

1 A bill to be entitled

2 An act relating to the Department of Health; amending
3 s. 320.0848, F.S.; authorizing a physical therapist to
4 issue a certification of disability for a disabled
5 parking permit; amending s. 381.003, F.S.; revising
6 provisions relating to the communicable disease
7 prevention and control programs under the Department
8 of Health; providing requirements for electronic
9 availability of immunization records; requiring
10 certain health care practitioners to submit and update
11 data in the immunization registry; authorizing the
12 department to adopt rules; amending s. 381.4018, F.S.;
13 authorizing the Department of Health to adopt rules to
14 implement a specified federal program to further
15 encourage qualified physicians to relocate to and
16 practice in underserved areas; amending s. 381.915,
17 F.S.; increasing the number of years that a cancer
18 center may participate in Tier 3 of the Florida
19 Consortium of National Cancer Institute Centers
20 Program; increasing the number of years after
21 qualification that a certain Tier 3 cancer center may
22 pursue specified NCI designations; amending s.
23 456.013, F.S.; revising health care practitioner
24 licensure application requirements; amending s.
25 456.024, F.S.; revising health care practitioner

26 licensure eligibility for certain members of the armed
27 forces and their spouses to include licensed dentists;
28 removing a provision requiring a certain applicant
29 issued a temporary professional license to practice as
30 a dentist under specified circumstances; creating s.
31 458.3113, F.S.; providing definitions; providing
32 legislative intent; prohibiting health care facilities
33 and insurers from requiring certifications as
34 conditions of licensure, reimbursement, or admitting
35 privileges; providing exceptions; providing
36 construction; amending s. 458.3312, F.S.; removing a
37 provision prohibiting a physician from holding himself
38 or herself out as a board-certified specialist in
39 dermatology unless the recognizing agency is reviewed
40 and reauthorized on a specified basis by the Board of
41 Medicine; amending s. 458.347, F.S.; requiring a
42 licensed physician assistant to report any changes in
43 the supervising physician or designated supervising
44 physician within a specified time; providing that a
45 physician assistant may practice under the supervision
46 of a physician other than the designated supervising
47 physician under certain circumstances; amending s.
48 459.0055, F.S.; revising licensure requirements for
49 persons seeking licensure or certification as an
50 osteopathic physician; creating s. 459.0056, F.S.;

51 providing definitions; providing legislative intent;
52 prohibiting health care facilities and insurers from
53 requiring certifications as conditions of licensure,
54 reimbursement, or admitting privileges; providing
55 exceptions; providing construction; amending s.
56 459.022, F.S.; requiring a licensed physician
57 assistant to report any changes in his or her
58 supervising physician or designated supervising
59 physician within a specified time; requiring a
60 designated supervising physician to maintain a list of
61 approved supervising physicians at a facility or
62 practice; amending s. 460.408, F.S.; defining the term
63 "contact classroom hour"; revising provisions relating
64 to continuing chiropractic education requirements;
65 repealing s. 460.4166, F.S., relating to registered
66 chiropractic assistants; amending s. 464.202, F.S.;
67 requiring the Board of Nursing to adopt by rule
68 discipline and standards of care for certified nursing
69 assistants; amending s. 464.203, F.S.; revising
70 certification requirements for nursing assistants;
71 amending s. 464.204, F.S.; revising grounds for board-
72 imposed disciplinary sanctions; amending s. 465.019,
73 F.S.; requiring an institutional pharmacy to pass an
74 onsite inspection by the department within a specified
75 time before the issuance of an initial permit or a

76 permit for change of location; amending s. 465.0193,
77 F.S.; requiring a nuclear pharmacy to pass an onsite
78 inspection by the department within a specified time
79 before issuance of an initial permit or a permit for
80 change of location; creating s. 465.0195, F.S.;
81 requiring certain pharmacies and outsourcing
82 facilities located in this state to obtain a permit in
83 order to create, ship, mail, deliver, or dispense
84 compounded sterile products into this state; providing
85 application requirements; providing inspection
86 requirements; providing permit requirements;
87 authorizing the Board of Pharmacy to adopt certain
88 rules; providing applicability; amending s. 465.0196,
89 F.S.; requiring a special pharmacy to pass an onsite
90 inspection by the department within a specified time
91 before the issuance of an initial permit or a permit
92 for change of location; amending s. 465.0197, F.S.;
93 requiring an Internet pharmacy to pass an onsite
94 inspection by department within a specified time
95 before the issuance of an initial permit or a permit
96 for change of location; amending s. 465.0235, F.S.;
97 providing that a community pharmacy may use automated
98 pharmacy systems under certain circumstances; amending
99 s. 466.006, F.S.; revising certain requirements for
100 examinations to be completed by applicants seeking

101 dental licensure; amending s. 466.007, F.S.; revising
102 requirements for examinations of dental hygienists;
103 amending s. 466.017, F.S.; providing adverse incident
104 reporting requirements; defining the term "adverse
105 incident"; providing for disciplinary action by the
106 Board of Dentistry; authorizing the board to adopt
107 rules; amending s. 466.031, F.S.; expanding the
108 definition of the term "dental laboratory" to include
109 any person, firm, or corporation who performs an
110 onsite consultation during dental procedures; amending
111 s. 466.036, F.S.; revising inspection frequency of
112 dental laboratories during a specified period;
113 amending s. 468.505, F.S.; providing that certain
114 persons are not prohibited or restricted from his or
115 her practice, services, or activities in dietetics and
116 nutrition; amending s. 468.701, F.S.; revising a
117 definition; amending s. 468.707, F.S.; revising
118 athletic trainer licensure requirements; amending s.
119 468.711, F.S.; revising requirements for the renewal
120 of a license relating to continuing education;
121 amending s. 468.723, F.S.; revising a definition;
122 amending s. 468.803, F.S.; revising orthotic,
123 prosthetic, and pedorthic licensure, registration, and
124 examination requirements; amending s. 480.033, F.S.;
125 revising a definition; amending s. 480.041, F.S.;

