



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1
2 An act relating to the Department of Health; amending
3 s. 20.43, F.S.; renaming the Office of Minority Health
4 within the department; specifying that the office
5 shall be headed by a Senior Health Equity Officer and
6 prescribing his or her duties; amending s. 215.5602,
7 F.S.; revising the reporting requirements for the
8 Biomedical Research Advisory Council under the James
9 and Esther King Biomedical Research program; revising
10 the reporting requirements for certain entities that
11 perform or are associated with cancer research or
12 care; amending s. 381.0034, F.S.; deleting the
13 requirement that applicants making initial application
14 for certain licensure complete certain courses;
15 amending s. 381.7355, F.S.; revising the review
16 criteria for Closing the Gap grant proposals; amending
17 s. 381.82, F.S.; revising the reporting requirements
18 for the Alzheimer's Disease Research Grant Advisory
19 Board under the Ed and Ethel Moore Alzheimer's Disease
20 Research Program; providing for the carryforward for a
21 limited period of any unexpended balance of an
22 appropriation for the program; amending s. 381.922,
23 F.S.; providing reporting requirements for the
24 Biomedical Research Advisory Council under the William
25 G. "Bill" Bankhead, Jr., and David Coley Cancer
26 Research Program; amending s. 384.23, F.S.; revising



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

27 | the factors to be considered in designating a
28 | condition as a sexually transmissible disease;
29 | amending s. 384.27, F.S.; authorizing certain health
30 | care practitioners to provide partner therapy under
31 | certain conditions; authorizing the department to
32 | adopt rules; amending s. 401.27, F.S.; increasing the
33 | length of time that an emergency medical technician or
34 | paramedic certificate may remain in an inactive
35 | status; revising the requirements for reactivating and
36 | renewing such a certificate; revising eligibility for
37 | certification; deleting a requirement that applicants
38 | successfully complete a certification examination
39 | within a specified timeframe; amending s. 456.013,
40 | F.S.; revising course requirements for renewing a
41 | certain license; amending s. 456.024, F.S.; revising
42 | the eligibility criteria for a member of the United
43 | States Armed Forces, the United States Reserve Forces,
44 | or the National Guard and the spouse of an active duty
45 | military member to be issued a license to practice as
46 | a health care practitioner in this state; creating s.
47 | 456.0241, F.S.; providing definitions; providing for
48 | issuance of a temporary certificate under certain
49 | conditions for certain military health care
50 | practitioners; providing for the automatic expiration
51 | of the temporary certificate unless renewed; providing
52 | for application and renewal fees; requiring the



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

53 | department to adopt rules; creating s. 456.0361, F.S.;
54 | requiring the department to establish an electronic
55 | continuing education tracking system; prohibiting the
56 | department from renewing a license unless the licensee
57 | has complied with all continuing education
58 | requirements; authorizing the department to adopt
59 | rules; amending s. 456.057, F.S.; requiring a person
60 | or entity appointed by the board as a custodian of
61 | medical records to be approved by the department;
62 | authorizing the department to contract with a third
63 | party to provide custodial services; amending s.
64 | 456.0635, F.S.; deleting a provision on applicability
65 | relating to the issuance of licenses; amending s.
66 | 457.107, F.S.; deleting a provision authorizing the
67 | Board of Acupuncture to request certain documentation
68 | from applicants; amending s. 458.347, F.S.; deleting a
69 | requirement that a physician assistant file a signed
70 | affidavit with the department; amending s. 459.022,
71 | F.S.; deleting a requirement that a physician
72 | assistant file a signed affidavit with the department;
73 | amending s. 460.402, F.S.; providing an additional
74 | exception to licensure requirements for chiropractic
75 | physicians; amending s. 463.007, F.S.; making
76 | technical changes; amending s. 464.203, F.S.; revising
77 | inservice training requirements for certified nursing
78 | assistants; repealing s. 464.2085, F.S., relating to



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

79 | the Council on Certified Nursing Assistants; amending
80 | s. 465.027, F.S.; providing an additional exception to
81 | pharmacy regulations for manufacturers of dialysis
82 | drugs or supplies; amending s. 465.0275, F.S.;;
83 | revising the amount of emergency prescription refill
84 | authorized to be dispensed by a pharmacist; amending
85 | s. 465.0276, F.S.; deleting a requirement that the
86 | department inspect certain facilities; amending s.
87 | 466.0135, F.S.; deleting a requirement that a dentist
88 | file a signed affidavit with the department; deleting
89 | a provision authorizing the Board of Dentistry to
90 | request certain documentation from applicants;
91 | amending s. 466.014, F.S.; deleting a requirement that
92 | a dental hygienist file a signed affidavit with the
93 | department; deleting a provision authorizing the board
94 | to request certain documentation from applicants;
95 | amending s. 466.032, F.S.; deleting a requirement that
96 | a dental laboratory file a signed affidavit with the
97 | department; deleting a provision authorizing the
98 | department to request certain documentation from
99 | applicants; repealing s. 468.1201, F.S., relating to a
100 | requirement for instruction on human immunodeficiency
101 | virus and acquired immune deficiency syndrome;
102 | amending s. 483.901, F.S.; deleting provisions
103 | relating to the Advisory Council of Medical
104 | Physicists; authorizing the department to issue



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

105 temporary licenses in certain circumstances;
106 authorizing the department to adopt rules; amending s.
107 484.047, F.S.; deleting a requirement for a written
108 statement from an applicant in certain circumstances;
109 amending s. 486.102, F.S.; revising accrediting
110 agencies that may approve physical therapy assistant
111 programs for purposes of licensing; amending s.
112 486.109, F.S.; deleting a provision authorizing the
113 department to conduct a random audit of certain
114 information; amending ss. 499.028, 893.04, and
115 921.0022, F.S.; conforming provisions and cross-
116 references; providing an effective date.

117

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

119

120 Section 1. Subsection (9) of section 20.43, Florida
121 Statutes, is amended to read:

122 20.43 Department of Health.—There is created a Department
123 of Health.

124 (9) There is established within the Department of Health
125 the Office of Minority Health and Health Equity, which shall be
126 headed by a Senior Health Equity Officer. The Senior Health
127 Equity Officer shall administer the Closing the Gap grant
128 program established under ss. 381.7351-381.7356 in a manner that
129 maximizes the impact of the grants in achieving health equity.
130 The Senior Health Equity Officer shall evaluate the awarded



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

131 grants to assess the effectiveness and efficiency of the use of
132 funds and to determine best practices. The Senior Health Equity
133 Officer shall disseminate information on best practices to
134 stakeholders and shall ensure that the assessments inform future
135 grant award decisions.

136 Section 2. Subsections (10) and (12) of section 215.5602,
137 Florida Statutes, are amended to read:

138 215.5602 James and Esther King Biomedical Research
139 Program.—

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

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

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

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

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

154 4.(c) A list of principal investigators under the research
155 project.

156 5. The title, citation, and summary of findings of a



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

157 publication ~~publications~~ in a peer-reviewed journal resulting
158 from the ~~peer-reviewed journals~~ involving research supported by
159 ~~grants or fellowships awarded under the program.~~

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

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

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

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

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

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

181 (d)(g) Recommendations to further the mission of the
182 programs.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

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

196 (b) ~~Beginning July 1, 2014,~~ An entity that ~~which~~ performs
 197 or is associated with cancer research or care that receives a
 198 specific appropriation for biomedical research, research-related
 199 functions, operations or other supportive functions, or
 200 expansion of operations in the General Appropriations Act
 201 without statutory reporting requirements for the receipt of
 202 those funds, ~~7~~ must submit an annual fiscal-year progress report
 203 to the President of the Senate and the Speaker of the House of
 204 Representatives by December 15. The report must:

- 205 1. Describe the general use of the funds.
- 206 2. Summarize ~~Specify~~ the research, if any, funded by the
 207 appropriation and provide the:
- 208 a. Status of the research, including whether the research



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

209 | has concluded.

210 | b. Results or expected results of the research.

211 | c. Names of principal investigators performing the
212 | research.

