

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 215.5602, F.S.; revising the reporting requirements
4 for the Biomedical Research Advisory Council under the
5 James and Esther King Biomedical Research program;
6 revising the reporting requirements for certain
7 entities that perform or are associated with cancer
8 research or care; amending s. 381.0034, F.S.; deleting
9 the requirement that applicants making initial
10 application for certain licensure complete certain
11 courses; amending s. 381.82, F.S.; revising the
12 reporting requirements for the Alzheimer's Disease
13 Research Grant Advisory Board under the Ed and Ethel
14 Moore Alzheimer's Disease Research Program; providing
15 for the carryforward for a limited period of any
16 unexpended balance of an appropriation for the
17 program; amending s. 381.922, F.S.; providing
18 reporting requirements for the Biomedical Research
19 Advisory Council under the William G. "Bill" Bankhead,
20 Jr., and David Coley Cancer Research Program; amending
21 s. 382.003, F.S.; authorizing subregistrars to issue
22 certified copies of original certificates of death;
23 requiring the department to adopt rules; amending s.
24 382.025, F.S.; authorizing a subregistrar to issue a
25 certified copy of an original certificate of live
26 birth, death, or fetal death; amending s. 382.0255,

27 F.S.; providing for the charge and distribution of a
28 fee for a certified copy of an original certificate of
29 death; prohibiting a fee for a determination or
30 certification of the cause of death under certain
31 provisions; amending s. 384.23, F.S.; revising the
32 factors to be considered in designating a condition as
33 a sexually transmissible disease; amending s. 384.27,
34 F.S.; authorizing certain health care practitioners to
35 provide partner therapy under certain conditions;
36 authorizing the department to adopt rules; amending s.
37 401.27, F.S.; increasing the length of time that an
38 emergency medical technician or paramedic certificate
39 may remain in an inactive status; revising the
40 requirements for reactivating and renewing such a
41 certificate; revising eligibility for certification;
42 deleting a requirement that applicants successfully
43 complete a certification examination within a
44 specified timeframe; amending s. 456.013, F.S.;
45 revising course requirements for renewing a certain
46 license; amending s. 456.024, F.S.; revising the
47 eligibility criteria for a member of the United States
48 Armed Forces, the United States Reserve Forces, or the
49 National Guard and the spouse of an active duty
50 military member to be issued a license to practice as
51 a health care practitioner in this state; deleting
52 provisions relating to temporary professional

53 licensure for spouses of active duty members of the
54 United States Armed Forces; creating s. 456.0241,
55 F.S.; providing definitions; providing for issuance of
56 a temporary certificate under certain conditions for
57 certain military health care practitioners; providing
58 for the automatic expiration of the temporary
59 certificate unless renewed; providing for application
60 and renewal fees; requiring the department to adopt
61 rules; amending s. 456.025, F.S.; deleting the
62 requirement for an annual meeting of chairpersons of
63 Division of Medical Quality Assurance boards and
64 professions; deleting a requirement that certain
65 recommendations be included in a report to the
66 Legislature; deleting a requirement that the
67 department set license fees and recommend fee cap
68 increases in certain circumstances; authorizing a
69 profession to operate at a deficit for a certain time
70 period; deleting a provision authorizing the
71 department to advance funds under certain
72 circumstances; deleting a requirement that the
73 department implement an electronic continuing
74 education tracking system; authorizing the department
75 to waive specified costs under certain circumstances;
76 deleting legislative intent; deleting a prohibition
77 against the expenditure of funds by the department
78 from the account of a profession to pay for the

79 expenses of another profession; deleting a requirement
80 that the department include certain information in an
81 annual report to the Legislature; creating s.
82 456.0361, F.S.; requiring the department to establish
83 an electronic continuing education tracking system;
84 prohibiting the department from renewing a license
85 unless the licensee has complied with all continuing
86 education requirements; authorizing the department to
87 adopt rules; amending s. 456.057, F.S.; requiring a
88 person or entity appointed by the board as a custodian
89 of medical records to be approved by the department;
90 authorizing the department to contract with a third
91 party to provide custodial services; amending s.
92 456.0635, F.S.; deleting a provision on applicability
93 relating to the issuance of licenses; amending s.
94 457.107, F.S.; deleting a provision authorizing the
95 Board of Acupuncture to request certain documentation
96 from applicants; amending s. 458.347, F.S.; deleting a
97 requirement that a physician assistant file a signed
98 affidavit with the department; amending s. 463.007,
99 F.S.; making technical changes; amending s. 464.203,
100 F.S.; revising inservice training requirements for
101 certified nursing assistants; repealing s. 464.2085,
102 F.S., relating to the Council on Certified Nursing
103 Assistants; amending s. 465.0276, F.S.; deleting a
104 requirement that the department inspect certain

105 facilities; amending s. 466.0135, F.S.; deleting a
106 requirement that a dentist file a signed affidavit
107 with the department; deleting a provision authorizing
108 the Board of Dentistry to request certain
109 documentation from applicants; amending s. 466.014,
110 F.S.; deleting a requirement that a dental hygienist
111 file a signed affidavit with the department; deleting
112 a provision authorizing the board to request certain
113 documentation from applicants; amending s. 466.032,
114 F.S.; deleting a requirement that a dental laboratory
115 file a signed affidavit with the department; deleting
116 a provision authorizing the department to request
117 certain documentation from applicants; repealing s.
118 468.1201, F.S., relating to a requirement for
119 instruction on human immunodeficiency virus and
120 acquired immune deficiency syndrome; amending s.
121 483.901, F.S.; deleting provisions relating to the
122 Advisory Council of Medical Physicists; authorizing
123 the department to issue temporary licenses in certain
124 circumstances; authorizing the department to adopt
125 rules; amending s. 484.047, F.S.; deleting a
126 requirement for a written statement from an applicant
127 in certain circumstances; amending s. 486.102, F.S.;
128 revising accrediting agencies that may approve
129 physical therapy assistant programs for purposes of
130 licensing; amending s. 486.109, F.S.; deleting a

131 provision authorizing the department to conduct a
 132 random audit of certain information; amending ss.
 133 499.028 and 921.0022, F.S.; conforming cross-
 134 references; providing an effective date.

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

138 Section 1. Subsections (10) and (12) of section 215.5602,
 139 Florida Statutes, are amended to read:

140 215.5602 James and Esther King Biomedical Research
 141 Program.—

142 (10) The council shall submit a fiscal-year progress
 143 report on the programs under its purview to the Governor, the
 144 State Surgeon General, the President of the Senate, and the
 145 Speaker of the House of Representatives by December 15. The
 146 report must include:

147 (a) For each ~~A list of~~ research project ~~projects~~ supported
 148 by grants or fellowships awarded under the program:—

149 1. (b) A summary list of the research project and results
 150 or expected results of the research ~~recipients of program grants~~
 151 ~~or fellowships.~~

152 2. The status of the research project, including whether
 153 it has concluded or the estimated date of completion.

154 3. The amount of the grant or fellowship awarded and the
 155 estimated or actual cost of the research project.

156 4. (e) A list of principal investigators under the research

157 project.

158 5. The title, citation, and summary of findings of a
159 publication ~~publications~~ in a peer-reviewed journal resulting
160 from the ~~peer-reviewed journals involving research supported by~~
161 ~~grants or fellowships awarded under the program.~~

162 6.~~(d)~~ The source and amount of any federal, state, or
163 local government grants or donations or private grants or
164 donations generated as a result of the research project.

165 7. The status of a patent, if any, generated from the
166 research project and an economic analysis of the impact of the
167 resulting patent.

168 8. A list of postsecondary educational institutions
169 involved in the research project, a description of each
170 postsecondary educational institution's involvement in the
171 research project, and the number of students receiving training
172 or performing research under the research project.

173 (b) The state ranking and total amount of biomedical
174 research funding currently flowing into the state from the
175 National Institutes of Health.

176 ~~(e) New grants for biomedical research which were funded~~
177 ~~based on research supported by grants or fellowships awarded~~
178 ~~under the program.~~

179 (c)~~(f)~~ Progress towards programmatic goals, particularly
180 in the prevention, diagnosis, treatment, and cure of diseases
181 related to tobacco use, including cancer, cardiovascular
182 disease, stroke, and pulmonary disease.

183 (d) ~~(g)~~ Recommendations to further the mission of the
 184 programs.

185 (12) (a) Each ~~Beginning in the 2011-2012 fiscal year and~~
 186 ~~thereafter~~, \$25 million from the revenue deposited into the
 187 Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7)
 188 shall be reserved for research of tobacco-related or cancer-
 189 related illnesses. Of the revenue deposited in the Health Care
 190 Trust Fund pursuant to this section, \$25 million shall be
 191 transferred to the Biomedical Research Trust Fund within the
 192 Department of Health. Subject to annual appropriations in the
 193 General Appropriations Act, \$5 million shall be appropriated to
 194 the James and Esther King Biomedical Research Program, and \$5
 195 million shall be appropriated to the William G. "Bill" Bankhead,
 196 Jr., and David Coley Cancer Research Program created under s.
 197 381.922.