126 revising qualifications for licensure as a massage
127 therapist; specifying that a massage apprentice who
128 was licensed before a specified date may continue to
129 perform massage therapy as authorized under his or her
130 license; authorizing a massage apprentice to apply for
131 full licensure upon completion of the apprenticeship
132 under certain conditions; repealing s. 480.042, F.S.,
133 relating to examinations; amending s. 480.046, F.S.;
134 revising instances under which disciplinary action may
135 be taken against massage establishments; prohibiting a
136 certain massage establishments from applying for
137 relicensure; providing an exception; amending s.
138 490.003, F.S.; revising definitions; amending s.
139 490.005, F.S.; revising examination requirements for
140 licensure of a psychologist; amending s. 490.006,
141 F.S.; revising requirements for licensure by
142 endorsement of certain psychologists; amending s.
143 491.0045, F.S.; providing an exemption for intern
144 registration requirements under certain circumstances;
145 amending s. 491.005, F.S.; revising education
146 requirements for the licensure of marriage and family
147 therapists; revising examination requirements for the
148 licensure of mental health counselors; amending s.
149 491.006, F.S.; revising requirements for licensure or
150 certification by endorsement for certain professions;

151 amending s. 491.007, F.S.; removing a biennial intern
152 registration fee; amending s. 491.009, F.S.;
153 authorizing the Board of Clinical Social Work,
154 Marriage and Family Therapy, and Mental Health
155 Counseling, or the department under certain
156 circumstances, to enter an order denying licensure or
157 imposing penalties against an applicant for licensure
158 under certain circumstances; providing penalties;
159 amending s. 1003.22, F.S.; revising school-entry
160 health requirements to require students to present or
161 have a certificate of immunization on file with a
162 public or private school; requiring that a certificate
163 of immunization be made on forms approved and provided
164 by the Department of Health or be on file with the
165 state registry of immunizations; amending ss.
166 491.0046, and 945.42, F.S.; conforming cross-
167 references; providing an effective date.

168

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

170

171 Section 1. Paragraph (b) of subsection (1) of section
172 320.0848, Florida Statutes, is amended to read:

173 320.0848 Persons who have disabilities; issuance of
174 disabled parking permits; temporary permits; permits for certain
175 providers of transportation services to persons who have

176 disabilities.—

177 (1)

178 (b)1. The person must be currently certified as being
179 legally blind or as having any of the following disabilities
180 that render him or her unable to walk 200 feet without stopping
181 to rest:

182 a. Inability to walk without the use of or assistance from
183 a brace, cane, crutch, prosthetic device, or other assistive
184 device, or without the assistance of another person. If the
185 assistive device significantly restores the person's ability to
186 walk to the extent that the person can walk without severe
187 limitation, the person is not eligible for the exemption parking
188 permit.

189 b. The need to permanently use a wheelchair.

190 c. Restriction by lung disease to the extent that the
191 person's forced (respiratory) expiratory volume for 1 second,
192 when measured by spirometry, is less than 1 liter, or the
193 person's arterial oxygen is less than 60 mm/hg on room air at
194 rest.

195 d. Use of portable oxygen.

196 e. Restriction by cardiac condition to the extent that the
197 person's functional limitations are classified in severity as
198 Class III or Class IV according to standards set by the American
199 Heart Association.

200 f. Severe limitation in the person's ability to walk due

201 to an arthritic, neurological, or orthopedic condition.

202 2. The certification of disability which is required under
203 subparagraph 1. must be provided by a physician licensed under
204 chapter 458, chapter 459, or chapter 460, by a podiatric
205 physician licensed under chapter 461, by an optometrist licensed
206 under chapter 463, by an advanced registered nurse practitioner
207 licensed under chapter 464 under the protocol of a licensed
208 physician as stated in this subparagraph, by a physician
209 assistant licensed under chapter 458 or chapter 459, by a
210 physical therapist licensed under chapter 486, or by a similarly
211 licensed physician from another state if the application is
212 accompanied by documentation of the physician's licensure in the
213 other state and a form signed by the out-of-state physician
214 verifying his or her knowledge of this state's eligibility
215 guidelines.

216 Section 2. Section 381.003, Florida Statutes, is amended
217 to read:

218 381.003 Communicable disease and AIDS prevention and
219 control.—

220 (1) The department shall conduct a communicable disease
221 prevention and control program as part of fulfilling its public
222 health mission. A communicable disease is any disease caused by
223 transmission of a specific infectious agent, or its toxic
224 products, from an infected person, an infected animal, or the
225 environment to a susceptible host, either directly or

226 indirectly. The communicable disease program must include, but
227 need not be limited to:

228 (a) Programs for the prevention and control of
229 tuberculosis in accordance with chapter 392.

230 (b) Programs for the prevention and control of human
231 immunodeficiency virus infection and acquired immune deficiency
232 syndrome in accordance with chapter 384 and this chapter.

233 (c) Programs for the prevention and control of sexually
234 transmissible diseases in accordance with chapter 384.

235 (d) Programs for the prevention, control, and reporting of
236 communicable diseases of public health significance as provided
237 for in this chapter.

238 (e) Programs for the prevention and control of vaccine-
239 preventable diseases, including programs to immunize school
240 children as required by s. 1003.22(3)-(11) and the development
241 of an automated, electronic, and centralized database and ~~or~~
242 registry of immunizations. The department shall ensure that all
243 children in this state are immunized against vaccine-preventable
244 diseases. The immunization registry shall allow the department
245 to enhance current immunization activities for the purpose of
246 improving the immunization of all children in this state.

247 1. Except as provided in subparagraph 2., the department
248 shall include all children born in this state in the
249 immunization registry by using the birth records from the Office
250 of Vital Statistics. The department shall add other children to

251 the registry as immunization services are provided.

252 2. The parent or guardian of a child may refuse to have
253 the child included in the immunization registry by signing a
254 form obtained from the department, or from the health care
255 practitioner or entity that provides the immunization, which
256 indicates that the parent or guardian does not wish to have the
257 child included in the immunization registry. The decision to not
258 participate in the immunization registry must be noted in the
259 registry.

260 3. A college or university student, from 19 years of age
261 to 23 years of age, who obtains a vaccination from a Florida
262 college or university student health facility, may refuse to be
263 included in the immunization registry by signing a form obtained
264 from the department, or from the Florida college or university
265 student health care facility, which indicates that the student
266 does not wish to be included in the immunization registry. The
267 decision to not participate in the immunization registry must be
268 noted in the registry.