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

216 | e. Status of a patent, if any, generated from the research
217 | and an economic analysis of the impact of the resulting patent.

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

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

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

230 | Section 3. Subsection (3) of section 381.0034, Florida
231 | Statutes, is amended to read:

232 | 381.0034 Requirement for instruction on HIV and AIDS.—

233 | (3) The department shall require, as a condition of
234 | granting a license under chapter 467 or part III of chapter 483



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

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

243 Section 4. Paragraph (a) of subsection (2) of section
 244 381.7355, Florida Statutes, is amended, and paragraph (i) is
 245 added to subsection (3) of that section, to read:

246 381.7355 Project requirements; review criteria.—

247 (2) A proposal must include each of the following
 248 elements:

249 (a) The purpose and objectives of the proposal, including
 250 identification of the particular racial or ethnic disparity the
 251 project will address. The proposal must address one or more of
 252 the following priority areas:

253 1. Decreasing racial and ethnic disparities in maternal
 254 and infant mortality rates.

255 2. Decreasing racial and ethnic disparities in morbidity
 256 and mortality rates relating to cancer.

257 3. Decreasing racial and ethnic disparities in morbidity
 258 and mortality rates relating to HIV/AIDS.

259 4. Decreasing racial and ethnic disparities in morbidity
 260 and mortality rates relating to cardiovascular disease.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

261 5. Decreasing racial and ethnic disparities in morbidity
262 and mortality rates relating to diabetes.

263 6. Increasing adult and child immunization rates in
264 certain racial and ethnic populations.

265 7. Decreasing racial and ethnic disparities in oral health
266 care.

267 8. Decreasing racial and ethnic disparities in morbidity
268 and mortality rates relating to sickle cell disease.

269 9. Improve neighborhood social determinants of health,
270 such as transportation, safety, and food access, as outlined by
271 the Centers for Disease Control and Prevention's "Tools for
272 Putting Social Determinants of Health into Action."

273 (3) Priority shall be given to proposals that:

274 (i) Incorporate policy approaches to achieve sustainable
275 long-term improvement.

276 Section 5. Subsection (4) of section 381.82, Florida
277 Statutes, is amended, and subsection (8) is added to that
278 section, to read:

279 381.82 Ed and Ethel Moore Alzheimer's Disease Research
280 Program.—

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

286 (a) For each ~~A list of~~ research project ~~projects~~ supported



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

287 | by grants or fellowships awarded under the program:-
288 | 1. (b) A summary list of the research project and results
289 | or expected results of the research recipients of program grants
290 | or fellowships.
291 | 2. The status of the research project, including whether
292 | it has concluded or the estimated date of completion.
293 | 3. The amount of the grant or fellowship awarded and the
294 | estimated or actual cost of the research project.
295 | 4. (e) A list of principal investigators under the research
296 | project.
297 | 5. The title, citation, and summary of findings of a
298 | publication publications in a peer-reviewed journal resulting
299 | from the journals involving research supported by grants or
300 | fellowships awarded under the program.
301 | 6. The source and amount of any federal, state, or local
302 | government grants or donations or private grants or donations
303 | generated as a result of the research project.
304 | 7. The status of a patent, if any, generated from the
305 | research project and an economic analysis of the impact of the
306 | resulting patent.
307 | 8. A list of postsecondary educational institutions
308 | involved in the research project, a description of each
309 | postsecondary educational institution's involvement in the
310 | research project, and the number of students receiving training
311 | or performing research under the research project.
312 | (b) (d) The state ranking and total amount of Alzheimer's



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

313 disease research funding currently flowing into the state from
314 the National Institutes of Health.

315 ~~(e) New grants for Alzheimer's disease research which were~~
316 ~~funded based on research supported by grants or fellowships~~
317 ~~awarded under the program.~~

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

321 (d) ~~(g)~~ Recommendations to further the mission of the
322 program.

323 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
324 the balance of any appropriation from the General Revenue Fund
325 for the Ed and Ethel Moore Alzheimer's Disease Research Program
326 which is not disbursed but which is obligated pursuant to
327 contract or committed to be expended by June 30 of the fiscal
328 year in which the funds are appropriated may be carried forward
329 for up to 5 years after the effective date of the original
330 appropriation.

331 Section 6. Subsection (6) is added to section 381.922,
332 Florida Statutes, to read:

333 381.922 William G. "Bill" Bankhead, Jr., and David Coley
334 Cancer Research Program.—

335 (6) The Biomedical Research Advisory Council shall submit
336 a report relating to grants awarded under the program to the
337 Governor, the President of the Senate, and the Speaker of the
338 House of Representatives by December 15 each year. The report



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

339 must include:

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

342 1. A summary of the research project and results or
343 expected results of the research.

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

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

348 4. A list of principal investigators under the research
349 project.

350 5. The title, citation, and summary of findings of a
351 publication in a peer-reviewed journal resulting from the
352 research.

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

356 7. The status of a patent, if any, generated from the
357 research project and an economic analysis of the impact of the
358 resulting patent.

359 8. A list of postsecondary educational institutions
360 involved in the research project, a description of each
361 postsecondary educational institution's involvement in the
362 research project, and the number of students receiving training
363 or performing research under the research project.

364 (b) The state ranking and total amount of cancer research



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

365 funding currently flowing into the state from the National
366 Institutes of Health.

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

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

370 Section 7. Subsection (3) of section 384.23, Florida
371 Statutes, is amended to read:

372 384.23 Definitions.—

373 (3) "Sexually transmissible disease" means a bacterial,
374 viral, fungal, or parasitic disease, ~~determined by rule of the~~
375 ~~department to be sexually transmissible, to be a threat to the~~
376 ~~public health and welfare, and to be a disease for which a~~
377 ~~legitimate public interest will be served by providing for~~
378 prevention, elimination, control, regulation and treatment. The
379 department must, by rule, determine ~~In considering~~ which
380 diseases are to be designated as sexually transmissible
381 ~~diseases, the department shall consider such diseases as~~
382 ~~chaneroid, gonorrhoea, granuloma inguinale, lymphogranuloma~~
383 ~~venereum, genital herpes simplex, chlamydia, nongonococcal~~
384 ~~urethritis (NGU), pelvic inflammatory disease (PID)/acute~~
385 ~~salpingitis, syphilis, and human immune deficiency virus~~
386 ~~infection for designation,~~ and shall consider the
387 recommendations and classifications of the Centers for Disease
388 Control and Prevention and other nationally recognized medical
389 authorities in that determination. Not all diseases that are
390 sexually transmissible need be designated for the purposes of



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

391 this act.

392 Section 8. Subsection (7) is added to section 384.27,
393 Florida Statutes, to read:

394 384.27 Physical examination and treatment.—

395 (7) (a) A health care practitioner licensed under chapter
396 458 or chapter 459 or certified under s. 464.012 may provide
397 expedited partner therapy if the following requirements are met:

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

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

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

405 (b) A pharmacist licensed under chapter 465 may dispense
406 medication to a person diagnosed with a sexually transmissible
407 disease pursuant to a prescription for the purpose of treating
408 that person's partner, regardless of whether the person's
409 partner has been personally examined by the prescribing health
410 care practitioner.

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

415 (d) The department may adopt rules to implement this
416 subsection.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

417 Section 9. Subsections (8) and (12) of section 401.27,
 418 Florida Statutes, are amended to read:

419 401.27 Personnel; standards and certification.—

420 (8) Each emergency medical technician certificate and each
 421 paramedic certificate will expire automatically and may be
 422 renewed if the holder meets the qualifications for renewal as
 423 established by the department. A certificate that is not renewed
 424 at the end of the 2-year period will automatically revert to an
 425 inactive status for a period not to exceed two renewal periods
 426 ~~180 days~~. Such certificate may be reactivated and renewed within
 427 the two renewal periods ~~180 days~~ if the certificateholder meets
 428 all other qualifications for renewal, including continuing
 429 education requirements, and pays a \$25 late fee. The
 430 certificateholder also must pass the certification examination
 431 to reactivate the certificate during the second of the two
 432 renewal periods. Reactivation shall be in a manner and on forms
 433 prescribed by department rule.