198 (b) ~~Beginning July 1, 2014,~~ An entity that ~~which~~ performs
 199 or is associated with cancer research or care that receives a
 200 specific appropriation for biomedical research, research-related
 201 functions, operations or other supportive functions, or
 202 expansion of operations in the General Appropriations Act
 203 without statutory reporting requirements for the receipt of
 204 those funds, must submit an annual fiscal-year progress report
 205 to the President of the Senate and the Speaker of the House of
 206 Representatives by December 15. The report must:

- 207 1. Describe the general use of the funds.
- 208 2. Summarize ~~Specify~~ the research, if any, funded by the

209 appropriation and provide the:

210 a. Status of the research, including whether the research
211 has concluded.

212 b. Results or expected results of the research.

213 c. Names of principal investigators performing the
214 research.

215 d. Title, citation, and summary of findings of a
216 publication in a peer-reviewed journal resulting from the
217 research.

218 e. Status of a patent, if any, generated from the research
219 and an economic analysis of the impact of the resulting patent.

220 f. List of postsecondary educational institutions involved
221 in the research, a description of each postsecondary educational
222 institution's involvement in the research, and the number of
223 students receiving training or performing research.

224 3. Describe any fixed capital outlay project funded by the
225 appropriation, the need for the project, how the project will be
226 utilized, and the timeline for and status of the project, if
227 applicable.

228 4. Identify any federal, state, or local government grants
229 or donations or private grants or donations generated as a
230 result of the appropriation or activities funded by the
231 appropriation, if applicable and traceable.

232 Section 2. Subsection (3) of section 381.0034, Florida
233 Statutes, is amended to read:

234 381.0034 Requirement for instruction on HIV and AIDS.—

235 (3) The department shall require, as a condition of
 236 granting a license under chapter 467 or part III of chapter 483
 237 ~~the chapters specified in subsection (1)~~, that an applicant
 238 making initial application for licensure complete an educational
 239 course acceptable to the department on human immunodeficiency
 240 virus and acquired immune deficiency syndrome. Upon submission
 241 of an affidavit showing good cause, an applicant who has not
 242 taken a course at the time of licensure shall, ~~upon an affidavit~~
 243 ~~showing good cause~~, be allowed 6 months to complete this
 244 requirement.

245 Section 3. Subsection (4) of section 381.82, Florida
 246 Statutes, is amended, and subsection (8) is added to that
 247 section, to read:

248 381.82 Ed and Ethel Moore Alzheimer's Disease Research
 249 Program.—

250 (4) The board shall submit a fiscal-year progress report
 251 on the programs under its purview annually to the Governor, the
 252 President of the Senate, the Speaker of the House of
 253 Representatives, and the State Surgeon General by February 15.
 254 The report must include:

255 (a) For each ~~A list of~~ research project ~~projects~~ supported
 256 by grants or fellowships awarded under the program:—

257 1. ~~(b)~~ A summary list of the research project and results
 258 or expected results of the research recipients of program grants
 259 ~~or fellowships.~~

260 2. The status of the research project, including whether

261 it has concluded or the estimated date of completion.

262 3. The amount of the grant or fellowship awarded and the
263 estimated or actual cost of the research project.

264 4.~~(e)~~ A list of principal investigators under the research
265 project.

266 5. The title, citation, and summary of findings of a
267 publication ~~publications~~ in a peer-reviewed journal resulting
268 from the ~~journals involving~~ research supported by grants or
269 fellowships awarded under the program.

270 6.~~(d)~~ The source and amount of any federal, state, or
271 local government grants or donations or private grants or
272 donations generated as a result of the research project.

273 7. The status of a patent, if any, generated from the
274 research project and an economic analysis of the impact of the
275 resulting patent.

276 8. A list of postsecondary educational institutions
277 involved in the research project, a description of each
278 postsecondary educational institution's involvement in the
279 research project, and the number of students receiving training
280 or performing research under the research project.

281 (b) The state ranking and total amount of Alzheimer's
282 disease research funding currently flowing into the state from
283 the National Institutes of Health.

284 ~~(c) New grants for Alzheimer's disease research which were~~
285 ~~funded based on research supported by grants or fellowships~~
286 ~~awarded under the program.~~

287 (c)~~(f)~~ Progress toward programmatic goals, particularly in
 288 the prevention, diagnosis, treatment, and cure of Alzheimer's
 289 disease.

290 (d)~~(g)~~ Recommendations to further the mission of the
 291 program.

292 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 293 the balance of any appropriation from the General Revenue Fund
 294 for the Ed and Ethel Moore Alzheimer's Disease Research Program
 295 which is not disbursed but which is obligated pursuant to
 296 contract or committed to be expended by June 30 of the fiscal
 297 year in which the funds are appropriated may be carried forward
 298 for up to 5 years after the effective date of the original
 299 appropriation.

300 Section 4. Subsection (6) is added to section 381.922,
 301 Florida Statutes, to read:

302 381.922 William G. "Bill" Bankhead, Jr., and David Coley
 303 Cancer Research Program.—

304 (6) The Biomedical Research Advisory Council shall submit
 305 a report relating to grants awarded under the program to the
 306 Governor, the President of the Senate, and the Speaker of the
 307 House of Representatives by December 15 each year. The report
 308 must include:

309 (a) For each research project supported by grants or
 310 fellowships awarded under the program:

311 1. A summary of the research project and results or
 312 expected results of the research.

313 2. The status of the research project, including whether
314 it has concluded or the estimated date of completion.

315 3. The amount of the grant or fellowship awarded and the
316 estimated or actual cost of the research project.

317 4. A list of principal investigators under the research
318 project.

319 5. The title, citation, and summary of findings of a
320 publication in a peer-reviewed journal resulting from the
321 research.

322 6. The source and amount of any federal, state, or local
323 government grants or donations or private grants or donations
324 generated as a result of the research project.

325 7. The status of a patent, if any, generated from the
326 research project and an economic analysis of the impact of the
327 resulting patent.

328 8. A list of postsecondary educational institutions
329 involved in the research project, a description of each
330 postsecondary educational institution's involvement in the
331 research project, and the number of students receiving training
332 or performing research under the research project.

333 (b) The state ranking and total amount of cancer research
334 funding currently flowing into the state from the National
335 Institutes of Health.

336 (c) Progress toward programmatic goals, particularly in
337 the prevention, diagnosis, treatment, and cure of cancer.

338 (d) Recommendations to further the mission of the program.

339 Section 5. Subsection (9) of section 382.003, Florida
 340 Statutes, is amended to read:

341 382.003 Powers and duties of the department.—The
 342 department shall:

343 (9) Appoint one or more suitable persons to act as
 344 subregistrars, who shall be authorized to produce and maintain
 345 paper death certificates and fetal death certificates, and to
 346 issue burial-transit permits in and for such portions of one or
 347 more districts as may be designated, and to issue certified
 348 copies of original certificates of death. A subregistrar may be
 349 removed from office by the department for neglect of or failure
 350 to perform his or her duty in accordance with this chapter. The
 351 department shall adopt rules for the issuance of certified
 352 copies of original certificates of death by subregistrars.

353 Section 6. Subsection (4) of section 382.025, Florida
 354 Statutes, is amended to read:

355 382.025 Certified copies of vital records;
 356 confidentiality; research.—

357 (4) CERTIFIED COPIES OF ORIGINAL CERTIFICATES.—Only the
 358 state registrar, ~~and~~ local registrars, and subregistrars may ~~are~~
 359 ~~authorized to issue a~~ any certificate that ~~which~~ purports to be
 360 a certified copy of an original certificate of live birth,
 361 death, or fetal death. Except as provided in this section,
 362 preparing or issuing certificates is exempt from ~~the provisions~~
 363 ~~of~~ s. 119.07(1).

364 Section 7. Subsection (2) of section 382.0255, Florida

365 Statutes, is amended, and subsection (5) is added to that
 366 section, to read:

367 382.0255 Fees.—

368 (2) The fee charged for each request for a certification
 369 of a birth record issued by the department or by the local
 370 registrar shall be subject to an additional fee of \$4, which
 371 shall be deposited in the appropriate departmental trust fund.
 372 On a quarterly basis, the department shall transfer \$1.50 to the
 373 Child Welfare Training Trust Fund created in s. 402.40. The fee
 374 charged by a subregistrar for each request for a certified copy
 375 of an original certificate of death may not exceed \$5 and shall
 376 be remitted to the department for deposit into the Planning and
 377 Evaluation Trust Fund.

378 (5) Notwithstanding s. 406.06, a fee may not be charged
 379 for any determination of the cause of death under s. 406.11 or
 380 for any certification of the cause of death under s. 382.008.

381 Section 8. Subsection (3) of section 384.23, Florida
 382 Statutes, is amended to read:

383 384.23 Definitions.—

384 (3) "Sexually transmissible disease" means a bacterial,
 385 viral, fungal, or parasitic disease, determined by rule of the
 386 department to be sexually transmissible, to be a threat to the
 387 public health and welfare, and to be a disease for which a
 388 legitimate public interest will be served by providing for
 389 prevention, elimination, control, regulation and treatment. The
 390 department must, by rule, determine ~~In considering~~ which

391 diseases are to be designated as sexually transmissible
392 diseases, ~~the department shall consider such diseases as~~
393 ~~chaneroid, gonorrhea, granuloma inguinale, lymphogranuloma~~
394 ~~venericum, genital herpes simplex, chlamydia, nongonococcal~~
395 ~~urethritis (NGU), pelvic inflammatory disease (PID)/acute~~
396 ~~salpingitis, syphilis, and human immune deficiency virus~~
397 ~~infection for designation,~~ and shall consider the
398 recommendations and classifications of the Centers for Disease
399 Control and Prevention and other nationally recognized medical
400 authorities in that determination. Not all diseases that are
401 sexually transmissible need be designated for the purposes of
402 this act.