269 ~~4.3.~~ The immunization registry shall allow for
270 immunization records to be electronically available to
271 ~~transferred to~~ entities that are required by law to have such
272 records, including, but not limited to, schools and, licensed
273 child care facilities, ~~and any other entity that is required by~~
274 ~~law to obtain proof of a child's immunizations.~~

275 ~~5.4.~~ A Any health care practitioner licensed under chapter

276 | 458, chapter 459, or chapter 464 in this state who administers
277 | vaccinations or causes vaccinations to be administered to
278 | children from birth to 18 years of age is required to report
279 | vaccination data to the immunization registry, unless the parent
280 | or guardian of a child has refused to have the child included in
281 | the immunization registry by meeting the requirements of
282 | subparagraph 2. A health care practitioner licensed under
283 | chapter 458, chapter 459, or chapter 464 in this state who
284 | administers vaccinations or causes vaccinations to be
285 | administered to college or university students from 19 years of
286 | age to 23 years of age at a Florida college or university
287 | student health care facility is required to report vaccination
288 | data to the immunization registry, unless the student has
289 | refused to be included in the immunization registry by meeting
290 | the requirements of subparagraph 3. Vaccination data for other
291 | age ranges may be submitted to the immunization registry on a
292 | voluntary basis. Immunization information may be updated in the
293 | immunization registry by an automated data upload from an
294 | existing automated system ~~complies with rules adopted by the~~
295 | ~~department to access the immunization registry may, through the~~
296 | ~~immunization registry, directly access immunization records and~~
297 | ~~update a child's immunization history or exchange immunization~~
298 | ~~information with another authorized practitioner, entity, or~~
299 | ~~agency involved in a child's care. The information included in~~
300 | the immunization registry must include the child's name, date of

301 birth, address, and any other unique identifier necessary to
302 correctly identify the child; the immunization record, including
303 the date, type of administered vaccine, and vaccine lot number;
304 and the presence or absence of any adverse reaction or
305 contraindication related to the immunization. Information
306 received by the department for the immunization registry retains
307 its status as confidential medical information and the
308 department must maintain the confidentiality of that information
309 as otherwise required by law. A health care practitioner or
310 other agency that obtains information from the immunization
311 registry must maintain the confidentiality of any medical
312 records in accordance with s. 456.057 or as otherwise required
313 by law.

314 (2) The department may adopt rules pursuant to ss.
315 120.536(1) and 120.54 to implement this section, ~~repeal, and~~
316 ~~amend rules related to the prevention and control of~~
317 ~~communicable diseases and the administration of the immunization~~
318 ~~registry. Such rules may include procedures for investigating~~
319 ~~disease, timeframes for reporting disease, definitions,~~
320 ~~procedures for managing specific diseases, requirements for~~
321 ~~followup reports of known or suspected exposure to disease, and~~
322 ~~procedures for providing access to confidential information~~
323 ~~necessary for disease investigations. For purposes of the~~
324 ~~immunization registry, the rules may include procedures for a~~
325 ~~health care practitioner to obtain authorization to use the~~

326 ~~immunization registry, methods for a parent or guardian to elect~~
327 ~~not to participate in the immunization registry, and procedures~~
328 ~~for a health care practitioner licensed under chapter 458,~~
329 ~~chapter 459, or chapter 464 to access and share electronic~~
330 ~~immunization records with other entities allowed by law to have~~
331 ~~access to the records.~~

332 Section 3. Paragraph (f) of subsection (3) of section
333 381.4018, Florida Statutes, is amended to read:

334 381.4018 Physician workforce assessment and development.—

335 (3) GENERAL FUNCTIONS.—The department shall maximize the
336 use of existing programs under the jurisdiction of the
337 department and other state agencies and coordinate governmental
338 and nongovernmental stakeholders and resources in order to
339 develop a state strategic plan and assess the implementation of
340 such strategic plan. In developing the state strategic plan, the
341 department shall:

342 (f) Develop strategies to maximize federal and state
343 programs that provide for the use of incentives to attract
344 physicians to this state or retain physicians within the state.
345 Such strategies should explore and maximize federal-state
346 partnerships that provide incentives for physicians to practice
347 in federally designated shortage areas. Strategies shall also
348 consider the use of state programs, such as the Medical
349 Education Reimbursement and Loan Repayment Program pursuant to
350 s. 1009.65, which provide for education loan repayment or loan

351 forgiveness and provide monetary incentives for physicians to
352 relocate to underserved areas of the state. To further encourage
353 qualified physicians to relocate to and practice in underserved
354 areas, the department, following federal eligibility
355 requirements, shall adopt any rules necessary for the
356 implementation of the Conrad 30 Waiver Program established under
357 s. 214(1) of the Immigration and Nationality Act.

358 Section 4. Paragraph (c) of subsection (4) of section
359 381.915, Florida Statutes, is amended to read:

360 381.915 Florida Consortium of National Cancer Institute
361 Centers Program.—

362 (4) Tier designations and corresponding weights within the
363 Florida Consortium of National Cancer Institute Centers Program
364 are as follows:

365 (c) Tier 3: Florida-based cancer centers seeking
366 designation as either a NCI-designated cancer center or NCI-
367 designated comprehensive cancer center, which shall be weighted
368 at 1.0.

369 1. A cancer center shall meet the following minimum
370 criteria to be considered eligible for Tier 3 designation in any
371 given fiscal year:

372 a. Conducting cancer-related basic scientific research and
373 cancer-related population scientific research;

374 b. Offering and providing the full range of diagnostic and
375 treatment services on site, as determined by the Commission on

376 Cancer of the American College of Surgeons;

377 c. Hosting or conducting cancer-related interventional
378 clinical trials that are registered with the NCI's Clinical
379 Trials Reporting Program;

380 d. Offering degree-granting programs or affiliating with
381 universities through degree-granting programs accredited or
382 approved by a nationally recognized agency and offered through
383 the center or through the center in conjunction with another
384 institution accredited by the Commission on Colleges of the
385 Southern Association of Colleges and Schools;

386 e. Providing training to clinical trainees, medical
387 trainees accredited by the Accreditation Council for Graduate
388 Medical Education or the American Osteopathic Association, and
389 postdoctoral fellows recently awarded a doctorate degree; and

390 f. Having more than \$5 million in annual direct costs
391 associated with their total NCI peer-reviewed grant funding.

392 2. The General Appropriations Act or accompanying
393 legislation may limit the number of cancer centers which shall
394 receive Tier 3 designations or provide additional criteria for
395 such designation.

396 3. A cancer center's participation in Tier 3 shall be
397 limited to 6 ~~5~~ years.

398 4. A cancer center that qualifies as a designated Tier 3
399 center under the criteria provided in subparagraph 1. by July 1,
400 2014, is authorized to pursue NCI designation as a cancer center

401 or a comprehensive cancer center for 6 ~~5~~ years after
402 qualification.