434 (12) An applicant for certification as an emergency
 435 medical technician or paramedic who is trained outside the
 436 state, or trained in the military, must provide proof of a
 437 current, nationally recognized emergency medical technician or
 438 paramedic certification or registration that is recognized by
 439 the department and based upon successful completion of a
 440 training program approved by the department as being equivalent
 441 to the most recent EMT-Basic or EMT-Paramedic National Standard
 442 Curriculum or the National EMS Education Standards of the United



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

443 States Department of Transportation and hold a current
 444 certificate of successful course completion in cardiopulmonary
 445 resuscitation (CPR) or advanced cardiac life support for
 446 emergency medical technicians or paramedics, respectively, to be
 447 eligible for the certification ~~examination. The applicant must~~
 448 ~~successfully complete the certification examination within 2~~
 449 ~~years after the date of the receipt of his or her application by~~
 450 ~~the department. After 2 years, the applicant must submit a new~~
 451 ~~application, meet all eligibility requirements, and submit all~~
 452 ~~fees to reestablish eligibility to take the certification~~
 453 ~~examination.~~

454 Section 10. Subsection (7) of section 456.013, Florida
 455 Statutes, is amended to read:

456 456.013 Department; general licensing provisions.—

457 (7) The boards, or the department when there is no board,
 458 shall require the completion of a 2-hour course relating to
 459 prevention of medical errors as part of the biennial licensure
 460 ~~and~~ renewal process. The 2-hour course counts toward ~~shall count~~
 461 ~~towards~~ the total number of continuing education hours required
 462 for the profession. The course must ~~shall~~ be approved by the
 463 board or department, as appropriate, and must ~~shall~~ include a
 464 study of root-cause analysis, error reduction and prevention,
 465 and patient safety. In addition, the course approved by the
 466 Board of Medicine and the Board of Osteopathic Medicine must
 467 ~~shall~~ include information relating to the five most misdiagnosed
 468 conditions during the previous biennium, as determined by the



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

469 board. If the course is being offered by a facility licensed
 470 pursuant to chapter 395 for its employees, the board may approve
 471 up to 1 hour of the 2-hour course to be specifically related to
 472 error reduction and prevention methods used in that facility.

473 Section 11. Subsection (3) of section 456.024, Florida
 474 Statutes, is amended to read:

475 456.024 Members of Armed Forces in good standing with
 476 administrative boards or the department; spouses; licensure.—

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

479 1. who Serves or has served as a health care practitioner
 480 in the United States Armed Forces, the United States Reserve
 481 Forces, or the National Guard;

482 2. or a person who Serves or has served on active duty
 483 with the United States Armed Forces as a health care
 484 practitioner in the United States Public Health Service; or

485 3. Is a health care practitioner, other than a dentist, in
 486 another state, the District of Columbia, or a possession or
 487 territory of the United States and is the spouse of a person
 488 serving on active duty with the United States Armed Forces ~~is~~
 489 ~~eligible for licensure in this state.~~

490
 491 The department shall develop an application form, and each
 492 board, or the department if there is no board, shall waive the
 493 application fee, licensure fee, and unlicensed activity fee for
 494 such applicants. For purposes of this subsection, "health care



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

495 practitioner" means a health care practitioner as defined in s.
 496 456.001 and a person licensed under part III of chapter 401 or
 497 part IV of chapter 468.

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

500 1. Submits a complete application.

501 2. If he or she is member of the United States Armed
 502 Forces, the United States Reserve Forces, or the National Guard,
 503 submits proof that he or she has received ~~Receives~~ an honorable
 504 discharge within 6 months before, or will receive an honorable
 505 discharge within 6 months after, the date of submission of the
 506 application.

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

512 b. Is a military health care practitioner in a profession
 513 for which licensure in a state or jurisdiction is not required
 514 to practice in the United States Armed Forces, if he or she
 515 submits to the department evidence of military training or
 516 experience substantially equivalent to the requirements for
 517 licensure in this state in that profession and evidence that he
 518 or she has obtained a passing score on the appropriate
 519 examination of a national or regional standards organization if
 520 required for licensure in this state; or



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

521 c. Is the spouse of a person serving on active duty in the
522 United States Armed Forces and is a health care practitioner in
523 a profession, excluding dentistry, for which licensure in
524 another state or jurisdiction is not required, if he or she
525 submits to the department evidence of training or experience
526 substantially equivalent to the requirements for licensure in
527 this state in that profession and evidence that he or she has
528 obtained a passing score on the appropriate examination of a
529 national or regional standards organization if required for
530 licensure in this state.

531 4. Attests that he or she is not, at the time of
532 submission of the application, the subject of a disciplinary
533 proceeding in a jurisdiction in which he or she holds a license
534 or by the United States Department of Defense for reasons
535 related to the practice of the profession for which he or she is
536 applying.

537 5. Actively practiced the profession for which he or she
538 is applying for the 3 years preceding the date of submission of
539 the application.

540 6. Submits a set of fingerprints for a background
541 screening pursuant to s. 456.0135, if required for the
542 profession for which he or she is applying.

543
544 The department shall verify information submitted by the
545 applicant under this subsection using the National Practitioner
546 Data Bank.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

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

555 ~~(d)(e)~~ An applicant for initial licensure under this
556 subsection must submit the information required by ss.
557 456.039(1) and 456.0391(1) no later than 1 year after the
558 license is issued.

559 Section 12. Section 456.0241, Florida Statutes, is created
560 to read:

561 456.0241 Temporary certificate for active duty military
562 health care practitioners.-

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

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

565 1. A person practicing as a health care practitioner as
566 defined in s. 456.001, as a person licensed under part III of
567 chapter 401, or as a person licensed under part IV of chapter
568 468 who is serving on active duty in the United States Armed
569 Forces, the United States Reserve Forces, or the National Guard;
570 or

571 2. A person who is serving on active duty in the United
572 States Armed Forces and serving in the United States Public



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

573 Health Service.

574 (b) "Military platform" means a military training
575 agreement with a nonmilitary health care provider that is
576 designed to develop and support medical, surgical, or other
577 health care treatment opportunities in a nonmilitary health care
578 provider setting to authorize a military health care
579 practitioner to develop and maintain the technical proficiency
580 necessary to meet the present and future health care needs of
581 the United States Armed Forces. Such agreements may include
582 Training Affiliation Agreements and External Resource Sharing
583 Agreements.

584 (2) The department may issue a temporary certificate to an
585 active duty military health care practitioner to practice in a
586 regulated profession in this state if the applicant:

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

589 (b) Submits a complete application and a nonrefundable
590 application fee.

591 (c) Holds an active, unencumbered license to practice as a
592 health care professional issued by another state, the District
593 of Columbia, or a possession or territory of the United States
594 or is a military health care practitioner in a profession for
595 which licensure in a state or jurisdiction is not required for
596 practice in the United States Armed Forces and provides evidence
597 of military training and experience substantially equivalent to
598 the requirements for licensure in this state in that profession.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

599 (d) Attests that he or she is not, at the time of
600 submission of the application, the subject of a disciplinary
601 proceeding in a jurisdiction in which he or she holds a license
602 or by the United States Department of Defense for reasons
603 related to the practice of the profession for which he or she is
604 applying.

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

607 (f) Submits a set of fingerprints for a background
608 screening pursuant to s. 456.0135, if required for the
609 profession for which he or she is applying.

610
611 The department shall verify information submitted by the
612 applicant under this subsection using the National Practitioner
613 Data Bank.

614 (3) A temporary certificate issued under this section
615 expires 6 months after issuance but may be renewed upon proof of
616 continuing military orders for active duty assignment in this
617 state and evidence that the military health care practitioner
618 continues to be a military platform participant.

619 (4) A military health care practitioner applying for a
620 temporary certificate under this section is exempt from ss.
621 456.039-456.046. All other provisions of this chapter apply to
622 such military health care practitioner.