403 Section 9. Subsection (7) is added to section 384.27,
404 Florida Statutes, to read:

405 384.27 Physical examination and treatment.—

406 (7) (a) A health care practitioner licensed under chapter
407 458 or chapter 459 or certified under s. 464.012 may provide
408 expedited partner therapy if the following requirements are met:

409 1. The patient has a laboratory-confirmed or suspected
410 clinical diagnosis of a sexually transmissible disease.

411 2. The patient indicates that he or she has a partner with
412 whom he or she engaged in sexual activity before the diagnosis
413 of the sexually transmissible disease.

414 3. The patient indicates that his or her partner is unable
415 or unlikely to seek clinical services in a timely manner.

416 (b) A pharmacist licensed under chapter 465 may dispense

417 medication to a person diagnosed with a sexually transmissible
418 disease pursuant to a prescription for the purpose of treating
419 that person's partner, regardless of whether the person's
420 partner has been personally examined by the prescribing health
421 care practitioner.

422 (c) A pharmacist or health care practitioner must check
423 for potential allergic reactions, in accordance with the
424 prevailing professional standard of care, before dispensing a
425 prescription or providing a medication under this subsection.

426 (d) The department may adopt rules to implement this
427 subsection.

428 Section 10. Subsections (8) and (12) of section 401.27,
429 Florida Statutes, are amended to read:

430 401.27 Personnel; standards and certification.—

431 (8) Each emergency medical technician certificate and each
432 paramedic certificate will expire automatically and may be
433 renewed if the holder meets the qualifications for renewal as
434 established by the department. A certificate that is not renewed
435 at the end of the 2-year period will automatically revert to an
436 inactive status for a period not to exceed two renewal periods
437 ~~180 days~~. Such certificate may be reactivated and renewed within
438 the two renewal periods ~~180 days~~ if the certificateholder meets
439 all other qualifications for renewal, including completion of
440 education requirements and passage of the state certification
441 examination, and pays a \$25 late fee. Reactivation shall be in a
442 manner and on forms prescribed by department rule.

443 (12) An applicant for certification as an emergency
 444 medical technician or paramedic who is trained outside the state
 445 or who is militarily trained must provide proof of current
 446 emergency medical technician or paramedic certification or
 447 registration that is nationally recognized and based upon
 448 successful completion of a training program approved by the
 449 department as equivalent to the most recent EMT-Basic or EMT-
 450 Paramedic National Standard Curriculum or the National EMS
 451 Education Standards of the United States Department of
 452 Transportation and hold a current certificate of successful
 453 course completion in cardiopulmonary resuscitation (CPR) or
 454 advanced cardiac life support for emergency medical technicians
 455 or paramedics, respectively, to be eligible for ~~the~~
 456 certification examination. ~~The applicant must successfully~~
 457 ~~complete the certification examination within 2 years after the~~
 458 ~~date of the receipt of his or her application by the department.~~
 459 ~~After 2 years, the applicant must submit a new application, meet~~
 460 ~~all eligibility requirements, and submit all fees to reestablish~~
 461 ~~eligibility to take the certification examination.~~

462 Section 11. Subsection (7) of section 456.013, Florida
 463 Statutes, is amended to read:

464 456.013 Department; general licensing provisions.—

465 (7) The boards, or the department when there is no board,
 466 shall require the completion of a 2-hour course relating to
 467 prevention of medical errors as part of the biennial licensure
 468 and renewal process. The 2-hour course counts toward ~~shall count~~

469 ~~towards~~ the total number of continuing education hours required
 470 for the profession. The course must ~~shall~~ be approved by the
 471 board or department, as appropriate, and must ~~shall~~ include a
 472 study of root-cause analysis, error reduction and prevention,
 473 and patient safety. In addition, the course approved by the
 474 Board of Medicine and the Board of Osteopathic Medicine must
 475 ~~shall~~ include information relating to the five most misdiagnosed
 476 conditions during the previous biennium, as determined by the
 477 board. If the course is being offered by a facility licensed
 478 pursuant to chapter 395 for its employees, the board may approve
 479 up to 1 hour of the 2-hour course to be specifically related to
 480 error reduction and prevention methods used in that facility.

481 Section 12. Subsections (3) and (4) of section 456.024,
 482 Florida Statutes, are amended to read:

483 456.024 Members of Armed Forces in good standing with
 484 administrative boards or the department; spouses; licensure.—

485 (3) (a) A person is eligible for licensure as a health care
 486 practitioner in this state if he or she:

487 1. ~~who~~ Serves or has served as a health care practitioner
 488 in the United States Armed Forces, ~~the~~ United States Reserve
 489 Forces, or the National Guard;

490 2. ~~or a person who~~ Serves or has served on active duty
 491 with the United States Armed Forces as a health care
 492 practitioner in the United States Public Health Service; or

493 3. Is a health care practitioner in another state, the
 494 District of Columbia, or a possession or territory of the United

495 States and is the spouse of a person who serves on active duty
 496 with the United States Armed Forces ~~is eligible for licensure in~~
 497 ~~this state.~~

498
 499 The department shall develop an application form, and each
 500 board, or the department if there is no board, shall waive the
 501 application fee, licensure fee, and unlicensed activity fee for
 502 such applicants. For purposes of this subsection, "health care
 503 practitioner" means a health care practitioner as defined in s.
 504 456.001 and a person licensed under part III of chapter 401 or
 505 part IV of chapter 468.

506 (b)~~(a)~~ The board, or department if there is no board,
 507 shall issue a license to practice in this state to a person who:

- 508 1. Submits a complete application.
 509 2. If a member of the military, submits proof that he or
 510 she has received ~~Receives~~ an honorable discharge within 6 months
 511 before, or will receive an honorable discharge within 6 months
 512 after, the date of submission of the application.

513 3.a. Holds an active, unencumbered license issued by
 514 another state, the District of Columbia, or a possession or
 515 territory of the United States and who has not had disciplinary
 516 action taken against him or her in the 5 years preceding the
 517 date of submission of the application;

518 b. Is a military health care practitioner in a profession
 519 for which licensure in a state or jurisdiction is not required
 520 to practice in the United States Armed Forces, if the applicant

521 submits to the department evidence of military training or
522 experience substantially equivalent to the requirements for
523 licensure in this state in that profession and evidence that the
524 applicant has obtained a passing score on the appropriate
525 examination of a national or regional standards organization if
526 required for licensure in this state; or

527 c. Is the spouse of a person serving on active duty in the
528 United States Armed Forces and is a health care practitioner in
529 a profession for which licensure in another state or
530 jurisdiction may not be required, if the applicant submits to
531 the department evidence of training or experience substantially
532 equivalent to the requirements for licensure in this state in
533 that profession and evidence that the applicant has obtained a
534 passing score on the appropriate examination of a national or
535 regional standards organization if required for licensure in
536 this state.

537 4. Attests that he or she is not, at the time of
538 submission, the subject of a disciplinary proceeding in a
539 jurisdiction in which he or she holds a license or by the United
540 States Department of Defense for reasons related to the practice
541 of the profession for which he or she is applying.

542 5. Actively practiced the profession for which he or she
543 is applying for the 3 years preceding the date of submission of
544 the application.

545 6. Submits a set of fingerprints for a background
546 screening pursuant to s. 456.0135, if required for the

547 | profession for which he or she is applying.

548 |

549 | The department shall verify information submitted by the
550 | applicant under this subsection using the National Practitioner
551 | Data Bank.

552 | (c)~~(b)~~ Each applicant who meets the requirements of this
553 | subsection shall be licensed with all rights and
554 | responsibilities as defined by law. The applicable board, or
555 | department if there is no board, may deny an application if the
556 | applicant has been convicted of or pled guilty or nolo
557 | contendere to, regardless of adjudication, any felony or
558 | misdemeanor related to the practice of a health care profession
559 | regulated by this state.

560 | (d)~~(e)~~ An applicant for initial licensure under this
561 | subsection must submit the information required by ss.
562 | 456.039(1) and 456.0391(1) no later than 1 year after the
563 | license is issued.