403 Section 5. Paragraph (a) of subsection (1) of section
404 456.013, Florida Statutes, is amended to read:

405 456.013 Department; general licensing provisions.—

406 (1) (a) Any person desiring to be licensed in a profession
407 within the jurisdiction of the department shall apply to the
408 department in writing ~~to take the licensure examination~~. The
409 application shall be made on a form prepared and furnished by
410 the department. The application form must be available on the
411 World Wide Web and the department may accept electronically
412 submitted applications beginning July 1, 2001. The application
413 shall require the social security number and date of birth of
414 the applicant, except as provided in paragraphs (b) and (c). The
415 form shall be supplemented as needed to reflect any material
416 change in any circumstance or condition stated in the
417 application which takes place between the initial filing of the
418 application and the final grant or denial of the license and
419 which might affect the decision of the department. If an
420 application is submitted electronically, the department may
421 require supplemental materials, including an original signature
422 of the applicant and verification of credentials, to be
423 submitted in a nonelectronic format. An incomplete application
424 shall expire 1 year after initial filing. In order to further
425 the economic development goals of the state, and notwithstanding

426 any law to the contrary, the department may enter into an
 427 agreement with the county tax collector for the purpose of
 428 appointing the county tax collector as the department's agent to
 429 accept applications for licenses and applications for renewals
 430 of licenses. The agreement must specify the time within which
 431 the tax collector must forward any applications and accompanying
 432 application fees to the department.

433 Section 6. Paragraphs (a) and (b) of subsection (3) and
 434 paragraph (j) of subsection (4) of section 456.024, Florida
 435 Statutes, are amended to read:

436 456.024 Members of Armed Forces in good standing with
 437 administrative boards or the department; spouses; licensure.—

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

440 1. Serves or has served as a health care practitioner in
 441 the United States Armed Forces, the United States Reserve
 442 Forces, or the National Guard;

443 2. Serves or has served on active duty with the United
 444 States Armed Forces as a health care practitioner in the United
 445 States Public Health Service; or

446 3. Is a health care practitioner, ~~other than a dentist,~~ in
 447 another state, the District of Columbia, or a possession or
 448 territory of the United States and is the spouse of a person
 449 serving on active duty with the United States Armed Forces.

450

451 The department shall develop an application form, and each
452 board, or the department if there is no board, shall waive the
453 application fee, licensure fee, and unlicensed activity fee for
454 such applicants. For purposes of this subsection, "health care
455 practitioner" means a health care practitioner as defined in s.
456 456.001 and a person licensed under part III of chapter 401 or
457 part IV of chapter 468.

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

460 1. Submits a complete application.

461 2. If he or she is a member of the United States Armed
462 Forces, the United States Reserve Forces, or the National Guard,
463 submits proof that he or she has received an honorable discharge
464 within 6 months before, or will receive an honorable discharge
465 within 6 months after, the date of submission of the
466 application.

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

472 b. Is a military health care practitioner in a profession
473 for which licensure in a state or jurisdiction is not required
474 to practice in the United States Armed Forces, if he or she
475 submits to the department evidence of military training or

476 | experience substantially equivalent to the requirements for
477 | licensure in this state in that profession and evidence that he
478 | or she has obtained a passing score on the appropriate
479 | examination of a national or regional standards organization if
480 | required for licensure in this state; or

481 | c. Is the spouse of a person serving on active duty in the
482 | United States Armed Forces and is a health care practitioner in
483 | a profession, ~~excluding dentistry,~~ for which licensure in
484 | another state or jurisdiction is not required, if he or she
485 | submits to the department evidence of training or experience
486 | substantially equivalent to the requirements for licensure in
487 | this state in that profession and evidence that he or she has
488 | obtained a passing score on the appropriate examination of a
489 | national or regional standards organization if required for
490 | licensure in this state.

491 | 4. Attests that he or she is not, at the time of
492 | submission of the application, the subject of a disciplinary
493 | proceeding in a jurisdiction in which he or she holds a license
494 | or by the United States Department of Defense for reasons
495 | related to the practice of the profession for which he or she is
496 | applying.

497 | 5. Actively practiced the profession for which he or she
498 | is applying for the 3 years preceding the date of submission of
499 | the application.

500 | 6. Submits a set of fingerprints for a background

501 screening pursuant to s. 456.0135, if required for the
 502 profession for which he or she is applying.

503
 504 The department shall verify information submitted by the
 505 applicant under this subsection using the National Practitioner
 506 Data Bank.

507 (4)

508 ~~(j) An applicant who is issued a temporary professional~~
 509 ~~license to practice as a dentist pursuant to this section must~~
 510 ~~practice under the indirect supervision, as defined in s.~~
 511 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

512 Section 7. Section 458.3113, Florida Statutes, is created
 513 to read:

514 458.3113 Conditions of licensure, reimbursement, or
 515 admitting privileges.-

516 (1) For purposes of this section, the term:

517 (a) "Maintenance of certification" means a periodic
 518 testing regimen, proprietary self-assessment requirement, peer
 519 evaluation, or other requirement imposed by the American Board
 520 of Medical Specialties Program for Maintenance of Certification
 521 and its member boards, or by any recognizing agency approved by
 522 the board pursuant to rule for any board-certified specialty or
 523 subspecialty.

524 (b) "Recertification" means a subsequent recognition or
 525 certification of educational or scholarly achievement beyond

526 initial board certification imposed by the American Board of
527 Medical Specialties Program for Maintenance of Certification and
528 its member boards, or by any recognizing agency approved by the
529 board pursuant to rule for any board-certified specialty or
530 subspecialty.

531 (2) The legislature finds that a robust, vibrant,
532 flexible, and fluid physician workforce is integral to the
533 delivery of quality and accessible health care. The Legislature
534 further finds that any artificial interference with the size and
535 mobility of the physician workforce acts as an impediment to the
536 free and unimpeded access to care and the facilities that help
537 provide care.

538 (3) (a) Notwithstanding a physician's maintenance of
539 certification, an osteopathic physician's continuing
540 certification or board recertification status, or other
541 provision of law, any physician licensed under chapter 458 or
542 chapter 459, is eligible to participate in any health care
543 facility or licensure, except that a health care facility
544 licensed under chapter 395 may differentiate between physicians
545 of a specified medical specialty based on a physician's
546 maintenance of certification if:

547 1. The health care facility's designation under law or
548 certification or accreditation by a national certifying or
549 accreditation organization is contingent on the facility
550 requiring maintenance of certification of physicians for a

551 specified medical specialty seeking staff privileges or
552 credentialing at the facility and the differentiation is limited
553 to those physicians with the specified medical specialty whose
554 maintenance of certification is required for the entity's
555 designation, certification, or accreditation; or

556 2. The voting physician members of the health care
557 facility's organized medical staff authorize the differentiation
558 for a specialized medical specialty provided such authorization
559 is made only by the voting physician members of the facility and
560 not by the facility's governing body, administration, or any
561 other person.