623 (5) An applicant for a temporary certificate under this
624 section is deemed ineligible if he or she:



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

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

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

631 (c) Has failed to obtain a passing score on the Florida
632 examination required to receive a license to practice the
633 profession for which he or she is applying; or

634 (d) Is under investigation in another jurisdiction for an
635 act that would constitute a violation of the applicable
636 licensing chapter or this chapter until the investigation is
637 complete and all charges against him or her are disposed of by
638 dismissal, nolle prosequi, or acquittal.

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

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

643 (8) The department shall adopt rules to implement this
644 section.

645 Section 13. Section 456.0361, Florida Statutes, is created
646 to read:

647 456.0361 Compliance with continuing education
648 requirements.—

649 (1) The department shall establish an electronic
650 continuing education tracking system to monitor licensee



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

651 compliance with applicable continuing education requirements and
652 to determine whether a licensee is in full compliance with the
653 requirements at the time of his or her application for license
654 renewal. The tracking system shall be integrated into the
655 department's licensure and renewal process.

656 (2) The department may not renew a license until the
657 licensee complies with all applicable continuing education
658 requirements. This subsection does not prohibit the department
659 or the boards from imposing additional penalties under the
660 applicable professional practice act or applicable rules for
661 failure to comply with continuing education requirements.

662 (3) The department may adopt rules to implement this
663 section.

664 Section 14. Subsection (20) of section 456.057, Florida
665 Statutes, is amended to read:

666 456.057 Ownership and control of patient records; report
667 or copies of records to be furnished; disclosure of
668 information.—

669 (20) The board with department approval, or the department
670 when there is no board, may temporarily or permanently appoint a
671 person or entity as a custodian of medical records in the event
672 of the death of a practitioner, the mental or physical
673 incapacitation of a ~~the~~ practitioner, or the abandonment of
674 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~
675 shall comply with ~~all provisions of~~ this section. The department
676 may contract with a third party to provide these services under



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

677 the confidentiality and disclosure requirements of this section,
678 ~~including the release of patient records.~~

679 Section 15. Subsection (2) of section 456.0635, Florida
680 Statutes, is amended to read:

681 456.0635 Health care fraud; disqualification for license,
682 certificate, or registration.—

683 (2) Each board within the jurisdiction of the department,
684 or the department if there is no board, shall refuse to admit a
685 candidate to any examination and refuse to issue a license,
686 certificate, or registration to any applicant if the candidate
687 or applicant or any principal, officer, agent, managing
688 employee, or affiliated person of the applicant:

689 (a) Has been convicted of, or entered a plea of guilty or
690 nolo contendere to, regardless of adjudication, a felony under
691 chapter 409, chapter 817, or chapter 893, or a similar felony
692 offense committed in another state or jurisdiction, unless the
693 candidate or applicant has successfully completed a drug court
694 program for that felony and provides proof that the plea has
695 been withdrawn or the charges have been dismissed. Any such
696 conviction or plea shall exclude the applicant or candidate from
697 licensure, examination, certification, or registration unless
698 the sentence and any subsequent period of probation for such
699 conviction or plea ended:

700 1. For felonies of the first or second degree, more than
701 15 years before the date of application.

702 2. For felonies of the third degree, more than 10 years



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

703 before the date of application, except for felonies of the third
704 degree under s. 893.13(6) (a).

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

707 (b) Has been convicted of, or entered a plea of guilty or
708 nolo contendere to, regardless of adjudication, a felony under
709 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the
710 sentence and any subsequent period of probation for such
711 conviction or plea ended more than 15 years before the date of
712 the application;

713 (c) Has been terminated for cause from the Florida
714 Medicaid program pursuant to s. 409.913, unless the candidate or
715 applicant has been in good standing with the Florida Medicaid
716 program for the most recent 5 years;

717 (d) Has been terminated for cause, pursuant to the appeals
718 procedures established by the state, from any other state
719 Medicaid program, unless the candidate or applicant has been in
720 good standing with a state Medicaid program for the most recent
721 5 years and the termination occurred at least 20 years before
722 the date of the application; or

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

726

727 ~~This subsection does not apply to candidates or applicants for~~
728 ~~initial licensure or certification who were enrolled in an~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

729 ~~educational or training program on or before July 1, 2009, which~~
730 ~~was recognized by a board or, if there is no board, recognized~~
731 ~~by the department, and who applied for licensure after July 1,~~
732 ~~2012.~~

733 Section 16. Subsection (3) of section 457.107, Florida
734 Statutes, is amended to read:

735 457.107 Renewal of licenses; continuing education.—

736 (3) The board shall ~~by rule~~ prescribe by rule continuing
737 education requirements of up to, ~~not to exceed~~ 30 hours
738 biennially, as a condition for renewal of a license. All
739 education programs that contribute to the advancement,
740 extension, or enhancement of professional skills and knowledge
741 related to the practice of acupuncture, whether conducted by a
742 nonprofit or profitmaking entity, are eligible for approval. The
743 continuing professional education requirements must be in
744 acupuncture or oriental medicine subjects, including, but not
745 limited to, anatomy, biological sciences, adjunctive therapies,
746 sanitation and sterilization, emergency protocols, and diseases.
747 The board may ~~shall have the authority to~~ set a fee of up to,
748 ~~not to exceed~~ \$100, for each continuing education provider. The
749 licensee shall retain in his or her records the certificates of
750 completion of continuing professional education requirements ~~to~~
751 ~~prove compliance with this subsection. The board may request~~
752 ~~such documentation without cause from applicants who are~~
753 ~~selected at random.~~ All national and state acupuncture and
754 oriental medicine organizations and acupuncture and oriental



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

755 | medicine schools are approved to provide continuing professional
 756 | education in accordance with this subsection.

757 | Section 17. Paragraph (e) of subsection (4) of section
 758 | 458.347, Florida Statutes, is amended to read:

759 | 458.347 Physician assistants.—

760 | (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

761 | (e) A supervisory physician may delegate to a fully
 762 | licensed physician assistant the authority to prescribe or
 763 | dispense any medication used in the supervisory physician's
 764 | practice unless such medication is listed on the formulary
 765 | created pursuant to paragraph (f). A fully licensed physician
 766 | assistant may only prescribe or dispense such medication under
 767 | the following circumstances:

768 | 1. A physician assistant must clearly identify to the
 769 | patient that he or she is a physician assistant and.
 770 | ~~Furthermore, the physician assistant must~~ inform the patient
 771 | that the patient has the right to see the physician before a
 772 | ~~prior to any~~ prescription is being prescribed or dispensed by
 773 | the physician assistant.

774 | 2. The supervisory physician must notify the department of
 775 | his or her intent to delegate, on a department-approved form,
 776 | before delegating such authority and ~~notify the department of~~
 777 | any change in prescriptive privileges of the physician
 778 | assistant. Authority to dispense may be delegated only by a
 779 | supervising physician who is registered as a dispensing
 780 | practitioner in compliance with s. 465.0276.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

781 3. The physician assistant must complete ~~file with the~~
782 ~~department a signed affidavit that he or she has completed a~~
783 minimum of 10 continuing medical education hours in the
784 specialty practice in which the physician assistant has
785 prescriptive privileges with each licensure renewal ~~application~~.

786 4. The department may issue a prescriber number to the
787 physician assistant granting authority for the prescribing of
788 medicinal drugs authorized within this paragraph upon completion
789 of the ~~foregoing~~ requirements of this paragraph. The physician
790 assistant is ~~shall~~ not be required to independently register
791 pursuant to s. 465.0276.

792 5. The prescription must be written in a form that
793 complies with chapter 499 and, in addition to the supervisory
794 physician's name, address, and telephone number, must contain,
795 ~~in addition to the supervisory physician's name, address, and~~
796 ~~telephone number,~~ the physician assistant's prescriber number.
797 Unless it is a drug or drug sample dispensed by the physician
798 assistant, the prescription must be filled in a pharmacy
799 permitted under chapter 465 and must be dispensed in that
800 pharmacy by a pharmacist licensed under chapter 465. The
801 inclusion ~~appearance~~ of the prescriber number creates a
802 presumption that the physician assistant is authorized to
803 prescribe the medicinal drug and the prescription is valid.