564 | ~~(4)(a) The board, or the department if there is no board,~~
565 | ~~may issue a temporary professional license to the spouse of an~~
566 | ~~active duty member of the Armed Forces of the United States who~~
567 | ~~submits to the department:~~

568 | ~~1. A completed application upon a form prepared and~~
569 | ~~furnished by the department in accordance with the board's~~
570 | ~~rules;~~

571 | ~~2. The required application fee;~~

572 | ~~3. Proof that the applicant is married to a member of the~~

573 ~~Armed Forces of the United States who is on active duty;~~

574 ~~4. Proof that the applicant holds a valid license for the~~
575 ~~profession issued by another state, the District of Columbia, or~~
576 ~~a possession or territory of the United States, and is not the~~
577 ~~subject of any disciplinary proceeding in any jurisdiction in~~
578 ~~which the applicant holds a license to practice a profession~~
579 ~~regulated by this chapter;~~

580 ~~5. Proof that the applicant's spouse is assigned to a duty~~
581 ~~station in this state pursuant to the member's official active~~
582 ~~duty military orders; and~~

583 ~~6. Proof that the applicant would otherwise be entitled to~~
584 ~~full licensure under the appropriate practice act, and is~~
585 ~~eligible to take the respective licensure examination as~~
586 ~~required in Florida.~~

587 ~~(b) The applicant must also submit to the Department of~~
588 ~~Law Enforcement a complete set of fingerprints. The Department~~
589 ~~of Law Enforcement shall conduct a statewide criminal history~~
590 ~~check and forward the fingerprints to the Federal Bureau of~~
591 ~~Investigation for a national criminal history check.~~

592 ~~(c) Each board, or the department if there is no board,~~
593 ~~shall review the results of the state and federal criminal~~
594 ~~history checks according to the level 2 screening standards in~~
595 ~~s. 435.04 when granting an exemption and when granting or~~
596 ~~denying the temporary license.~~

597 ~~(d) The applicant shall pay the cost of fingerprint~~
598 ~~processing. If the fingerprints are submitted through an~~

599 ~~authorized agency or vendor, the agency or vendor shall collect~~
600 ~~the required processing fees and remit the fees to the~~
601 ~~Department of Law Enforcement.~~

602 ~~(e) The department shall set an application fee, which may~~
603 ~~not exceed the cost of issuing the license.~~

604 ~~(f) A temporary license expires 12 months after the date~~
605 ~~of issuance and is not renewable.~~

606 ~~(g) An applicant for a temporary license under this~~
607 ~~subsection is subject to the requirements under s. 456.013(3) (a)~~
608 ~~and (c).~~

609 ~~(h) An applicant shall be deemed ineligible for a~~
610 ~~temporary license pursuant to this section if the applicant:~~

611 ~~1. Has been convicted of or pled nolo contendere to,~~
612 ~~regardless of adjudication, any felony or misdemeanor related to~~
613 ~~the practice of a health care profession;~~

614 ~~2. Has had a health care provider license revoked or~~
615 ~~suspended from another of the United States, the District of~~
616 ~~Columbia, or a United States territory;~~

617 ~~3. Has been reported to the National Practitioner Data~~
618 ~~Bank, unless the applicant has successfully appealed to have his~~
619 ~~or her name removed from the data bank; or~~

620 ~~4. Has previously failed the Florida examination required~~
621 ~~to receive a license to practice the profession for which the~~
622 ~~applicant is seeking a license.~~

623 ~~(i) The board, or department if there is no board, may~~
624 ~~revoke a temporary license upon finding that the individual~~

625 ~~violated the profession's governing practice act.~~

626 ~~(j) An applicant who is issued a temporary professional~~
627 ~~license to practice as a dentist pursuant to this section must~~
628 ~~practice under the indirect supervision, as defined in s.~~
629 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

630 Section 13. Section 456.0241, Florida Statutes, is created
631 to read:

632 456.0241 Temporary certificate for active duty military
633 health care practitioners.-

634 (1) As used in this section, the term:

635 (a) "Military health care practitioner" means:

636 1. A person practicing as a health care practitioner as
637 defined in s. 456.001, as a person licensed under part III of
638 chapter 401, or as a person licensed under part IV of chapter
639 468, who is serving on active duty in the United States Armed
640 Forces, United States Reserve Forces, or National Guard; or

641 2. A person who is serving on active duty in the United
642 States Armed Forces and serving in the United States Public
643 Health Service.

644 (b) "Military platform" means a military training
645 agreement with a nonmilitary health care provider which is
646 designed to develop and support medical, surgical, or other
647 health care treatment opportunities in the nonmilitary health
648 care provider setting to allow a military health care
649 practitioner to develop and maintain the technical proficiency
650 necessary to meet the present and future health care needs of

651 the United States Armed Forces. Such agreements may include
652 Training Affiliation Agreements and External Resourcing Sharing
653 Agreements.

654 (2) The department may issue a temporary certificate to an
655 active duty military health care practitioner to practice in a
656 regulated profession if the applicant:

657 (a) Submits proof that he or she will be practicing
658 pursuant to a military platform.

659 (b) Submits a complete application and a nonrefundable
660 application fee.

661 (c) Holds a valid and unencumbered license to practice as
662 a health care professional in another state, the District of
663 Columbia, or a possession or territory of the United States or
664 is a military health care practitioner in a profession for which
665 licensure in a state or jurisdiction is not required for
666 practice in the United States Armed Forces and who provides
667 evidence of military training and experience substantially
668 equivalent to the requirements for licensure in this state in
669 that profession.

670 (d) Attests that he or she is not, at the time of
671 submission, the subject of a disciplinary proceeding in a
672 jurisdiction in which he or she holds a license, or by the
673 United States Department of Defense, for reasons related to the
674 practice of the profession for which he or she is applying.

675 (e) Has been determined to be competent in the profession
676 for which he or she is applying.

677 (f) Submits a set of fingerprints for a background
678 screening pursuant to s. 456.0135 if required for the profession
679 for which he or she is applying.

680

681 The department shall verify information submitted by the
682 applicant under this subsection using the National Practitioner
683 Data Bank.

684 (3) A temporary certificate issued under this section
685 expires 6 months after issuance but may be renewed upon proof of
686 continuing orders in this state and evidence that the military
687 health care practitioner continues to be a military platform
688 participant.

689 (4) A military health care practitioner applying under
690 this section is exempt from ss. 456.039-456.046. All other
691 provisions of this chapter apply.

692 (5) An applicant for a temporary certificate under this
693 section is deemed ineligible if the applicant:

694 (a) Has been convicted of, or pled guilty or nolo
695 contendere to, regardless of adjudication, any felony or
696 misdemeanor related to the practice of a health care profession;

697 (b) Has had a health care provider license revoked or
698 suspended in another state, the District of Columbia, or a
699 possession or territory of the United States;

700 (c) Has failed the Florida examination required to receive
701 a license to practice the profession for which he or she is
702 applying; or

703 (d) Is under investigation in another jurisdiction for an
704 act that would constitute a violation of the applicable
705 licensing chapter or this chapter until the investigation is
706 complete and all charges against the applicant are disposed of
707 by dismissal, nolle prosequi, or acquittal.

708 (6) The department shall, by rule, set an application fee
709 not to exceed \$50 and a renewal fee not to exceed \$50.

710 (7) Application shall be made on a form prescribed and
711 furnished by the department.

712 (8) The department shall adopt rules to implement this
713 section.

714 Section 14. Subsections (3) through (11) of section
715 456.025, Florida Statutes, are renumbered as subsections (2)
716 through (10), respectively, and present subsections (2), (3),
717 (7), and (8) of that section are amended to read:

718 456.025 Fees; receipts; disposition.—

719 ~~(2) The chairpersons of the boards and councils listed in~~
720 ~~s. 20.43(3)(g) shall meet annually at division headquarters to~~
721 ~~review the long-range policy plan required by s. 456.005 and~~
722 ~~current and proposed fee schedules. The chairpersons shall make~~
723 ~~recommendations for any necessary statutory changes relating to~~
724 ~~fees and fee caps. Such recommendations shall be compiled by the~~
725 ~~Department of Health and be included in the annual report to the~~
726 ~~Legislature required by s. 456.026 as well as be included in the~~
727 ~~long-range policy plan required by s. 456.005.~~

728 (2)(3) Each board within the jurisdiction of the

729 department, or the department when there is no board, shall
730 determine by rule the amount of license fees for the profession
731 it regulates, based upon long-range estimates prepared by the
732 department of the revenue required to implement laws relating to
733 the regulation of professions by the department and the board.
734 Each board, or the department if there is no board, shall ensure
735 that license fees are adequate to cover all anticipated costs
736 and to maintain a reasonable cash balance, as determined by rule
737 of the agency, with advice of the applicable board. ~~If~~
738 ~~sufficient action is not taken by a board within 1 year after~~
739 ~~notification by the department that license fees are projected~~
740 ~~to be inadequate, the department shall set license fees on~~
741 ~~behalf of the applicable board to cover anticipated costs and to~~
742 ~~maintain the required cash balance. The department shall include~~
743 ~~recommended fee cap increases in its annual report to the~~
744 ~~Legislature.~~ Further, it is the legislative intent of the
745 Legislature that a ~~no~~ regulated profession not operate with a
746 negative cash balance. If, however, a profession's fees are at
747 their statutory fee cap and the requirements of subsections (1)
748 and (4) are met, a profession may operate at a deficit until the
749 deficit is eliminated ~~The department may provide by rule for~~
750 ~~advancing sufficient funds to any profession operating with a~~
751 ~~negative cash balance. The advancement may be for a period not~~
752 ~~to exceed 2 consecutive years, and the regulated profession must~~
753 ~~pay interest. Interest shall be calculated at the current rate~~
754 ~~earned on investments of a trust fund used by the department to~~

755 ~~implement this chapter. Interest earned shall be allocated to~~
756 ~~the various funds in accordance with the allocation of~~
757 ~~investment earnings during the period of the advance.~~

758 (6)~~(7)~~ Each board, or the department if there is no board,
759 shall establish~~7~~ by rule~~7~~ a fee of up to ~~not to exceed~~ \$250 for
760 anyone seeking ~~approval~~ to provide continuing education courses
761 or programs and ~~shall establish by rule~~ a biennial renewal fee
762 of up to ~~not to exceed~~ \$250 for the renewal of an approval to
763 provide providership of such courses. The fees collected ~~from~~
764 ~~continuing education providers~~ shall be used for the purposes of
765 reviewing course provider applications, monitoring the integrity
766 of the courses provided, covering legal expenses incurred as a
767 result of not granting or renewing an approval ~~a providership~~,
768 and developing and maintaining an electronic continuing
769 education tracking system pursuant to s. 456.0361. ~~The~~
770 ~~department shall implement an electronic continuing education~~
771 ~~tracking system for each new biennial renewal cycle for which~~
772 ~~electronic renewals are implemented after the effective date of~~
773 ~~this act and shall integrate such system into the licensure and~~
774 ~~renewal system~~. All approved continuing education providers
775 shall provide information on course attendance to the department
776 necessary to implement the electronic tracking system. The
777 department shall, by rule, specify the form and procedures by
778 which the information is to be submitted.