562 (b) The board, in consultation with the Agency for Health
563 Care Administration, shall have authority to review and overrule
564 a decision to require maintenance of supervision by a health
565 care facility licensed under chapter 395.

566 (4) This section may not be construed to prohibit the
567 board from requiring continuing medical education.

568 Section 8. Section 458.3312, Florida Statutes, is amended
569 to read:

570 458.3312 Specialties.—A physician licensed under this
571 chapter may not hold himself or herself out as a board-certified
572 specialist unless the physician has received formal recognition
573 as a specialist from a specialty board of the American Board of
574 Medical Specialties or other recognizing agency that has been
575 approved by the board. However, a physician may indicate the

576 services offered and may state that his or her practice is
577 limited to one or more types of services when this accurately
578 reflects the scope of practice of the physician. ~~A physician may~~
579 ~~not hold himself or herself out as a board-certified specialist~~
580 ~~in dermatology unless the recognizing agency, whether authorized~~
581 ~~in statute or by rule, is triennially reviewed and reauthorized~~
582 ~~by the Board of Medicine.~~

583 Section 9. Paragraph (d) of subsection (7) of section
584 458.347, Florida Statutes, is amended to read:

585 458.347 Physician assistants.—

586 (7) PHYSICIAN ASSISTANT LICENSURE.—

587 (d) Upon employment as a physician assistant, a licensed
588 physician assistant must notify the department in writing within
589 30 days after such employment and provide ~~or after any~~
590 ~~subsequent changes in the supervising physician. The~~
591 ~~notification must include~~ the full name, Florida medical license
592 number, specialty, and address of a supervising physician or
593 designated ~~the~~ supervising physician. The licensed physician
594 assistant must report any subsequent change in the supervising
595 physician or designated supervising physician to the department
596 within 30 days after the change. Assignment of a designated
597 physician does not preclude a physician assistant from
598 practicing under the supervision of a physician other than the
599 designated supervising physician if:

600 1. The designated supervising physician is designated as

601 the primary contact by the facility or physician practice group
602 that employs the physician assistant if the physician assistant
603 is subject to supervision by more than one supervising
604 physician.

605 2. The designated supervising physician maintains a
606 current list of all approved supervising physicians at the
607 facility or physician group practice that includes the name of
608 each supervising physician and the physician's area of practice,
609 and provides such list to the department or board upon written
610 request.

611 Section 10. Paragraph (1) of subsection (1) of section
612 459.0055, Florida Statutes, is amended to read:

613 459.0055 General licensure requirements.—

614 (1) Except as otherwise provided herein, any person
615 desiring to be licensed or certified as an osteopathic physician
616 pursuant to this chapter shall:

617 (1) Demonstrate that she or he has successfully completed
618 an internship or residency ~~a resident internship~~ of not less
619 than 12 months in a program accredited ~~hospital approved~~ for
620 this purpose by ~~the Board of Trustees of the American~~
621 Osteopathic Association or the Accreditation Council for
622 Graduate Medical Education ~~any other internship program approved~~
623 ~~by the board upon a showing of good cause by the applicant.~~ This
624 requirement may be waived for an applicant who matriculated in a
625 college of osteopathic medicine during or before 1948; and

626 Section 11. Section 459.0056, Florida Statutes, is created
627 to read:

628 459.0056 Conditions of licensure, reimbursement, or
629 admitting privileges.-

630 (1) For purposes of this section, the term:

631 (a) "Osteopathic continuing certification" means a
632 periodic testing regimen, proprietary self-assessment
633 requirement, peer evaluation, or other requirement imposed by
634 the osteopathic continuing certification program of the Bureau
635 of Osteopathic Specialists of the American Osteopathic
636 Association and its specialty boards, or by any recognizing
637 agency approved by the board pursuant to rule for any board-
638 certified specialty or subspecialty.

639 (b) "Recertification" means a subsequent recognition or
640 certification of educational or scholarly achievement beyond
641 initial board certification imposed by the Bureau of Osteopathic
642 Specialists of the American Osteopathic Association and its
643 specialty boards, or by any recognizing agency approved by the
644 board pursuant to rule for any board-certified specialty or
645 subspecialty.

646 (2) The legislature finds that a robust, vibrant,
647 flexible, and fluid physician workforce is integral to the
648 delivery of quality and accessible health care. The Legislature
649 further finds that any artificial interference with the size and
650 mobility of the physician workforce acts as an impediment to the

651 free and unimpeded access to care and the facilities that help
652 provide care.

653 (3) (a) Notwithstanding a physician's maintenance of
654 certification, an osteopathic physician's continuing
655 certification or board recertification status, or other
656 provision of law, any physician licensed under chapter 458 or
657 chapter 459, is eligible to participate in any health care
658 facility or licensure, except that a health care facility
659 licensed under chapter 395 may differentiate between physicians
660 of a specified medical specialty based on a physician's
661 maintenance of certification if:

662 1. The health care facility's designation under law or
663 certification or accreditation by a national certifying or
664 accreditation organization is contingent on the facility
665 requiring maintenance of certification of physicians for a
666 specified medical specialty seeking staff privileges or
667 credentialing at the facility and the differentiation is limited
668 to those physicians with the specified medical specialty whose
669 maintenance of certification is required for the entity's
670 designation, certification, or accreditation; or

671 2. The voting physician members of the health care
672 facility's organized medical staff authorize the differentiation
673 for a specialized medical specialty provided such authorization
674 is made only by the voting physician members of the facility and
675 not by the facility's governing body, administration, or any

676 other person.

677 (b) The board, in consultation with the Agency for Health
678 Care Administration, shall have authority to review and overrule
679 a decision to require maintenance of supervision by a health
680 care facility licensed under chapter 395.

681 (4) This section may not be construed to prohibit the
682 board from requiring continuing medical education.