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

806 Section 18. Paragraph (e) of subsection (4) of section



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

807 459.022, Florida Statutes, is amended to read:

808 459.022 Physician assistants.—

809 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

810 (e) A supervisory physician may delegate to a fully
811 licensed physician assistant the authority to prescribe or
812 dispense any medication used in the supervisory physician's
813 practice unless such medication is listed on the formulary
814 created pursuant to s. 458.347. A fully licensed physician
815 assistant may only prescribe or dispense such medication under
816 the following circumstances:

817 1. A physician assistant must clearly identify to the
818 patient that she or he is a physician assistant and.
819 ~~Furthermore, the physician assistant~~ must inform the patient
820 that the patient has the right to see the physician before a
821 ~~prior to any~~ prescription is being prescribed or dispensed by
822 the physician assistant.

823 2. The supervisory physician must notify the department of
824 her or his intent to delegate, on a department-approved form,
825 before delegating such authority and ~~notify the department~~ of
826 any change in prescriptive privileges of the physician
827 assistant. Authority to dispense may be delegated only by a
828 supervisory physician who is registered as a dispensing
829 practitioner in compliance with s. 465.0276.

830 3. The physician assistant must complete ~~file with the~~
831 ~~department a signed affidavit that she or he has completed a~~
832 minimum of 10 continuing medical education hours in the



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

833 specialty practice in which the physician assistant has
834 prescriptive privileges with each licensure renewal application.

835 4. The department may issue a prescriber number to the
836 physician assistant granting authority for the prescribing of
837 medicinal drugs authorized within this paragraph upon completion
838 of the ~~foregoing~~ requirements of this paragraph. The physician
839 assistant is ~~shall~~ not be required to independently register
840 pursuant to s. 465.0276.

841 5. The prescription must be written in a form that
842 complies with chapter 499 and, in addition to the supervisory
843 physician's name, address, and telephone number, must contain,
844 ~~in addition to the supervisory physician's name, address, and~~
845 ~~telephone number,~~ the physician assistant's prescriber number.
846 Unless it is a drug or drug sample dispensed by the physician
847 assistant, the prescription must be filled in a pharmacy
848 permitted under chapter 465, and must be dispensed in that
849 pharmacy by a pharmacist licensed under chapter 465. The
850 inclusion ~~appearance~~ of the prescriber number creates a
851 presumption that the physician assistant is authorized to
852 prescribe the medicinal drug and the prescription is valid.

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

855 Section 19. Subsection (7) is added to section 460.402,
856 Florida Statutes, to read:

857 460.402 Exceptions.—The provisions of this chapter shall
858 not apply to:



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

859 (7) A chiropractic physician who holds an active license
860 in another state, the District of Columbia, or a possession or
861 territory of the United States and is performing chiropractic
862 procedures or demonstrating equipment or supplies for
863 educational purposes at a board-approved continuing education
864 program.

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

867 463.007 Renewal of license; continuing education.—

868 (3) As a condition of license renewal, a licensee must
869 ~~Unless otherwise provided by law, the board shall require~~
870 ~~licensees to periodically demonstrate his or her their~~
871 ~~professional competence, as a condition of renewal of a license,~~
872 by completing up to 30 hours of continuing education during the
873 2-year period preceding license renewal. For certified
874 optometrists, the 30-hour continuing education requirement
875 includes ~~shall include~~ 6 or more hours of approved transcript-
876 quality coursework in ocular and systemic pharmacology and the
877 diagnosis, treatment, and management of ocular and systemic
878 conditions and diseases during the 2-year period preceding
879 application for license renewal.

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

882 464.203 Certified nursing assistants; certification
883 requirement.—

884 (7) A certified nursing assistant shall complete 24 ~~12~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

885 | hours of inservice training during each biennium ~~calendar year~~.
886 | The certified nursing assistant shall maintain ~~be responsible~~
887 | ~~for maintaining~~ documentation demonstrating compliance with
888 | ~~these provisions. The Council on Certified Nursing Assistants,~~
889 | ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~
890 | ~~implement~~ this subsection.

891 | Section 22. Section 464.2085, Florida Statutes, is
892 | repealed.

893 | Section 23. Section 465.027, Florida Statutes, is amended
894 | to read:

895 | 465.027 Exceptions.—

896 | (1) This chapter shall not be construed to prohibit the
897 | sale of home remedies or preparations commonly known as patents
898 | or proprietary preparations, when ~~such are~~ sold only in original
899 | or unbroken packages, nor shall this chapter be construed to
900 | prevent businesses from engaging in the sale of sundries or
901 | patents or proprietary preparations.

902 | (2) This chapter shall not apply to a manufacturer, or its
903 | agent, holding an active permit as a manufacturer under chapter
904 | 499 and engaged solely in the manufacture or distribution of
905 | dialysate, drugs, or devices necessary to perform home renal
906 | dialysis on patients with chronic kidney failure, if the
907 | dialysate, drugs, or devices are:

908 | (a) Approved or cleared by the United States Food and Drug
909 | Administration; and

910 | (b) Delivered in the original, sealed packaging after



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

911 receipt of a physician's order to dispense to:

912 1. A patient with chronic kidney failure, or the patient's
 913 designee, for the patient's self-administration of the dialysis
 914 therapy; or

915 2. A health care practitioner or an institution for
 916 administration or delivery of the dialysis therapy to a patient
 917 with chronic kidney failure.

918 Section 24. Section 465.0275, Florida Statutes, is amended
 919 to read:

920 465.0275 Emergency prescription refill.—

921 (1) In the event a pharmacist receives a request for a
 922 prescription refill and the pharmacist is unable to readily
 923 obtain refill authorization from the prescriber, the pharmacist
 924 may dispense:

925 (a) A one-time emergency refill of up to a 72-hour supply
 926 of the prescribed medication; or

927 (b) A one-time emergency refill of one vial of insulin to
 928 treat diabetes mellitus.

929 (2) ~~If the Governor issues, with the exception of those~~
 930 ~~areas or counties included in an emergency order or proclamation~~
 931 ~~of a state of emergency declared by the Governor, in which the~~
 932 ~~executive order may authorize the pharmacist may to dispense up~~
 933 ~~to a 30-day supply in the areas or counties affected by the~~
 934 ~~order or proclamation, provided providing that:~~

935 (a)~~(1)~~ The prescription is not for a medicinal drug listed
 936 in Schedule II appearing in chapter 893.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

937 (b)~~(2)~~ The medication is essential to the maintenance of
938 life or to the continuation of therapy in a chronic condition.

939 (c)~~(3)~~ In the pharmacist's professional judgment, the
940 interruption of therapy might reasonably produce undesirable
941 health consequences or may cause physical or mental discomfort.

942 (d)~~(4)~~ The dispensing pharmacist creates a written order
943 containing all of the prescription information required by this
944 chapter and chapters 499 and 893 and signs that order.

945 (e)~~(5)~~ The dispensing pharmacist notifies the prescriber
946 of the emergency dispensing within a reasonable time after such
947 dispensing.

948 Section 25. Paragraph (b) of subsection (1) and subsection
949 (3) of section 465.0276, Florida Statutes, are amended to read:
950 465.0276 Dispensing practitioner.—

951 (1)

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

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

962 2. The dispensing of controlled substances in the health



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

963 care system of the Department of Corrections.

964 3. The dispensing of a controlled substance listed in
965 Schedule II or Schedule III in connection with the performance
966 of a surgical procedure. The amount dispensed pursuant to the
967 subparagraph may not exceed a 14-day supply. This exception does
968 not allow for the dispensing of a controlled substance listed in
969 Schedule II or Schedule III more than 14 days after the
970 performance of the surgical procedure. For purposes of this
971 subparagraph, the term "surgical procedure" means any procedure
972 in any setting which involves, or reasonably should involve:

973 a. Perioperative medication and sedation that allows the
974 patient to tolerate unpleasant procedures while maintaining
975 adequate cardiorespiratory function and the ability to respond
976 purposefully to verbal or tactile stimulation and makes intra-
977 and postoperative monitoring necessary; or

978 b. The use of general anesthesia or major conduction
979 anesthesia and preoperative sedation.