779 (7)~~(8)~~ All moneys collected by the department from fees or
780 fines or from costs awarded to the agency by a court shall be

781 | paid into a trust fund used by the department to implement this
782 | chapter. The Legislature shall appropriate funds from this trust
783 | fund sufficient to administer ~~carry out~~ this chapter and the
784 | provisions of law with respect to professions regulated by the
785 | Division of Medical Quality Assurance within the department and
786 | the boards. The department may contract with public and private
787 | entities to receive and deposit revenue pursuant to this
788 | section. The department shall maintain separate accounts in the
789 | trust fund used by the department to implement this chapter for
790 | every profession within the department. To the maximum extent
791 | possible, the department shall directly charge all expenses to
792 | the account of each regulated profession. For the purpose of
793 | this subsection, direct charge expenses include, but are not
794 | limited to, costs for investigations, examinations, and legal
795 | services. For expenses that cannot be charged directly, the
796 | department shall provide for the proportionate allocation among
797 | the accounts of expenses incurred by the department in the
798 | performance of its duties with respect to each regulated
799 | profession. If a profession has established renewal fees that
800 | meet the requirements of subsection (1), has fees that are at
801 | the statutory fee cap, and has been operating in a deficit for 2
802 | or more fiscal years, the department may waive allocated
803 | administrative and operational indirect costs until such time as
804 | the profession has a positive cash balance. The costs related to
805 | administration and operations include, but are not limited to,
806 | the costs of the director's office and the costs of system

807 support, communications, central records, and other such
808 administrative functions. Such waived costs shall be allocated
809 to the other professions that must meet the requirements of this
810 section, and cash in the unlicensed activity account under s.
811 456.065 of the profession whose costs have been waived shall be
812 transferred to the operating account in an amount not to exceed
813 the amount of the deficit. The regulation by the department of
814 professions, as defined in this chapter, must ~~shall~~ be financed
815 solely from revenue collected by the department ~~it~~ from fees and
816 other charges and deposited in the Medical Quality Assurance
817 Trust Fund, and all such revenue is hereby appropriated to the
818 department, which. ~~However, it is legislative intent that each~~
819 ~~profession shall operate within its anticipated fees. The~~
820 ~~department may not expend funds from the account of a profession~~
821 ~~to pay for the expenses incurred on behalf of another~~
822 ~~profession, except that the Board of Nursing must pay for any~~
823 ~~costs incurred in the regulation of certified nursing~~
824 ~~assistants. The department~~ shall maintain adequate records to
825 support its allocation of agency expenses. The department shall
826 provide any board with reasonable access to these records upon
827 request. On or before October 1 of each year, the department
828 shall provide each board an annual report of revenue and direct
829 and allocated expenses related to the operation of that
830 profession. The board shall use these reports and the
831 department's adopted long-range plan to determine the amount of
832 license fees. ~~A condensed version of this information, with the~~

833 ~~department's recommendations, shall be included in the annual~~
834 ~~report to the Legislature prepared under s. 456.026.~~

835 Section 15. Section 456.0361, Florida Statutes, is created
836 to read:

837 456.0361 Compliance with continuing education
838 requirements.-

839 (1) The department shall establish an electronic
840 continuing education tracking system to monitor licensee
841 compliance with applicable continuing education requirements and
842 to determine whether a licensee is in full compliance with the
843 requirements at the time of his or her application for license
844 renewal. The tracking system shall be integrated into the
845 department's licensure and renewal process.

846 (2) The department may not renew a license until the
847 licensee complies with all applicable continuing education
848 requirements. This subsection does not prohibit the department
849 or the boards from imposing additional penalties under the
850 applicable professional practice act or applicable rules for
851 failure to comply with continuing education requirements.

852 (3) The department may adopt rules to implement this
853 section.

854 Section 16. Subsection (20) of section 456.057, Florida
855 Statutes, is amended to read:

856 456.057 Ownership and control of patient records; report
857 or copies of records to be furnished; disclosure of
858 information.-

859 (20) The board with department approval, or the department
 860 when there is no board, may temporarily or permanently appoint a
 861 person or entity as a custodian of medical records in the event
 862 of the death of a practitioner, the mental or physical
 863 incapacitation of a ~~the~~ practitioner, or the abandonment of
 864 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~
 865 shall comply with ~~all provisions of~~ this section. The department
 866 may contract with a third party to provide these services under
 867 the confidentiality and disclosure requirements of this section,
 868 ~~including the release of patient records.~~

869 Section 17. Subsection (2) of section 456.0635, Florida
 870 Statutes, is amended to read:

871 456.0635 Health care fraud; disqualification for license,
 872 certificate, or registration.—

873 (2) Each board within the jurisdiction of the department,
 874 or the department if there is no board, shall refuse to admit a
 875 candidate to any examination and refuse to issue a license,
 876 certificate, or registration to any applicant if the candidate
 877 or applicant or any principal, officer, agent, managing
 878 employee, or affiliated person of the applicant:

879 (a) Has been convicted of, or entered a plea of guilty or
 880 nolo contendere to, regardless of adjudication, a felony under
 881 chapter 409, chapter 817, or chapter 893, or a similar felony
 882 offense committed in another state or jurisdiction, unless the
 883 candidate or applicant has successfully completed a drug court
 884 program for that felony and provides proof that the plea has

885 | been withdrawn or the charges have been dismissed. Any such
886 | conviction or plea shall exclude the applicant or candidate from
887 | licensure, examination, certification, or registration unless
888 | the sentence and any subsequent period of probation for such
889 | conviction or plea ended:

890 | 1. For felonies of the first or second degree, more than
891 | 15 years before the date of application.

892 | 2. For felonies of the third degree, more than 10 years
893 | before the date of application, except for felonies of the third
894 | degree under s. 893.13(6)(a).

895 | 3. For felonies of the third degree under s. 893.13(6)(a),
896 | more than 5 years before the date of application;

897 | (b) Has been convicted of, or entered a plea of guilty or
898 | nolo contendere to, regardless of adjudication, a felony under
899 | 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the
900 | sentence and any subsequent period of probation for such
901 | conviction or plea ended more than 15 years before the date of
902 | the application;

903 | (c) Has been terminated for cause from the Florida
904 | Medicaid program pursuant to s. 409.913, unless the candidate or
905 | applicant has been in good standing with the Florida Medicaid
906 | program for the most recent 5 years;

907 | (d) Has been terminated for cause, pursuant to the appeals
908 | procedures established by the state, from any other state
909 | Medicaid program, unless the candidate or applicant has been in
910 | good standing with a state Medicaid program for the most recent

911 5 years and the termination occurred at least 20 years before
 912 the date of the application; or

913 (e) Is currently listed on the United States Department of
 914 Health and Human Services Office of Inspector General's List of
 915 Excluded Individuals and Entities.

916
 917 ~~This subsection does not apply to candidates or applicants for~~
 918 ~~initial licensure or certification who were enrolled in an~~
 919 ~~educational or training program on or before July 1, 2009, which~~
 920 ~~was recognized by a board or, if there is no board, recognized~~
 921 ~~by the department, and who applied for licensure after July 1,~~
 922 ~~2012.~~

923 Section 18. Subsection (3) of section 457.107, Florida
 924 Statutes, is amended to read:

925 457.107 Renewal of licenses; continuing education.—

926 (3) The board shall ~~by rule~~ prescribe by rule continuing
 927 education requirements of up to, ~~not to exceed~~ 30 hours
 928 biennially, as a condition for renewal of a license. All
 929 education programs that contribute to the advancement,
 930 extension, or enhancement of professional skills and knowledge
 931 related to the practice of acupuncture, whether conducted by a
 932 nonprofit or profitmaking entity, are eligible for approval. The
 933 continuing professional education requirements must be in
 934 acupuncture or oriental medicine subjects, including, but not
 935 limited to, anatomy, biological sciences, adjunctive therapies,
 936 sanitation and sterilization, emergency protocols, and diseases.

937 The board may ~~shall have the authority to set a fee of up to~~
938 ~~not to exceed~~ \$100~~7~~ for each continuing education provider. The
939 licensee shall retain in his or her records the certificates of
940 completion of continuing professional education requirements ~~to~~
941 ~~prove compliance with this subsection. The board may request~~
942 ~~such documentation without cause from applicants who are~~
943 ~~selected at random.~~ All national and state acupuncture and
944 oriental medicine organizations and acupuncture and oriental
945 medicine schools are approved to provide continuing professional
946 education in accordance with this subsection.