683 Section 12. Paragraph (d) of subsection (7) of section
684 459.022, Florida Statutes, is amended to read:

685 459.022 Physician assistants.—

686 (7) PHYSICIAN ASSISTANT LICENSURE.—

687 (d) Upon employment as a physician assistant, a licensed
688 physician assistant must notify the department in writing within
689 30 days after such employment and provide ~~or after any~~
690 ~~subsequent changes in the supervising physician. The~~
691 ~~notification must include~~ the full name, Florida medical license
692 number, specialty, and address of a supervising physician or
693 designated ~~the~~ supervising physician. A licensed physician
694 assistant must report any subsequent change in his or her
695 supervising physician or designated supervising physician to the
696 department within 30 days after the change. Assignment of a
697 designated physician does not preclude a physician assistant
698 from practicing under the supervision of a physician other than
699 the designated supervising physician if:

700 1. The designated supervising physician is designated as

701 the primary contact by the facility or physician practice group
702 that employs the physician assistant if the physician assistant
703 is subject to supervision by more than one supervising
704 physician.

705 2. The designated supervising physician maintains a
706 current list of all approved supervising physicians at the
707 facility or physician group practice that includes the name of
708 each supervising physician and the physician's area of practice,
709 and provides such list to the department or board upon written
710 request.

711 Section 13. Subsection (1) of section 460.408, Florida
712 Statutes, is amended to read:

713 460.408 Continuing chiropractic education.—

714 (1) The board shall require licensees to periodically
715 demonstrate their professional competence as a condition of
716 renewal of a license by completing up to 40 contact classroom
717 hours of continuing education. For purposes of this subsection,
718 the term "contact classroom hour" means a presentation in which
719 the persons presenting and the persons attending the course are
720 present on site. Up to 10 general credit continuing education
721 hours may be completed online in place of contact classroom
722 hours, as determined by board rule. Online continuing education
723 courses must be competency-based and must use the Shareable
724 Content Objective Reference Model standard or more stringent
725 standards, as determined by the board.

726 (a) Continuing education courses sponsored by chiropractic
727 colleges whose graduates are eligible for examination under any
728 provision of this chapter may be approved upon review by the
729 board if all other requirements of board rules setting forth
730 criteria for course approval are met.

731 (b) The board shall approve those courses that build upon
732 the basic courses required for the practice of chiropractic
733 medicine, and the board may also approve courses in adjunctive
734 modalities. Courses that consist of instruction in the use,
735 application, prescription, recommendation, or administration of
736 a specific company's brand of products or services are not
737 eligible for approval.

738 Section 14. Section 460.4166, Florida Statutes, is
739 repealed.

740 Section 15. Section 464.202, Florida Statutes, is amended
741 to read:

742 464.202 Duties and powers of the board.—The board shall
743 maintain, or contract with or approve another entity to
744 maintain, a state registry of certified nursing assistants. The
745 registry must consist of the name of each certified nursing
746 assistant in this state; other identifying information defined
747 by board rule; certification status; the effective date of
748 certification; other information required by state or federal
749 law; information regarding any crime or any abuse, neglect, or
750 exploitation as provided under chapter 435; and any disciplinary

751 action taken against the certified nursing assistant. The
752 registry shall be accessible to the public, the
753 certificateholder, employers, and other state agencies. The
754 board shall adopt by rule testing procedures for use in
755 certifying nursing assistants and shall adopt rules regulating
756 the practice of certified nursing assistants, including
757 discipline and establishing standards of care and specifying the
758 scope of practice authorized and the level of supervision
759 required for the practice of certified nursing assistants. The
760 board may contract with or approve another entity or
761 organization to provide the examination services, including the
762 development and administration of examinations. The board shall
763 require that the contract provider offer certified nursing
764 assistant applications via the Internet, and may require the
765 contract provider to accept certified nursing assistant
766 applications for processing via the Internet. The board shall
767 require the contract provider to provide the preliminary results
768 of the certified nursing examination on the date the test is
769 administered. The provider shall pay all reasonable costs and
770 expenses incurred by the board in evaluating the provider's
771 application and performance during the delivery of services,
772 including examination services and procedures for maintaining
773 the certified nursing assistant registry.

774 Section 16. Paragraph (c) of subsection (1) of section
775 464.203, Florida Statutes, is amended to read:

776 464.203 Certified nursing assistants; certification
777 requirement.—

778 (1) The board shall issue a certificate to practice as a
779 certified nursing assistant to any person who demonstrates a
780 minimum competency to read and write and successfully passes the
781 required background screening pursuant to s. 400.215. If the
782 person has successfully passed the required background screening
783 pursuant to s. 400.215 or s. 408.809 within 90 days before
784 applying for a certificate to practice and the person's
785 background screening results are not retained in the
786 clearinghouse created under s. 435.12, the board shall waive the
787 requirement that the applicant successfully pass an additional
788 background screening pursuant to s. 400.215. The person must
789 also meet one of the following requirements:

790 (c) Is currently certified in another state or territory
791 of the United States, and the District of Columbia; is listed on
792 that state's certified nursing assistant registry; and has not
793 been found to have committed abuse, neglect, or exploitation in
794 that state.

795 Section 17. Subsection (1) of section 464.204, Florida
796 Statutes, is amended to read:

797 464.204 Denial, suspension, or revocation of
798 certification; disciplinary actions.—

799 (1) The following acts constitute grounds for which the
800 board may impose disciplinary sanctions as specified in

801 subsection (2):

802 (a) Obtaining or attempting to obtain certification or an
803 exemption, or possessing or attempting to possess certification
804 or a letter of exemption, by bribery, misrepresentation, deceit,
805 or through an error of the board.

806 (b) ~~Intentionally~~ Violating any provision of this chapter,
807 chapter 456, or the rules adopted by the board.

808 Section 18. Subsection (7) is added to section 465.019,
809 Florida Statutes, to read:

810 465.019 Institutional pharmacies; permits.—

811 (7) An institutional pharmacy must pass an onsite
812 inspection by the department as a prerequisite to the issuance
813 of an initial permit or a permit for a change of location. The
814 inspection must be completed within 90 days before the issuance
815 of the permit.

816 Section 19. Section 465.0193, Florida Statutes, is amended
817 to read:

818 465.0193 Nuclear pharmacy permits.—Any person desiring a
819 permit to operate a nuclear pharmacy shall apply to the
820 department. If the board certifies that the application complies
821 with applicable law, the department shall issue the permit. No
822 permit shall be issued unless a duly licensed and qualified
823 nuclear pharmacist is designated as being responsible for
824 activities described in s. 465.0126. A nuclear pharmacy must
825 pass an onsite inspection by the department as a prerequisite to

826 the issuance of an initial permit or a permit for a change of
827 location. The inspection must be completed within 90 days before
828 the issuance of the permit. The permittee shall notify the
829 department within 10 days of any change of the licensed
830 pharmacist responsible for the compounding and dispensing of
831 nuclear pharmaceuticals.