980 4. The dispensing of a controlled substance listed in
981 Schedule II or Schedule III pursuant to an approved clinical
982 trial. For purposes of this subparagraph, the term "approved
983 clinical trial" means a clinical research study or clinical
984 investigation that, in whole or in part, is state or federally
985 funded or is conducted under an investigational new drug
986 application that is reviewed by the United States Food and Drug
987 Administration.

988 5. The dispensing of methadone in a facility licensed



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

989 | under s. 397.427 where medication-assisted treatment for opiate
990 | addiction is provided.

991 | 6. The dispensing of a controlled substance listed in
992 | Schedule II or Schedule III to a patient of a facility licensed
993 | under part IV of chapter 400.

994 | ~~(3) The department shall inspect any facility where a~~
995 | ~~practitioner dispenses medicinal drugs pursuant to subsection~~
996 | ~~(2) in the same manner and with the same frequency as it~~
997 | ~~inspects pharmacies for the purpose of determining whether the~~
998 | ~~practitioner is in compliance with all statutes and rules~~
999 | ~~applicable to her or his dispensing practice.~~

1000 | Section 26. Subsection (3) of section 466.0135, Florida
1001 | Statutes, is amended to read:

1002 | 466.0135 Continuing education; dentists.—

1003 | (3) A ~~In applying for license renewal, the dentist shall~~
1004 | complete ~~submit a sworn affidavit, on a form acceptable to the~~
1005 | ~~department, attesting that she or he has completed the~~ required
1006 | continuing education as provided ~~required~~ in this section and in
1007 | ~~accordance with the guidelines and provisions of this section~~
1008 | ~~and listing the date, location, sponsor, subject matter, and~~
1009 | ~~hours of completed continuing education courses. The applicant~~
1010 | ~~shall retain in her or his records~~ any such ~~receipts, vouchers,~~
1011 | ~~or certificates as may be necessary to document completion of~~
1012 | such ~~the continuing education courses listed in accordance with~~
1013 | ~~this subsection. With cause, the board may request such~~
1014 | ~~documentation by the applicant, and the board may request such~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1015 ~~documentation from applicants selected at random without cause.~~
 1016 Section 27. Section 466.014, Florida Statutes, is amended
 1017 to read:
 1018 466.014 Continuing education; dental hygienists.—In
 1019 addition to the other requirements for relicensure for dental
 1020 hygienists set out in this chapter ~~act~~, the board shall require
 1021 each licensed dental hygienist to complete at least ~~not less~~
 1022 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing
 1023 professional education in dental subjects, biennially, in
 1024 programs prescribed or approved by the board or in equivalent
 1025 programs of continuing education. Programs of continuing
 1026 education approved by the board shall be programs of learning
 1027 which, in the opinion of the board, contribute directly to the
 1028 dental education of the dental hygienist. The board shall adopt
 1029 rules and guidelines to administer and enforce ~~the provisions of~~
 1030 this section. ~~In applying for license renewal,~~ The dental
 1031 hygienist shall ~~submit a sworn affidavit, on a form acceptable~~
 1032 ~~to the department, attesting that she or he has completed the~~
 1033 ~~continuing education required in this section in accordance with~~
 1034 ~~the guidelines and provisions of this section and listing the~~
 1035 ~~date, location, sponsor, subject matter, and hours of completed~~
 1036 ~~continuing education courses. The applicant shall retain in her~~
 1037 ~~or his records~~ any ~~such~~ receipts, vouchers, or certificates ~~as~~
 1038 ~~may be necessary to document completion of~~ such ~~the~~ continuing
 1039 ~~education courses listed in accordance with this section. With~~
 1040 ~~cause, the board may request such documentation by the~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1041 ~~applicant, and the board may request such documentation from~~
 1042 ~~applicants selected at random without cause.~~ Compliance with the
 1043 continuing education requirements is ~~shall be~~ mandatory for
 1044 issuance of the renewal certificate. The board may ~~shall have~~
 1045 ~~the authority to~~ excuse licensees, as a group or as individuals,
 1046 from all or part of the continuing education ~~educational~~
 1047 requirements if, ~~or any part thereof, in the event~~ an unusual
 1048 circumstance, emergency, or hardship has prevented compliance
 1049 with this section.

1050 Section 28. Subsection (5) of section 466.032, Florida
 1051 Statutes, is amended to read:

1052 466.032 Registration.—

1053 (5) A ~~The~~ dental laboratory owner or at least one employee
 1054 of any dental laboratory renewing registration on or after July
 1055 1, 2010, shall complete 18 hours of continuing education
 1056 biennially. Programs of continuing education must ~~shall~~ be
 1057 programs of learning that contribute directly to the education
 1058 of the dental technician and may include, but are not limited
 1059 to, attendance at lectures, study clubs, college courses, or
 1060 scientific sessions of conventions and research.

1061 (a) The aim of continuing education for dental technicians
 1062 is to improve dental health care delivery to the public as such
 1063 is impacted through the design, manufacture, and use of
 1064 artificial human oral prosthetics and related restorative
 1065 appliances.

1066 (b) Continuing education courses shall address one or more



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1067 | of the following areas of professional development, including,
 1068 | but not limited to:

1069 | 1. Laboratory and technological subjects, including, but
 1070 | not limited to, laboratory techniques and procedures, materials,
 1071 | and equipment; and

1072 | 2. Subjects pertinent to oral health, infection control,
 1073 | and safety.

1074 | (c) Programs that meet ~~meeting~~ the general requirements of
 1075 | continuing education may be developed and offered to dental
 1076 | technicians by the Florida Dental Laboratory Association and the
 1077 | Florida Dental Association. Other organizations, schools, or
 1078 | agencies may also be approved to develop and offer continuing
 1079 | education in accordance with specific criteria established by
 1080 | the department.

1081 | ~~(d) Any dental laboratory renewing a registration on or~~
 1082 | ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~
 1083 | ~~approved by the department, attesting that either the dental~~
 1084 | ~~laboratory owner or one dental technician employed by the~~
 1085 | ~~registered dental laboratory has completed the continuing~~
 1086 | ~~education required in this subsection in accordance with the~~
 1087 | ~~guidelines and provisions of this subsection and listing the~~
 1088 | ~~date, location, sponsor, subject matter, and hours of completed~~
 1089 | ~~continuing education courses. The dental laboratory shall retain~~
 1090 | ~~in its records such receipts, vouchers, or certificates as may~~
 1091 | ~~be necessary to document completion of the continuing education~~
 1092 | ~~courses listed in accordance with this subsection. With cause,~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1093 ~~the department may request that the documentation be provided by~~
 1094 ~~the applicant. The department may also request the documentation~~
 1095 ~~from applicants selected at random without cause.~~

1096 (d)~~(e)~~1. This subsection does not apply to a dental
 1097 laboratory that is physically located within a dental practice
 1098 operated by a dentist licensed under this chapter.

1099 2. A dental laboratory in another state or country which
 1100 provides service to a dentist licensed under this chapter is not
 1101 required to register with the state and may continue to provide
 1102 services to such dentist with a proper prescription. However, a
 1103 dental laboratory in another state or country, ~~however,~~ may
 1104 voluntarily comply with this subsection.

