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1                   A bill to be entitled  
2     An act relating to the practice of dentistry;  
3     requiring persons who apply for licensure renewal as a  
4     dentist or dental hygienist to furnish certain  
5     information to the Department of Health in a dental  
6     workforce survey; requiring the Board of Dentistry to  
7     issue a nondisciplinary citation and a notice for  
8     failure to complete the survey within a specified  
9     time; providing notification requirements for the  
10    citation; requiring the department to serve as the  
11    coordinating body for the purpose of collecting,  
12    disseminating, and updating dental workforce data;  
13    requiring the department to maintain a database  
14    regarding the state's dental workforce; requiring the  
15    department to develop strategies to maximize federal  
16    and state programs and to work with an advisory body  
17    to address matters relating to the state's dental  
18    workforce; providing membership of the advisory body;  
19    providing for members of the advisory body to serve  
20    without compensation; requiring the department to act  
21    as a clearinghouse for collecting and disseminating  
22    information regarding the dental workforce; requiring  
23    the department and the board to adopt rules; providing  
24    legislative intent regarding implementation of the act  
25    within existing resources; amending s. 499.01, F.S.;  
26    authorizing certain business entities to pay for  
27    prescription drugs obtained by practitioners licensed  
28    under ch. 466, F.S.; amending s. 624.91, F.S.;  
29    revising the membership of the board of directors of

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30 the Florida Healthy Kids Corporation to include a  
31 member nominated by the Florida Dental Association and  
32 appointed by the Governor; providing an effective  
33 date.

34  
35 Be It Enacted by the Legislature of the State of Florida:

36  
37 Section 1. Dental workforce survey.—

38 (1) Beginning in 2012, each person who applies for  
39 licensure renewal as a dentist or dental hygienist under chapter  
40 466, Florida Statutes, must, in conjunction with the renewal of  
41 such license under procedures and forms adopted by the Board of  
42 Dentistry and in addition to any other information that may be  
43 required from the applicant, furnish the following information  
44 to the Department of Health, working in conjunction with the  
45 board, in a dental workforce survey:

46 (a) Licensee information, including, but not limited to:

47 1. The name of the dental school or dental hygiene program  
48 that the dentist or dental hygienist graduated from and the year  
49 of graduation.

50 2. The year that the dentist or dental hygienist began  
51 practicing or working in this state.

52 3. The geographic location of the dentist's or dental  
53 hygienist's practice or address within the state.

54 4. For a dentist in private practice:

55 a. The number of full-time dental hygienists employed by  
56 the dentist during the reporting period.

57 b. The number of full-time dental assistants employed by  
58 the dentist during the reporting period.

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59 c. The average number of patients treated per week by the  
60 dentist during the reporting period.

61 d. The settings where the dental care was delivered.

62 5. Anticipated plans of the dentist to change the status of  
63 his or her license or practice.

64 6. The dentist's areas of specialty or certification.

65 7. The year that the dentist completed a specialty program  
66 recognized by the American Dental Association.

67 8. For a hygienist:

68 a. The average number of patients treated per week by the  
69 hygienist during the reporting period.

70 b. The settings where the dental care was delivered.

71 9. The dentist's memberships in professional organizations.

72 10. The number of pro bono hours provided by the dentist or  
73 dental hygienist during the last biennium.

74 (b) Information concerning the availability and trends  
75 relating to critically needed services, including, but not  
76 limited to, the following types of care provided by the dentist  
77 or dental hygienist:

78 1. Dental care to children having special needs.

79 2. Geriatric dental care.

80 3. Dental services in emergency departments.

81 4. Medicaid services.

82 5. Other critically needed specialty areas, as determined  
83 by the advisory body.

84 (2) In addition to the completed survey, the dentist or  
85 dental hygienist must submit a statement that the information  
86 provided is true and accurate to the best of his or her  
87 knowledge and belief.

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88       (3) Beginning in 2012, renewal of a license by a dentist or  
89 dental hygienist licensed under chapter 466, Florida Statutes,  
90 is not contingent upon the completion and submission of the  
91 dental workforce survey; however, for any subsequent license  
92 renewal, the board may not renew the license of any dentist or  
93 dental hygienist until the survey required under this section is  
94 completed and submitted by the licensee.

95       (4) (a) Beginning in 2012, the Board of Dentistry shall  
96 issue a nondisciplinary citation to any dentist or dental  
97 hygienist licensed under chapter 466, Florida Statutes, who  
98 fails to complete the survey within 90 days after the renewal of  
99 his or her license to practice as a dentist or dental hygienist.

100       (b) The citation must notify a dentist or dental hygienist  
101 who fails to complete the survey required by this section that  
102 his or her license will not be renewed for any subsequent  
103 license renewal unless the dentist or dental hygienist completes  
104 the survey.

105       (c) In conjunction with issuing the license renewal notice  
106 required by s. 456.038, Florida Statutes, the board shall notify  
107 each dentist or dental hygienist licensed under chapter 466,  
108 Florida Statutes, who fails to complete the survey that the  
109 survey must be completed before the subsequent license renewal.

110       Section 2. (1) The Department of Health shall serve as the  
111 coordinating body for the purpose of collecting and regularly  
112 updating and disseminating dental workforce data. The department  
113 shall work with multiple stakeholders, including the Florida  
114 Dental Association and the Florida Dental Hygiene Association,  
115 to assess and share with all communities of interest all data  
116 collected in a timely fashion.

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117 (2) The Department of Health shall maintain a current  
118 database to serve as a statewide source of data concerning the  
119 dental workforce. The department, in conjunction with the board,  
120 shall also:

121 (a) Develop strategies to maximize federal and state  
122 programs that provide incentives for dentists to practice in  
123 shortage areas that are federally designated. Strategies shall  
124 include programs such as the Florida Health Services Corps  
125 established under s. 381.0302, Florida Statutes.

