and 5 years for an orthotist whose~~
10 scope of practice for the profession applied for as is defined
11 under s. 468.80(7).

12 (2)(a) An applicant for licensure as an orthotist, a
13 prosthetist, or a prosthetist-orthotist who cannot demonstrate
14 5 years of experience as required by subsection (1), but who
15 has practiced as an orthotist, a prosthetist, or a
16 prosthetist-orthotist in this state for at least 2 years
17 between July 1, 1990, and March 1, 1998, and ~~A person who has~~
18 ~~received certification as an orthotist, a prosthetist, or a~~
19 ~~prosthetist-orthotist from a national certifying body before~~
20 ~~July 1, 1998, and who has practiced orthotics or prosthetics~~
21 ~~in this state for at least 2 years but less than 5 years is~~
22 ~~eligible for a provisional license.~~

23 ~~(b) An applicant for provisional licensure shall~~
24 ~~submit proof that he or she has been actively practicing as a~~
25 ~~nationally certified orthotist, prosthetist, or~~
26 ~~prosthetist-orthotist, an application fee, and a provisional~~
27 ~~license fee.~~

28 (b)(c) A provisional licensee is required to practice
29 under supervision of a fully licensed orthotist, prosthetist,
30 or prosthetist-orthotist for up to 3 years in order to meet
31 the 5-year experience requirement of subsection (1) to be

1 licensed as an orthotist, a prosthetist, or a
2 prosthetist-orthotist. The provisional licensee must
3 demonstrate that the supervised practice includes experience
4 in the scope of practice of the profession as defined under s.
5 468.80.

6 ~~(d) After appropriate investigation, the board shall~~
7 ~~license as an orthotist, prosthetist, or prosthetist-orthotist~~
8 ~~the provisional licensee who has successfully completed the~~
9 ~~period of experience required and otherwise meets the~~
10 ~~requirements of subsection (1).~~

11 ~~(e) The board shall require an application fee, not to~~
12 ~~exceed \$500, which is nonrefundable, and a provisional~~
13 ~~licensure fee, not to exceed \$500.~~

14 (3) Upon receipt of the nonrefundable application fee
15 and the appropriate licensing fee, the board shall complete an
16 investigation into the applicant's background and experience.
17 The board shall complete its investigation within 6 months
18 after receipt of the completed application. The 90-day period
19 for approval or denial of a license required under s. 120.60
20 does not apply to applications for licensure or provisional
21 licensure under this section.

22 (4) The board by rule shall establish the following
23 fees not to exceed \$500 each:

24 (a) Application fee for licensure under subsection
25 (1).

26 (b) Application fee for provisional licensure under
27 subsection (2).

28 (c) Application fee for licensure following
29 provisional licensure under subsection (2).

30 (d) Initial licensure fee.

31 (e) Provisional licensure fee.

1 ~~(3) An applicant who has received certification as an~~
2 ~~orthotist, a prosthetist, a prosthetist-orthotist, or a~~
3 ~~pedorthist from a national certifying body which requires the~~
4 ~~successful completion of an examination, may be licensed under~~
5 ~~this section without taking an additional examination. An~~
6 ~~applicant who has not received certification from a national~~
7 ~~certifying body which requires the successful completion of an~~
8 ~~examination shall be required to take an examination as~~
9 ~~determined by the board. This examination shall be designed to~~
10 ~~determine if the applicant has the minimum qualifications~~
11 ~~needed to be licensed under this section. The board may charge~~
12 ~~an examination fee and the actual per applicant cost to the~~
13 ~~department for purchase or development of the examination.~~

14 ~~(4) An applicant who successfully completed prior to~~
15 ~~March 1, 1998, at least one-half of the examination required~~
16 ~~for national certification and successfully completed the~~
17 ~~remaining portion of the examination and became certified~~
18 ~~prior to July 1, 1998, shall be considered as nationally~~
19 ~~certified by March 1, 1998, for purposes of this section.~~

20 (5) This section is repealed July 1, 2002.

21 Section 2. Section 1 of chapter 99-158, Laws of
22 Florida, is repealed.

23 Section 3. This act shall take effect upon becoming a
24 law.

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27 HOUSE SUMMARY

28
29 Revises grandfathering requirements for licensure to
30 practice orthotics, prosthetics, or pedorthics without
31 meeting statutory educational requirements, to extend the
 date to apply for such licensure and to eliminate the
 examination requirement. See bill for details.