947 Section 19. Paragraph (e) of subsection (4) of section
948 458.347, Florida Statutes, is amended to read:

949 458.347 Physician assistants.—

950 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

951 (e) A supervisory physician may delegate to a fully
952 licensed physician assistant the authority to prescribe or
953 dispense any medication used in the supervisory physician's
954 practice unless such medication is listed on the formulary
955 created pursuant to paragraph (f). A fully licensed physician
956 assistant may only prescribe or dispense such medication under
957 the following circumstances:

958 1. A physician assistant must clearly identify to the
959 patient that he or she is a physician assistant and
960 ~~Furthermore, the physician assistant must~~ inform the patient
961 that the patient has the right to see the physician before a
962 ~~prior to any~~ prescription is being prescribed or dispensed by

963 the physician assistant.

964 2. The supervisory physician must notify the department of
965 his or her intent to delegate, on a department-approved form,
966 before delegating such authority and ~~notify the department of~~
967 any change in prescriptive privileges of the physician
968 assistant. Authority to dispense may be delegated only by a
969 supervising physician who is registered as a dispensing
970 practitioner in compliance with s. 465.0276.

971 3. The physician assistant must complete ~~file with the~~
972 ~~department a signed affidavit that he or she has completed a~~
973 minimum of 10 continuing medical education hours in the
974 specialty practice in which the physician assistant has
975 prescriptive privileges with each licensure renewal ~~application.~~

976 4. The department may issue a prescriber number to the
977 physician assistant granting authority for the prescribing of
978 medicinal drugs authorized within this paragraph upon completion
979 of the ~~foregoing~~ requirements of this paragraph. The physician
980 assistant is ~~shall~~ not be required to independently register
981 pursuant to s. 465.0276.

982 5. The prescription must be written in a form that
983 complies with chapter 499 and, in addition to the supervisory
984 physician's name, address, and telephone number, must contain,
985 ~~in addition to the supervisory physician's name, address, and~~
986 ~~telephone number,~~ the physician assistant's prescriber number.
987 Unless it is a drug or drug sample dispensed by the physician
988 assistant, the prescription must be filled in a pharmacy

989 permitted under chapter 465 and must be dispensed in that
 990 pharmacy by a pharmacist licensed under chapter 465. The
 991 inclusion ~~appearance~~ of the prescriber number creates a
 992 presumption that the physician assistant is authorized to
 993 prescribe the medicinal drug and the prescription is valid.

994 6. The physician assistant must note the prescription or
 995 dispensing of medication in the appropriate medical record.

996 Section 20. Subsection (3) of section 463.007, Florida
 997 Statutes, is amended to read:

998 463.007 Renewal of license; continuing education.—

999 (3) As a condition of license renewal, a licensee must
 1000 ~~Unless otherwise provided by law, the board shall require~~
 1001 ~~licensees to periodically demonstrate~~ his or her ~~their~~
 1002 professional competence, ~~as a condition of renewal of a license,~~
 1003 by completing up to 30 hours of continuing education during the
 1004 2-year period preceding license renewal. For certified
 1005 optometrists, the 30-hour continuing education requirement
 1006 includes ~~shall include~~ 6 or more hours of approved transcript-
 1007 quality coursework in ocular and systemic pharmacology and the
 1008 diagnosis, treatment, and management of ocular and systemic
 1009 conditions and diseases during the 2-year period preceding
 1010 application for license renewal.

1011 Section 21. Subsection (7) of section 464.203, Florida
 1012 Statutes, is amended to read:

1013 464.203 Certified nursing assistants; certification
 1014 requirement.—

1015 (7) A certified nursing assistant shall complete 24 ~~12~~
 1016 hours of inservice training during each biennium ~~calendar year~~.
 1017 The certified nursing assistant shall maintain ~~be responsible~~
 1018 ~~for maintaining~~ documentation demonstrating compliance with
 1019 ~~these provisions. The Council on Certified Nursing Assistants,~~
 1020 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~
 1021 ~~implement~~ this subsection.

1022 Section 22. Section 464.2085, Florida Statutes, is
 1023 repealed.

1024 Section 23. Paragraph (b) of subsection (1) and subsection
 1025 (3) of section 465.0276, Florida Statutes, are amended to read:

1026 465.0276 Dispensing practitioner.—

1027 (1)

1028 (b) A practitioner registered under this section may not
 1029 dispense a controlled substance listed in Schedule II or
 1030 Schedule III as provided in s. 893.03. This paragraph does not
 1031 apply to:

1032 1. The dispensing of complimentary packages of medicinal
 1033 drugs which are labeled as a drug sample or complimentary drug
 1034 as defined in s. 499.028 to the practitioner's own patients in
 1035 the regular course of her or his practice without the payment of
 1036 a fee or remuneration of any kind, whether direct or indirect,
 1037 as provided in subsection (4) ~~(5)~~.

1038 2. The dispensing of controlled substances in the health
 1039 care system of the Department of Corrections.

1040 3. The dispensing of a controlled substance listed in

1041 Schedule II or Schedule III in connection with the performance
 1042 of a surgical procedure. The amount dispensed pursuant to the
 1043 subparagraph may not exceed a 14-day supply. This exception does
 1044 not allow for the dispensing of a controlled substance listed in
 1045 Schedule II or Schedule III more than 14 days after the
 1046 performance of the surgical procedure. For purposes of this
 1047 subparagraph, the term "surgical procedure" means any procedure
 1048 in any setting which involves, or reasonably should involve:

1049 a. Perioperative medication and sedation that allows the
 1050 patient to tolerate unpleasant procedures while maintaining
 1051 adequate cardiorespiratory function and the ability to respond
 1052 purposefully to verbal or tactile stimulation and makes intra-
 1053 and postoperative monitoring necessary; or

1054 b. The use of general anesthesia or major conduction
 1055 anesthesia and preoperative sedation.

1056 4. The dispensing of a controlled substance listed in
 1057 Schedule II or Schedule III pursuant to an approved clinical
 1058 trial. For purposes of this subparagraph, the term "approved
 1059 clinical trial" means a clinical research study or clinical
 1060 investigation that, in whole or in part, is state or federally
 1061 funded or is conducted under an investigational new drug
 1062 application that is reviewed by the United States Food and Drug
 1063 Administration.

1064 5. The dispensing of methadone in a facility licensed
 1065 under s. 397.427 where medication-assisted treatment for opiate
 1066 addiction is provided.

1067 6. The dispensing of a controlled substance listed in
 1068 Schedule II or Schedule III to a patient of a facility licensed
 1069 under part IV of chapter 400.

1070 ~~(3) The department shall inspect any facility where a~~
 1071 ~~practitioner dispenses medicinal drugs pursuant to subsection~~
 1072 ~~(2) in the same manner and with the same frequency as it~~
 1073 ~~inspects pharmacies for the purpose of determining whether the~~
 1074 ~~practitioner is in compliance with all statutes and rules~~
 1075 ~~applicable to her or his dispensing practice.~~

1076 Section 24. Subsection (3) of section 466.0135, Florida
 1077 Statutes, is amended to read:

1078 466.0135 Continuing education; dentists.—

1079 (3) A ~~In applying for license renewal, the dentist shall~~
 1080 complete ~~submit a sworn affidavit, on a form acceptable to the~~
 1081 ~~department, attesting that she or he has completed the~~ required
 1082 continuing education as provided ~~required in this section and in~~
 1083 ~~accordance with the guidelines and provisions of this section~~
 1084 ~~and listing the date, location, sponsor, subject matter, and~~
 1085 ~~hours of completed continuing education courses. The applicant~~
 1086 ~~shall retain in her or his records~~ any such ~~receipts, vouchers,~~
 1087 ~~or certificates as may be necessary to document completion of~~
 1088 such ~~the continuing education courses listed in accordance with~~
 1089 ~~this subsection. With cause, the board may request such~~
 1090 ~~documentation by the applicant, and the board may request such~~
 1091 ~~documentation from applicants selected at random without cause.~~

1092 Section 25. Section 466.014, Florida Statutes, is amended

1093 to read:

1094 466.014 Continuing education; dental hygienists.—In

1095 addition to the other requirements for relicensure for dental

1096 hygienists set out in this chapter ~~act~~, the board shall require

1097 each licensed dental hygienist to complete at least ~~not less~~

1098 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing

1099 professional education in dental subjects, biennially, in

1100 programs prescribed or approved by the board or in equivalent

1101 programs of continuing education. Programs of continuing

1102 education approved by the board shall be programs of learning

1103 which, in the opinion of the board, contribute directly to the

1104 dental education of the dental hygienist. The board shall adopt

1105 rules and guidelines to administer and enforce ~~the provisions of~~

1106 ~~this section. In applying for license renewal,~~ The dental

1107 hygienist shall ~~submit a sworn affidavit, on a form acceptable~~

1108 ~~to the department, attesting that she or he has completed the~~

1109 ~~continuing education required in this section in accordance with~~

1110 ~~the guidelines and provisions of this section and listing the~~

1111 ~~date, location, sponsor, subject matter, and hours of completed~~

1112 ~~continuing education courses. The applicant shall retain in her~~

1113 ~~or his records~~ any such receipts, vouchers, or certificates ~~as~~

1114 ~~may be necessary to document completion of such~~ the continuing

1115 ~~education courses listed in accordance with this section. With~~

1116 ~~cause, the board may request such documentation by the~~

1117 ~~applicant, and the board may request such documentation from~~

1118 ~~applicants selected at random without cause. Compliance with the~~

1119 continuing education requirements is ~~shall be~~ mandatory for
 1120 issuance of the renewal certificate. The board may ~~shall have~~
 1121 ~~the authority to~~ excuse licensees, as a group or as individuals,
 1122 from all or part of the continuing education ~~educational~~
 1123 requirements if, ~~or any part thereof, in the event~~ an unusual
 1124 circumstance, emergency, or hardship has prevented compliance
 1125 with this section.