832 Section 20. Section 465.0195, Florida Statutes, is created
833 to read:

834 465.0195 Pharmacy or outsourcing facility; sterile
835 compounding permit.—Before a pharmacy or outsourcing facility
836 located in this state dispenses, creates, delivers, ships, or
837 mails, in any manner, a compounded sterile product, the pharmacy
838 or outsourcing facility must hold a sterile compounding permit.

839 (1) An application for a sterile compounding permit shall
840 be submitted on a form furnished by the board. The board may
841 require such information as it deems reasonably necessary to
842 carry out the purposes of this section.

843 (2) If the board certifies that the application complies
844 with applicable laws and rules of the board governing
845 pharmacies, the department shall issue the permit.

846 (3) A pharmacy or outsourcing facility must pass an onsite
847 inspection by the department as a prerequisite to the issuance
848 of an initial permit or a permit for a change of location. The
849 inspection must be completed within 90 days prior to the
850 issuance of the permit. The board may adopt by rule, standards

851 for the conducting of an onsite inspection for issuance of a
852 sterile compounding permit.

853 (4) A permit may not be issued unless a licensed
854 pharmacist is designated to undertake the professional
855 supervision of the compounding and dispensing of all drugs
856 dispensed by the permittee.

857 (5) A permittee must notify the department within 10 days
858 after any change of the licensed pharmacist under subsection
859 (4). Each permittee that employs or otherwise uses registered
860 pharmacy technicians shall have a written policy and procedures
861 manual specifying those duties, tasks, and functions that a
862 registered pharmacy technician is authorized to perform.

863 (6) The board may adopt by rule, standards of practice for
864 sterile compounding. In adopting such rules, the board shall
865 give due consideration to the standards and requirements
866 provided in chapter 797 of the United States Pharmacopeia, or
867 other professionally accepted standards deemed authoritative by
868 the board. In adopting such rules for an outsourcing facility,
869 the board shall consider the standards and requirements of
870 current good manufacturing practices as set forth by federal law
871 and any other professionally accepted standards deemed
872 authoritative by the board.

873 (7) All provisions relating to pharmacy permits found in
874 ss. 465.022 and 465.023, are applicable to permits issued
875 pursuant to this section.

876 Section 21. Section 465.0196, Florida Statutes, is amended
877 to read:

878 465.0196 Special pharmacy permits.—Any person desiring a
879 permit to operate a special pharmacy shall apply to the
880 department for a special pharmacy permit. If the board certifies
881 that the application complies with the applicable laws and rules
882 of the board governing the practice of the profession of
883 pharmacy, the department shall issue the permit. A special
884 pharmacy must pass an onsite inspection by the department as a
885 prerequisite to the issuance of an initial permit or a permit
886 for a change of location. The inspection must be completed
887 within 90 days before the issuance of the permit. A permit may
888 not be issued unless a licensed pharmacist is designated to
889 undertake the professional supervision of the compounding and
890 dispensing of all drugs dispensed by the pharmacy. The licensed
891 pharmacist shall be responsible for maintaining all drug records
892 and for providing for the security of the area in the facility
893 in which the compounding, storing, and dispensing of medicinal
894 drugs occurs. The permittee shall notify the department within
895 10 days after any change of the licensed pharmacist responsible
896 for such duties. Each permittee that employs or otherwise uses
897 registered pharmacy technicians shall have a written policy and
898 procedures manual specifying those duties, tasks, and functions
899 that a registered pharmacy technician is allowed to perform.

900 Section 22. Subsection (2) of section 465.0197, Florida

901 Statutes, is amended to read:

902 465.0197 Internet pharmacy permits.—

903 (2) An Internet pharmacy must obtain a permit under this
 904 section to sell medicinal drugs to persons in this state. An
 905 Internet pharmacy must pass an onsite inspection by the
 906 department as a prerequisite to the issuance of an initial
 907 permit or a permit for a change of location. The inspection must
 908 be completed within 90 days prior to the issuance of the permit.

909 Section 23. Section 465.0235, Florida Statutes, is amended
 910 to read:

911 465.0235 Automated pharmacy systems used by long-term care
 912 facilities, hospices, or state correctional institutions, or for
 913 outpatient dispensing.—

914 (1) A pharmacy may provide pharmacy services to a long-
 915 term care facility or hospice licensed under chapter 400 or
 916 chapter 429 or a state correctional institution operated under
 917 chapter 944 through the use of an automated pharmacy system that
 918 need not be located at the same location as the pharmacy.

919 (2) A community pharmacy, as defined in s. 465.003, may
 920 provide pharmacy services for outpatient dispensing through the
 921 use of an automated pharmacy system in a different location than
 922 the community pharmacy, provided that:

923 (a) The automated pharmacy system is under the supervision
 924 and control of the Florida-licensed community pharmacy.

925 (b) The community pharmacy providing services through the

926 automated pharmacy system notifies the Board of Pharmacy of the
927 location of the automated pharmacy system and any location
928 changes.

929 (c) The automated pharmacy system is under the supervision
930 of a Florida-licensed pharmacist who must be available and
931 accessible for patient counseling prior to the dispensing of any
932 medicinal drug.

933 (d) The automated pharmacy system does not contain or
934 dispense any controlled substances listed in Schedule II,
935 Schedule III, Schedule IV, or Schedule V of s. 893.03 or 21
936 U.S.C. s. 812.

937 (e) The pharmacy maintains a record of the medicinal drugs
938 dispensed, including the identity of the Florida-licensed
939 pharmacist responsible for verifying the accuracy of the dosage
940 and directions and providing patient counseling.

941 (f) The automated pharmacy system ensures the
942 confidentiality of personal health information.

943 (3)(2) Medicinal drugs stored in bulk or unit of use in an
944 automated pharmacy system servicing a long-term care facility,
945 hospice, ~~or~~ correctional institution, or outpatient dispensing,
946 are part of the inventory of the pharmacy providing pharmacy
947 services to that facility, hospice, ~~or~~ institution, or
948 outpatient dispensing, and drugs delivered by the automated
949 pharmacy system are considered to have been dispensed by that
950 pharmacy.