1105 Section 29. Section 468.1201, Florida Statutes, is
 1106 repealed.

1107 Section 30. Paragraph (a) of subsection (3), subsections
 1108 (4) and (5), paragraphs (a) and (e) of present subsection (6),
 1109 and present subsection (7) of section 483.901, Florida Statutes,
 1110 are amended, and paragraph (k) is added to present subsection
 1111 (6) of that section, to read:

1112 483.901 Medical physicists; definitions; licensure.—

1113 (3) DEFINITIONS.—As used in this section, the term:

1114 ~~(a) "Council" means the Advisory Council of Medical~~
 1115 ~~Physicists in the Department of Health.~~

1116 ~~(4) COUNCIL.—The Advisory Council of Medical Physicists is~~
 1117 ~~created in the Department of Health to advise the department in~~
 1118 ~~regulating the practice of medical physics in this state.~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

- 1119 ~~(a) The council shall be composed of nine members~~
1120 ~~appointed by the State Surgeon General as follows:~~
- 1121 ~~1. A licensed medical physicist who specializes in~~
1122 ~~diagnostic radiological physics.~~
- 1123 ~~2. A licensed medical physicist who specializes in~~
1124 ~~therapeutic radiological physics.~~
- 1125 ~~3. A licensed medical physicist who specializes in medical~~
1126 ~~nuclear radiological physics.~~
- 1127 ~~4. A physician who is board certified by the American~~
1128 ~~Board of Radiology or its equivalent.~~
- 1129 ~~5. A physician who is board certified by the American~~
1130 ~~Osteopathic Board of Radiology or its equivalent.~~
- 1131 ~~6. A chiropractic physician who practices radiology.~~
- 1132 ~~7. Three consumer members who are not, and have never~~
1133 ~~been, licensed as a medical physicist or licensed in any closely~~
1134 ~~related profession.~~
- 1135 ~~(b) The State Surgeon General shall appoint the medical~~
1136 ~~physicist members of the council from a list of candidates who~~
1137 ~~are licensed to practice medical physics.~~
- 1138 ~~(c) The State Surgeon General shall appoint the physician~~
1139 ~~members of the council from a list of candidates who are~~
1140 ~~licensed to practice medicine in this state and are board~~
1141 ~~certified in diagnostic radiology, therapeutic radiology, or~~
1142 ~~radiation oncology.~~
- 1143 ~~(d) The State Surgeon General shall appoint the public~~
1144 ~~members of the council.~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1145 ~~(e) As the term of each member expires, the State Surgeon~~
 1146 ~~General shall appoint the successor for a term of 4 years. A~~
 1147 ~~member shall serve until the member's successor is appointed,~~
 1148 ~~unless physically unable to do so.~~

1149 ~~(f) An individual is ineligible to serve more than two~~
 1150 ~~full consecutive 4-year terms.~~

1151 ~~(g) If a vacancy on the council occurs, the State Surgeon~~
 1152 ~~General shall appoint a member to serve for a 4-year term.~~

1153 ~~(h) A council member must be a United States citizen and~~
 1154 ~~must have been a resident of this state for 2 consecutive years~~
 1155 ~~immediately before being appointed.~~

1156 ~~1. A member of the council who is a medical physicist must~~
 1157 ~~have practiced for at least 6 years before being appointed or be~~
 1158 ~~board certified for the specialty in which the member practices.~~

1159 ~~2. A member of the council who is a physician must be~~
 1160 ~~licensed to practice medicine in this state and must have~~
 1161 ~~practiced diagnostic radiology or radiation oncology in this~~
 1162 ~~state for at least 2 years before being appointed.~~

1163 ~~3. The public members of the council must not have a~~
 1164 ~~financial interest in any endeavor related to the practice of~~
 1165 ~~medical physics.~~

1166 ~~(i) A council member may be removed from the council if~~
 1167 ~~the member:~~

1168 ~~1. Did not have the required qualifications at the time of~~
 1169 ~~appointment;~~

1170 ~~2. Does not maintain the required qualifications while~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1171 ~~servicing on the council; or~~

1172 ~~3. Fails to attend the regularly scheduled council~~

1173 ~~meetings in a calendar year as required by s. 456.011.~~

1174 ~~(j) Members of the council may not receive compensation~~

1175 ~~for their services; however, they are entitled to reimbursement,~~

1176 ~~from funds deposited in the Medical Quality Assurance Trust~~

1177 ~~Fund, for necessary travel expenses as specified in s. 112.061~~

1178 ~~for each day they engage in the business of the council.~~

1179 ~~(k) At the first regularly scheduled meeting of each~~

1180 ~~calendar year, the council shall elect a presiding officer and~~

1181 ~~an assistant presiding officer from among its members. The~~

1182 ~~council shall meet at least once each year and at other times in~~

1183 ~~accordance with department requirements.~~

1184 ~~(l) The department shall provide administrative support to~~

1185 ~~the council for all licensing activities.~~

1186 ~~(m) The council may conduct its meetings electronically.~~

1187 ~~(5) POWERS OF COUNCIL.—The council shall:~~

1188 ~~(a) Recommend rules to administer this section.~~

1189 ~~(b) Recommend practice standards for the practice of~~

1190 ~~medical physics which are consistent with the Guidelines for~~

1191 ~~Ethical Practice for Medical Physicists prepared by the American~~

1192 ~~Association of Physicists in Medicine and disciplinary~~

1193 ~~guidelines adopted under s. 456.079.~~

1194 ~~(c) Develop and recommend continuing education~~

1195 ~~requirements for licensed medical physicists.~~

1196 (4) ~~(6)~~ LICENSE REQUIRED.—An individual may not engage in



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1197 the practice of medical physics, including the specialties of
 1198 diagnostic radiological physics, therapeutic radiological
 1199 physics, medical nuclear radiological physics, or medical health
 1200 physics, without a license issued by the department for the
 1201 appropriate specialty.

1202 (a) The department shall adopt rules to administer this
 1203 section which specify license application and renewal fees,
 1204 continuing education requirements, and standards for practicing
 1205 medical physics. ~~The council shall recommend to the department~~
 1206 ~~continuing education requirements that shall be a condition of~~
 1207 ~~license renewal.~~ The department shall require a minimum of 24
 1208 hours per biennium of continuing education offered by an
 1209 organization ~~recommended by the council and~~ approved by the
 1210 department. ~~The department, upon recommendation of the council,~~
 1211 may adopt rules to specify continuing education requirements for
 1212 persons who hold a license in more than one specialty.

1213 (e) Upon ~~On~~ receipt of an application and fee as specified
 1214 in this section, the department may issue a license to practice
 1215 medical physics in this state ~~on or after October 1, 1997,~~ to a
 1216 person who is board certified in the medical physics specialty
 1217 in which the applicant applies to practice by the American Board
 1218 of Radiology for diagnostic radiological physics, therapeutic
 1219 radiological physics, or medical nuclear radiological physics;
 1220 by the American Board of Medical Physics for diagnostic
 1221 radiological physics, therapeutic radiological physics, or
 1222 medical nuclear radiological physics; or by the American Board



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1223 of Health Physics or an equivalent certifying body approved by
1224 the department.

1225 (k) Upon proof of a completed residency program and
1226 receipt of the fee set forth by rule, the department may issue a
1227 temporary license for no more than 1 year. The department may
1228 adopt by rule requirements for temporary licensure and renewal
1229 of temporary licenses.

1230 (5) (7) FEES.—The fee for the initial license application
1231 shall be \$500 and is nonrefundable. The fee for license renewal
1232 may not be more than \$500. These fees may cover only the costs
1233 incurred by the department ~~and the council~~ to administer this
1234 section. By July 1 of each year, the department shall determine
1235 whether ~~advise the council~~ if the fees are insufficient to
1236 administer this section.

1237 Section 31. Subsection (2) of section 484.047, Florida
1238 Statutes, is amended to read:

1239 484.047 Renewal of license.—

1240 (2) In addition to the other requirements for renewal
1241 provided in this section and by the board, the department shall
1242 renew a license upon receipt of the renewal application and, the
1243 renewal fee, ~~and a written statement affirming compliance with~~
1244 ~~all other requirements set forth in this section and by the~~
1245 ~~board~~. A licensee must maintain, if applicable, a certificate
1246 from a manufacturer or independent testing agent certifying that
1247 the testing room meets the requirements of s. 484.0501(6) and,
1248 if applicable, a certificate from a manufacturer or independent



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1249 testing agent stating that all audiometric testing equipment
1250 used by the licensee has been calibrated acoustically to
1251 American National Standards Institute standards on an annual
1252 basis ~~acoustically to American National Standards Institute~~
1253 ~~standard specifications~~. Possession of an applicable certificate
1254 is ~~the certificates shall be~~ a prerequisite to renewal.