126 (b) Work in conjunction with an advisory body to address  
127 matters relating to the state's dental workforce. The advisory  
128 body shall provide input on developing questions for the dentist  
129 workforce survey. An advisory body shall include, but need not  
130 be limited to, the State Surgeon General or his or her designee,  
131 the dean of each dental school accredited in the United States  
132 and based in this state or his or her designee, a representative  
133 from the Florida Dental Association, a representative from the  
134 Florida Dental Hygiene Association, a representative from the  
135 Florida Board of Dentistry, and a dentist from each of the  
136 dental specialties recognized by the American Dental  
137 Association's Commission on Dental Accreditation. Members of the  
138 advisory body shall serve without compensation.

139 (c) Act as a clearinghouse for collecting and disseminating  
140 information concerning the dental workforce.

141 (3) The Department of Health and the Board of Dentistry  
142 shall adopt rules necessary to administer this section.

143 Section 3. It is the intent of the Legislature that the  
144 Department of Health and the Board of Dentistry implement the  
145 provisions of this act within existing resources.

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146 Section 4. Paragraph (t) of subsection (2) of section  
147 499.01, Florida Statutes, is amended to read:

148 499.01 Permits.—

149 (2) The following permits are established:

150 (t) *Health care clinic establishment permit*.—Effective  
151 January 1, 2009, a health care clinic establishment permit is  
152 required for the purchase of a prescription drug by a place of  
153 business at one general physical location that provides health  
154 care or veterinary services, which is owned and operated by a  
155 business entity that has been issued a federal employer tax  
156 identification number. For the purpose of this paragraph, the  
157 term "qualifying practitioner" means a licensed health care  
158 practitioner defined in s. 456.001, or a veterinarian licensed  
159 under chapter 474, who is authorized under the appropriate  
160 practice act to prescribe and administer a prescription drug.

161 1. An establishment must provide, as part of the  
162 application required under s. 499.012, designation of a  
163 qualifying practitioner who will be responsible for complying  
164 with all legal and regulatory requirements related to the  
165 purchase, recordkeeping, storage, and handling of the  
166 prescription drugs. In addition, the designated qualifying  
167 practitioner shall be the practitioner whose name, establishment  
168 address, and license number is used on all distribution  
169 documents for prescription drugs purchased or returned by the  
170 health care clinic establishment. Upon initial appointment of a  
171 qualifying practitioner, the qualifying practitioner and the  
172 health care clinic establishment shall notify the department on  
173 a form furnished by the department within 10 days after such  
174 employment. In addition, the qualifying practitioner and health

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175 care clinic establishment shall notify the department within 10  
176 days after any subsequent change.

177 2. The health care clinic establishment must employ a  
178 qualifying practitioner at each establishment.

179 3. In addition to the remedies and penalties provided in  
180 this part, a violation of this chapter by the health care clinic  
181 establishment or qualifying practitioner constitutes grounds for  
182 discipline of the qualifying practitioner by the appropriate  
183 regulatory board.

184 4. The purchase of prescription drugs by the health care  
185 clinic establishment is prohibited during any period of time  
186 when the establishment does not comply with this paragraph.

187 5. A health care clinic establishment permit is not a  
188 pharmacy permit or otherwise subject to chapter 465. A health  
189 care clinic establishment that meets the criteria of a modified  
190 Class II institutional pharmacy under s. 465.019 is not eligible  
191 to be permitted under this paragraph.

192 6. This paragraph does not apply to the purchase of a  
193 prescription drug by a licensed practitioner under his or her  
194 license. A professional corporation or limited liability company  
195 composed of dentists and operating as authorized in s. 466.0285  
196 may pay for prescription drugs obtained by a practitioner  
197 licensed under chapter 466, and the licensed practitioner is  
198 deemed the purchaser and owner of the prescription drugs.

199 Section 5. Paragraph (a) of subsection (6) of section  
200 624.91, Florida Statutes, is amended to read:

201 624.91 The Florida Healthy Kids Corporation Act.—

202 (6) BOARD OF DIRECTORS.—

203 (a) The Florida Healthy Kids Corporation shall operate

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204 subject to the supervision and approval of a board of directors  
205 chaired by the Chief Financial Officer or her or his designee,  
206 and composed of 12 ~~11~~ other members selected for 3-year terms of  
207 office as follows:

208 1. The Secretary of Health Care Administration, or his or  
209 her designee.

210 2. One member appointed by the Commissioner of Education  
211 from the Office of School Health Programs of the Florida  
212 Department of Education.

213 3. One member appointed by the Chief Financial Officer from  
214 among three members nominated by the Florida Pediatric Society.

215 4. One member, appointed by the Governor, who represents  
216 the Children's Medical Services Program.

217 5. One member appointed by the Chief Financial Officer from  
218 among three members nominated by the Florida Hospital  
219 Association.

220 6. One member, appointed by the Governor, who is an expert  
221 on child health policy.

222 7. One member, appointed by the Chief Financial Officer,  
223 from among three members nominated by the Florida Academy of  
224 Family Physicians.

225 8. One member, appointed by the Governor, who represents  
226 the state Medicaid program.

227 9. One member, appointed by the Chief Financial Officer,  
228 from among three members nominated by the Florida Association of  
229 Counties.

230 10. The State Health Officer or her or his designee.

231 11. The Secretary of Children and Family Services, or his  
232 or her designee.

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233           12. One member, appointed by the Governor, from among three  
234 members nominated by the Florida Dental Association.

235           Section 6. This act shall take effect July 1, 2010.