1126 Section 26. Subsection (5) of section 466.032, Florida
 1127 Statutes, is amended to read:

1128 466.032 Registration.—

1129 (5) A ~~The~~ dental laboratory owner or at least one employee
 1130 of any dental laboratory renewing registration on or after July
 1131 1, 2010, shall complete 18 hours of continuing education
 1132 biennially. Programs of continuing education must ~~shall~~ be
 1133 programs of learning that contribute directly to the education
 1134 of the dental technician and may include, but are not limited
 1135 to, attendance at lectures, study clubs, college courses, or
 1136 scientific sessions of conventions and research.

1137 (a) The aim of continuing education for dental technicians
 1138 is to improve dental health care delivery to the public as such
 1139 is impacted through the design, manufacture, and use of
 1140 artificial human oral prosthetics and related restorative
 1141 appliances.

1142 (b) Continuing education courses shall address one or more
 1143 of the following areas of professional development, including,
 1144 but not limited to:

1145 1. Laboratory and technological subjects, including, but
1146 not limited to, laboratory techniques and procedures, materials,
1147 and equipment; and

1148 2. Subjects pertinent to oral health, infection control,
1149 and safety.

1150 (c) Programs that meet ~~meeting~~ the general requirements of
1151 continuing education may be developed and offered to dental
1152 technicians by the Florida Dental Laboratory Association and the
1153 Florida Dental Association. Other organizations, schools, or
1154 agencies may also be approved to develop and offer continuing
1155 education in accordance with specific criteria established by
1156 the department.

1157 ~~(d) Any dental laboratory renewing a registration on or~~
1158 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~
1159 ~~approved by the department, attesting that either the dental~~
1160 ~~laboratory owner or one dental technician employed by the~~
1161 ~~registered dental laboratory has completed the continuing~~
1162 ~~education required in this subsection in accordance with the~~
1163 ~~guidelines and provisions of this subsection and listing the~~
1164 ~~date, location, sponsor, subject matter, and hours of completed~~
1165 ~~continuing education courses. The dental laboratory shall retain~~
1166 ~~in its records such receipts, vouchers, or certificates as may~~
1167 ~~be necessary to document completion of the continuing education~~
1168 ~~courses listed in accordance with this subsection. With cause,~~
1169 ~~the department may request that the documentation be provided by~~
1170 ~~the applicant. The department may also request the documentation~~

1171 ~~from applicants selected at random without cause.~~

1172 (d)~~(e)~~1. This subsection does not apply to a dental
 1173 laboratory that is physically located within a dental practice
 1174 operated by a dentist licensed under this chapter.

1175 2. A dental laboratory in another state or country which
 1176 provides service to a dentist licensed under this chapter is not
 1177 required to register with the state and may continue to provide
 1178 services to such dentist with a proper prescription. However, a
 1179 dental laboratory in another state or country, ~~however,~~ may
 1180 voluntarily comply with this subsection.

1181 Section 27. Section 468.1201, Florida Statutes, is
 1182 repealed.

1183 Section 28. Paragraph (a) of subsection (3), subsections
 1184 (4) and (5), paragraphs (a) and (e) of present subsection (6),
 1185 and present subsection (7) of section 483.901, Florida Statutes,
 1186 are amended, and paragraph (k) is added to present subsection
 1187 (6) of that section, to read:

1188 483.901 Medical physicists; definitions; licensure.—

1189 (3) DEFINITIONS.—As used in this section, the term:

1190 ~~(a) "Council" means the Advisory Council of Medical~~
 1191 ~~Physicists in the Department of Health.~~

1192 ~~(4) COUNCIL.—The Advisory Council of Medical Physicists is~~
 1193 ~~created in the Department of Health to advise the department in~~
 1194 ~~regulating the practice of medical physics in this state.~~

1195 ~~(a) The council shall be composed of nine members~~
 1196 ~~appointed by the State Surgeon General as follows:~~

- 1197 1. ~~A licensed medical physicist who specializes in~~
 1198 ~~diagnostic radiological physics.~~
- 1199 2. ~~A licensed medical physicist who specializes in~~
 1200 ~~therapeutic radiological physics.~~
- 1201 3. ~~A licensed medical physicist who specializes in medical~~
 1202 ~~nuclear radiological physics.~~
- 1203 4. ~~A physician who is board certified by the American~~
 1204 ~~Board of Radiology or its equivalent.~~
- 1205 5. ~~A physician who is board certified by the American~~
 1206 ~~Osteopathic Board of Radiology or its equivalent.~~
- 1207 6. ~~A chiropractic physician who practices radiology.~~
- 1208 7. ~~Three consumer members who are not, and have never~~
 1209 ~~been, licensed as a medical physicist or licensed in any closely~~
 1210 ~~related profession.~~
- 1211 (b) ~~The State Surgeon General shall appoint the medical~~
 1212 ~~physicist members of the council from a list of candidates who~~
 1213 ~~are licensed to practice medical physics.~~
- 1214 (c) ~~The State Surgeon General shall appoint the physician~~
 1215 ~~members of the council from a list of candidates who are~~
 1216 ~~licensed to practice medicine in this state and are board~~
 1217 ~~certified in diagnostic radiology, therapeutic radiology, or~~
 1218 ~~radiation oncology.~~
- 1219 (d) ~~The State Surgeon General shall appoint the public~~
 1220 ~~members of the council.~~
- 1221 (e) ~~As the term of each member expires, the State Surgeon~~
 1222 ~~General shall appoint the successor for a term of 4 years. A~~

1223 ~~member shall serve until the member's successor is appointed,~~
 1224 ~~unless physically unable to do so.~~

1225 ~~(f) An individual is ineligible to serve more than two~~
 1226 ~~full consecutive 4-year terms.~~

1227 ~~(g) If a vacancy on the council occurs, the State Surgeon~~
 1228 ~~General shall appoint a member to serve for a 4-year term.~~

1229 ~~(h) A council member must be a United States citizen and~~
 1230 ~~must have been a resident of this state for 2 consecutive years~~
 1231 ~~immediately before being appointed.~~

1232 ~~1. A member of the council who is a medical physicist must~~
 1233 ~~have practiced for at least 6 years before being appointed or be~~
 1234 ~~board certified for the specialty in which the member practices.~~

1235 ~~2. A member of the council who is a physician must be~~
 1236 ~~licensed to practice medicine in this state and must have~~
 1237 ~~practiced diagnostic radiology or radiation oncology in this~~
 1238 ~~state for at least 2 years before being appointed.~~

1239 ~~3. The public members of the council must not have a~~
 1240 ~~financial interest in any endeavor related to the practice of~~
 1241 ~~medical physics.~~

1242 ~~(i) A council member may be removed from the council if~~
 1243 ~~the member:~~

1244 ~~1. Did not have the required qualifications at the time of~~
 1245 ~~appointment;~~

1246 ~~2. Does not maintain the required qualifications while~~
 1247 ~~serving on the council; or~~

1248 ~~3. Fails to attend the regularly scheduled council~~

1249 ~~meetings in a calendar year as required by s. 456.011.~~

1250 ~~(j) Members of the council may not receive compensation~~
 1251 ~~for their services; however, they are entitled to reimbursement,~~
 1252 ~~from funds deposited in the Medical Quality Assurance Trust~~
 1253 ~~Fund, for necessary travel expenses as specified in s. 112.061~~
 1254 ~~for each day they engage in the business of the council.~~

1255 ~~(k) At the first regularly scheduled meeting of each~~
 1256 ~~calendar year, the council shall elect a presiding officer and~~
 1257 ~~an assistant presiding officer from among its members. The~~
 1258 ~~council shall meet at least once each year and at other times in~~
 1259 ~~accordance with department requirements.~~

1260 ~~(l) The department shall provide administrative support to~~
 1261 ~~the council for all licensing activities.~~

1262 ~~(m) The council may conduct its meetings electronically.~~

1263 ~~(5) POWERS OF COUNCIL. The council shall:~~

1264 ~~(a) Recommend rules to administer this section.~~

1265 ~~(b) Recommend practice standards for the practice of~~
 1266 ~~medical physics which are consistent with the Guidelines for~~
 1267 ~~Ethical Practice for Medical Physicists prepared by the American~~
 1268 ~~Association of Physicists in Medicine and disciplinary~~
 1269 ~~guidelines adopted under s. 456.079.~~

1270 ~~(c) Develop and recommend continuing education~~
 1271 ~~requirements for licensed medical physicists.~~

1272 (4)~~(6)~~ LICENSE REQUIRED.—An individual may not engage in
 1273 the practice of medical physics, including the specialties of
 1274 diagnostic radiological physics, therapeutic radiological

1275 physics, medical nuclear radiological physics, or medical health
1276 physics, without a license issued by the department for the
1277 appropriate specialty.