1255 Section 32. Paragraph (a) of subsection (3) of section
1256 486.102, Florida Statutes, is amended to read:

1257 486.102 Physical therapist assistant; licensing
1258 requirements.—To be eligible for licensing by the board as a
1259 physical therapist assistant, an applicant must:

1260 (3) (a) Have been graduated from a school giving a course
1261 of not less than 2 years for physical therapist assistants,
1262 which has been approved for the educational preparation of
1263 physical therapist assistants by the appropriate accrediting
1264 agency recognized by the Commission on Recognition of
1265 Postsecondary Accreditation or the United States Department of
1266 Education, ~~which includes, but is not limited to, any regional~~
1267 ~~or national institutional accrediting agencies recognized by the~~
1268 ~~United States Department of Education or the Commission on~~
1269 ~~Accreditation for Physical Therapy Education (CAPTE)~~, at the
1270 time of her or his graduation and have passed to the
1271 satisfaction of the board an examination to determine her or his
1272 fitness for practice as a physical therapist assistant as
1273 hereinafter provided;

1274 Section 33. Subsections (1) and (4) of section 486.109,



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1275 Florida Statutes, are amended to read:

1276 486.109 Continuing education.—

1277 (1) The board shall require licensees to ~~periodically~~
 1278 demonstrate their professional competence as a condition of
 1279 renewal of a license by completing 24 hours of continuing
 1280 education biennially.

1281 (4) Each licensee shall maintain ~~be responsible for~~
 1282 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~
 1283 ~~which shall be subject to a random audit by the department to~~
 1284 demonstrate ~~assure~~ compliance with this section.

1285 Section 34. Paragraph (a) of subsection (15) of section
 1286 499.028, Florida Statutes, is amended to read:

1287 499.028 Drug samples or complimentary drugs; starter
 1288 packs; permits to distribute.—

1289 (15) A person may not possess a prescription drug sample
 1290 unless:

1291 (a) The drug sample was prescribed to her or him as
 1292 evidenced by the label required in s. 465.0276(4) ~~465.0276(5)~~.

1293 Section 35. Subsection (3) of section 893.04, Florida
 1294 Statutes, is amended to read:

1295 893.04 Pharmacist and practitioner.—

1296 (3) Notwithstanding subsection (1), a pharmacist may
 1297 dispense a one-time emergency refill of up to a 72-hour supply
 1298 of the prescribed medication for any medicinal drug other than a
 1299 medicinal drug listed in Schedule II, or up to one vial of
 1300 insulin to treat diabetes mellitus, in compliance with ~~the~~



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1301 ~~provisions of s. 465.0275.~~

1302 Section 36. Paragraph (g) of subsection (3) of section
 1303 921.0022, Florida Statutes, is amended to read:

1304 921.0022 Criminal Punishment Code; offense severity
 1305 ranking chart.—

1306 (3) OFFENSE SEVERITY RANKING CHART

1307 (g) LEVEL 7

1308

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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

1309

1310

1311



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1312	327.35 (3) (c) 2.	3rd	enforcement officer who is in a patrol vehicle with siren and lights activated.
1313	402.319 (2)	2nd	Vessel BUI resulting in serious bodily injury.
1314	409.920 (2) (b) 1.a.	3rd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1315	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; \$10,000 or less.
1316	456.065 (2)	3rd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
			Practicing a health care profession without a license.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1317	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1318	458.327 (1)	3rd	Practicing medicine without a license.
1319	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1320	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1321	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1322	462.17	3rd	Practicing naturopathy without a license.
1323	463.015 (1)	3rd	Practicing optometry without a license.
1324	464.016 (1)	3rd	Practicing nursing without



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1325			a license.
1326	465.015 (2)	3rd	Practicing pharmacy without a license.
1327	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1328	467.201	3rd	Practicing midwifery without a license.
1329	468.366	3rd	Delivering respiratory care services without a license.
1330	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1331	<u>483.901 (7)</u> 483.901 (9)	3rd	Practicing medical physics without a license.
1332	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1333	484.053	3rd	Dispensing hearing aids without a license.
1334	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.
1335	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.
1336	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1336	655.50 (10) (b) 1.	3rd	Failure to report financial transactions



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1337	775.21 (10) (a)	3rd	<p>exceeding \$300 but less than \$20,000 by financial institution.</p> <p>Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.</p>
1338	775.21 (10) (b)	3rd	<p>Sexual predator working where children regularly congregate.</p>
1339	775.21 (10) (g)	3rd	<p>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.</p>
1340	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>



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1341	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1342	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1343	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1344	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1345	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
1346	784.045(1)(b)	2nd	Aggravated battery;



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1347			perpetrator aware victim pregnant.
1348	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1349	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1350	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1351	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1352	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1353	784.081 (1)	1st	Aggravated battery on specified official or employee.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1354	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1355	784.083 (1)	1st	Aggravated battery on code inspector.
1356	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1357	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.
1358	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1359	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1360	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1361	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1362	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1363	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1364	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
	794.08 (4)	3rd	Female genital mutilation;



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

			consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1365	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1366	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1367	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1368	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.
1369			



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1370	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.
1371	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1372	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1373	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1374	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1375	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1376	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.
1377	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1378	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1379	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
	812.0145 (2) (a)	1st	Theft from person



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1380	812.019 (2)	1st	65 years of age or older; \$50,000 or more. Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1381	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1382	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1383	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1384	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1385	817.234 (9)	2nd	Organizing, planning, or



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1386	817.234 (11) (c)	participating in an intentional motor vehicle collision.
1387	817.2341 (2) (b) & (3) (b)	1st Insurance fraud; property value \$100,000 or more. 1st Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1388	817.535 (2) (a)	3rd Filing false lien or other unauthorized document.
1389	825.102 (3) (b)	2nd Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1390		



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1391	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.
1392	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1393	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1394	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1395	838.015	2nd	Bribery.
1396	838.016	2nd	Unlawful compensation or reward for official behavior.
	838.021 (3) (a)	2nd	Unlawful harm to a



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1397			public servant.
1398	838.22	2nd	Bid tampering.
1399	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1400	843.0855 (3)	3rd	Unlawful simulation of legal process.
1401	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1402	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1403	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1404	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1405	874.10	1st, PBL	<p>criminal gang; second or subsequent offense.</p> <p>Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.</p>
1406	893.13 (1) (c) 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 a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p>
1407	893.13 (1) (e) 1.	1st	<p>Sell, manufacture, or deliver cocaine or other</p>



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

			<p>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>
1408	893.13 (4) (a)	1st	<p>Deliver to minor cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c)4. drugs).</p>
1409	893.135 (1) (a)1.	1st	<p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p>
1410	893.135 (1) (b)1.a.	1st	<p>Trafficking in cocaine, more than 28 grams, less than 200 grams.</p>
1411	893.135 (1) (c)1.a.	1st	<p>Trafficking in illegal drugs, more than 4 grams, less than 14 grams.</p>
1412			



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1413	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1414	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1415	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1416	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1417	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1418	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1419	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1420	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1421	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1422	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1423	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1424			substance.
1424	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1425	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1426	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1427	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1428	943.0435 (9) (a)	3rd	Sexual offender; failure



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1429	943.0435 (13)	3rd	to comply with reporting requirements.
1430	943.0435 (14)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1431	944.607 (9)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1432	944.607 (10) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1433			Sexual offender; failure to submit to the taking of a digitized photograph.



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

1434	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1435	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1436	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1437	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	985.4815(13)	3rd	Sexual offender; failure to report and reregister;



ENROLLED

CS/CS/HB 941, Engrossed 3

2016 Legislature

failure to respond to
address verification;
providing false registration
information.

1438

1439

Section 37. This act shall take effect July 1, 2016.