1278 (a) The department shall adopt rules to administer this
1279 section which specify license application and renewal fees,
1280 continuing education requirements, and standards for practicing
1281 medical physics. ~~The council shall recommend to the department~~
1282 ~~continuing education requirements that shall be a condition of~~
1283 ~~license renewal.~~ The department shall require a minimum of 24
1284 hours per biennium of continuing education offered by an
1285 organization ~~recommended by the council and~~ approved by the
1286 department. The department, ~~upon recommendation of the council,~~
1287 may adopt rules to specify continuing education requirements for
1288 persons who hold a license in more than one specialty.

1289 (e) Upon ~~On~~ receipt of an application and fee as specified
1290 in this section, the department may issue a license to practice
1291 medical physics in this state ~~on or after October 1, 1997,~~ to a
1292 person who is board certified in the medical physics specialty
1293 in which the applicant applies to practice by the American Board
1294 of Radiology for diagnostic radiological physics, therapeutic
1295 radiological physics, or medical nuclear radiological physics;
1296 by the American Board of Medical Physics for diagnostic
1297 radiological physics, therapeutic radiological physics, or
1298 medical nuclear radiological physics; or by the American Board
1299 of Health Physics or an equivalent certifying body approved by
1300 the department.

1301 (k) Upon proof of a completed residency program and
 1302 receipt of the fee set forth by rule, the department may issue a
 1303 temporary license for no more than 1 year. The department may
 1304 adopt by rule requirements for temporary licensure and renewal
 1305 of temporary licenses.

1306 (5)(7) FEES.—The fee for the initial license application
 1307 shall be \$500 and is nonrefundable. The fee for license renewal
 1308 may not be more than \$500. These fees may cover only the costs
 1309 incurred by the department ~~and the council~~ to administer this
 1310 section. By July 1 of each year, the department shall determine
 1311 whether ~~advise the council~~ if the fees are insufficient to
 1312 administer this section.

1313 Section 29. Subsection (2) of section 484.047, Florida
 1314 Statutes, is amended to read:

1315 484.047 Renewal of license.—

1316 (2) In addition to the other requirements for renewal
 1317 provided in this section and by the board, the department shall
 1318 renew a license upon receipt of the renewal application and, ~~the~~
 1319 ~~renewal fee, and a written statement affirming compliance with~~
 1320 ~~all other requirements set forth in this section and by the~~
 1321 ~~board~~. A licensee must maintain, if applicable, a certificate
 1322 from a manufacturer or independent testing agent certifying that
 1323 the testing room meets the requirements of s. 484.0501(6) and,
 1324 if applicable, a certificate from a manufacturer or independent
 1325 testing agent stating that all audiometric testing equipment
 1326 used by the licensee has been calibrated acoustically to

1327 American National Standards Institute standards on an annual
1328 basis ~~acoustically to American National Standards Institute~~
1329 ~~standard specifications~~. Possession of an applicable certificate
1330 is ~~the certificates shall be~~ a prerequisite to renewal.

1331 Section 30. Paragraph (a) of subsection (3) of section
1332 486.102, Florida Statutes, is amended to read:

1333 486.102 Physical therapist assistant; licensing
1334 requirements.—To be eligible for licensing by the board as a
1335 physical therapist assistant, an applicant must:

1336 (3) (a) Have been graduated from a school giving a course
1337 of not less than 2 years for physical therapist assistants,
1338 which has been approved for the educational preparation of
1339 physical therapist assistants by the appropriate accrediting
1340 agency recognized by the Commission on Recognition of
1341 Postsecondary Accreditation or the United States Department of
1342 Education, ~~which includes, but is not limited to, any regional~~
1343 ~~or national institutional accrediting agencies recognized by the~~
1344 ~~United States Department of Education or the Commission on~~
1345 ~~Accreditation for Physical Therapy Education (CAPTE),~~ at the
1346 time of her or his graduation and have passed to the
1347 satisfaction of the board an examination to determine her or his
1348 fitness for practice as a physical therapist assistant as
1349 hereinafter provided;

1350 Section 31. Subsections (1) and (4) of section 486.109,
1351 Florida Statutes, are amended to read:

1352 486.109 Continuing education.—

1353 (1) The board shall require licensees to ~~periodically~~
 1354 demonstrate their professional competence as a condition of
 1355 renewal of a license by completing 24 hours of continuing
 1356 education biennially.

1357 (4) Each licensee shall maintain ~~be responsible for~~
 1358 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~
 1359 ~~which shall be subject to a random audit by the department to~~
 1360 demonstrate ~~assure~~ compliance with this section.

1361 Section 32. Paragraph (a) of subsection (15) of section
 1362 499.028, Florida Statutes, is amended to read:

1363 499.028 Drug samples or complimentary drugs; starter
 1364 packs; permits to distribute.—

1365 (15) A person may not possess a prescription drug sample
 1366 unless:

1367 (a) The drug sample was prescribed to her or him as
 1368 evidenced by the label required in s. 465.0276(4) ~~465.0276(5)~~.

1369 Section 33. Paragraph (g) of subsection (3) of section
 1370 921.0022, Florida Statutes, is amended to read:

1371 921.0022 Criminal Punishment Code; offense severity
 1372 ranking chart.—

1373 (3) OFFENSE SEVERITY RANKING CHART

1374 (g) LEVEL 7

1375

Florida	Felony	
Statute	Degree	Description

1376

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1377	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
1378	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1379	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1380	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in

			great bodily harm, permanent disfiguration, permanent disability, or death.
1381	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1382	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1383	456.065 (2)	3rd	Practicing a health care profession without a license.
1384	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1385	458.327 (1)	3rd	Practicing medicine without a license.
1386	459.013 (1)	3rd	Practicing osteopathic medicine without a license.

1387	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1388	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1389	462.17	3rd	Practicing naturopathy without a license.
1390	463.015 (1)	3rd	Practicing optometry without a license.
1391	464.016 (1)	3rd	Practicing nursing without a license.
1392	465.015 (2)	3rd	Practicing pharmacy without a license.
1393	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1394	467.201	3rd	Practicing midwifery without a license.

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1395	468.366	3rd	Delivering respiratory care services without a license.
1396	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1397	<u>483.901 (7)</u> 483.901 (9)	3rd	Practicing medical physics without a license.
1398	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1399	484.053	3rd	Dispensing hearing aids without a license.
1400	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1401			

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1402	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1403	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1404	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1405	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
	775.21 (10) (b)	3rd	Sexual predator working

1406	775.21 (10) (g)	3rd	<p>where children regularly congregate.</p> <p>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.</p>
1407	782.051 (3)	2nd	<p>Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.</p>
1408	782.07 (1)	2nd	<p>Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).</p>
1409	782.071	2nd	<p>Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).</p>

1410	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1411	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1412	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1413	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1414	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1415	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1416	784.07 (2) (d)	1st	Aggravated battery on law

1417			enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1418			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1419			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
1420			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1421			
	784.083 (1)	1st	Aggravated battery on code inspector.
1422			
	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1423			

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	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1424	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1425	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1426	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1427	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1428	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax

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1429			weapon of mass destruction.
	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1430			
	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1431			
	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1432			
	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1433			
	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and

1434			subsequent offense.
	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1435			
	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1436			
	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1437			
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1438			

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1439	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1440	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1441	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1442	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1443	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at

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1444	812.014 (2) (b) 3.	2nd	less than \$50,000, grand theft in 2nd degree. Property stolen, emergency medical equipment; 2nd degree grand theft.
1445	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1446	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1447	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1448	812.131 (2) (a)	2nd	Robbery by sudden

1449			snatching.
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1450			
	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1451			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1452			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1453			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1454			
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property

1455			values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1456	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1457	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1458	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1459	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.

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1460	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1461	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1462	838.015	2nd	Bribery.
1463	838.016	2nd	Unlawful compensation or reward for official behavior.
1464	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1465	838.22	2nd	Bid tampering.
1466	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1467	843.0855 (3)	3rd	Unlawful simulation of legal process.
	843.0855 (4)	3rd	Intimidation of a public

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1468			officer or employee.
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1469			
	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1470			
	872.06	2nd	Abuse of a dead human body.
1471			
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1472			
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1473			
	893.13 (1) (c) 1.	1st	Sell, manufacture, or

			<p>deliver cocaine (or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p>
1474	893.13(1) (e)1.	1st	<p>Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4., within 1,000 feet of property used for religious services or a specified business site.</p>
1475	893.13(4) (a)	1st	<p>Deliver to minor cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a),</p>

1476			(2) (b), or (2) (c) 4. drugs).
	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1477	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1478	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1479	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1480	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1481	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.

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1482	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1483	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1484	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1485	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1486	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1487	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1

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1488	893.135 (1) (j) 1.a.	1st	kilogram or more, less than 5 kilograms. Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1489	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1490	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1491	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1492	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial

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1493	943.0435 (4) (c)	2nd	<p>transactions exceeding \$300 but less than \$20,000.</p> <p>Sexual offender vacating permanent residence; failure to comply with reporting requirements.</p>
1494	943.0435 (8)	2nd	<p>Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.</p>
1495	943.0435 (9) (a)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
1496	943.0435 (13)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
1497	943.0435 (14)	3rd	<p>Sexual offender; failure to</p>

1498	944.607(9)	3rd	<p>report and reregister; failure to respond to address verification; providing false registration information.</p> <p>Sexual offender; failure to comply with reporting requirements.</p>
1499	944.607(10)(a)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
1500	944.607(12)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
1501	944.607(13)	3rd	<p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p>

1502

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

1503

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1504

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1505

1506

Section 34. This act shall take effect July 1, 2016.