951 (4)~~(3)~~ The operation of an automated pharmacy system must
952 be under the supervision of a Florida-licensed pharmacist. To
953 qualify as a supervisor for an automated pharmacy system, the
954 pharmacist need not be physically present at the site of the
955 automated pharmacy system and may supervise the system
956 electronically. The Florida-licensed pharmacist shall be
957 required to develop and implement policies and procedures
958 designed to verify that the medicinal drugs delivered by the
959 automated dispensing system are accurate and valid and that the
960 machine is properly restocked.

961 (5)~~(4)~~ The Legislature does not intend this section to
962 limit the current practice of pharmacy in this state. This
963 section is intended to allow automated pharmacy systems to
964 enhance the ability of a pharmacist to provide pharmacy services
965 in locations that do not employ a full-time pharmacist. This
966 section does not limit or replace the use of a consultant
967 pharmacist.

968 (6)~~(5)~~ The board shall adopt rules governing the use
969 automated pharmacy systems ~~of an automated pharmacy system by~~
970 ~~January 1, 2005~~, which must include ~~specify~~:

- 971 (a) Recordkeeping requirements;
972 (b) Security requirements; and
973 (c) Labeling requirements that permit the use of unit-dose
974 medications if the facility, hospice, or institution maintains
975 medication-administration records that include directions for

976 use of the medication and the automated pharmacy system
 977 identifies:

- 978 1. The dispensing pharmacy;
- 979 2. The prescription number;
- 980 3. The name of the patient; and
- 981 4. The name of the prescribing practitioner.

982 Section 24. Paragraph (b) of subsection (3) and subsection
 983 (4) of section 466.006, Florida Statutes, are amended to read:

984 466.006 Examination of dentists.—

985 (3) If an applicant is a graduate of a dental college or
 986 school not accredited in accordance with paragraph (2)(b) or of
 987 a dental college or school not approved by the board, the
 988 applicant is not entitled to take the examinations required in
 989 this section to practice dentistry until she or he satisfies one
 990 of the following:

991 (b) Submits proof of having successfully completed at
 992 least 2 consecutive academic years at a full-time supplemental
 993 general dentistry program accredited by the American Dental
 994 Association Commission on Dental Accreditation. This program
 995 must provide didactic and clinical education at the level of a
 996 D.D.S. or D.M.D. program accredited by the American Dental
 997 Association Commission on Dental Accreditation. For purposes of
 998 this paragraph, a supplemental general dentistry program does
 999 not include an advanced education program in a dental specialty.

1000 (4) Notwithstanding any other provision of law in chapter

1001 456 pertaining to the clinical dental licensure examination or
1002 national examinations, to be licensed as a dentist in this
1003 state, an applicant must successfully complete the following:

1004 (a) A written examination on the laws and rules of the
1005 state regulating the practice of dentistry;

1006 (b)1. A practical or clinical examination, which shall be
1007 the American Dental Licensing Examination produced by the
1008 American Board of Dental Examiners, Inc., or its successor
1009 entity, if any, that is administered in this state ~~and graded by~~
1010 ~~dentists licensed in this state and employed by the department~~
1011 ~~for just such purpose~~, provided that the board has attained, and
1012 continues to maintain thereafter, representation on the board of
1013 directors of the American Board of Dental Examiners, the
1014 examination development committee of the American Board of
1015 Dental Examiners, and such other committees of the American
1016 Board of Dental Examiners as the board deems appropriate by rule
1017 to assure that the standards established herein are maintained
1018 organizationally. A passing score on the American Dental
1019 Licensing Examination administered in this state ~~and graded by~~
1020 ~~dentists who are licensed in this state~~ is valid for 365 days
1021 after the date the official examination results are published.

1022 2.a. As an alternative to the requirements of subparagraph
1023 1., an applicant may submit scores from an American Dental
1024 Licensing Examination previously administered in a jurisdiction
1025 other than this state after October 1, 2011, and such

1026 examination results shall be recognized as valid for the purpose
 1027 of licensure in this state. A passing score on the American
 1028 Dental Licensing Examination administered out-of-state shall be
 1029 the same as the passing score for the American Dental Licensing
 1030 Examination administered in this state ~~and graded by dentists~~
 1031 ~~who are licensed in this state~~. The examination results are
 1032 valid for 365 days after the date the official examination
 1033 results are published. The applicant must have completed the
 1034 examination after October 1, 2011.

1035 b. This subparagraph may not be given retroactive
 1036 application.

1037 3. If the date of an applicant's passing American Dental
 1038 Licensing Examination scores from an examination previously
 1039 administered in a jurisdiction other than this state under
 1040 subparagraph 2. is older than 365 days, then such scores shall
 1041 nevertheless be recognized as valid for the purpose of licensure
 1042 in this state, but only if the applicant demonstrates that all
 1043 of the following additional standards have been met:

1044 a.(I) The applicant completed the American Dental
 1045 Licensing Examination after October 1, 2011.

1046 (II) This sub-subparagraph may not be given retroactive
 1047 application;

1048 b. The applicant graduated from a dental school accredited
 1049 by the American Dental Association Commission on Dental
 1050 Accreditation or its successor entity, if any, or any other

1051 dental accrediting organization recognized by the United States
1052 Department of Education. Provided, however, if the applicant did
1053 not graduate from such a dental school, the applicant may submit
1054 proof of having successfully completed a full-time supplemental
1055 general dentistry program accredited by the American Dental
1056 Association Commission on Dental Accreditation of at least 2
1057 consecutive academic years at such accredited sponsoring
1058 institution. Such program must provide didactic and clinical
1059 education at the level of a D.D.S. or D.M.D. program accredited
1060 by the American Dental Association Commission on Dental
1061 Accreditation. For purposes of this paragraph, a supplemental
1062 general dentistry program does not include an advanced education
1063 program in a dental specialty;

1064 c. The applicant currently possesses a valid and active
1065 dental license in good standing, with no restriction, which has
1066 never been revoked, suspended, restricted, or otherwise
1067 disciplined, from another state or territory of the United
1068 States, the District of Columbia, or the Commonwealth of Puerto
1069 Rico;

1070 d. The applicant submits proof that he or she has never
1071 been reported to the National Practitioner Data Bank, the
1072 Healthcare Integrity and Protection Data Bank, or the American
1073 Association of Dental Boards Clearinghouse. This sub-
1074 subparagraph does not apply if the applicant successfully
1075 appealed to have his or her name removed from the data banks of

1076 | these agencies;

1077 | e.(I) In the 5 years immediately preceding the date of
1078 | application for licensure in this state, the applicant must
1079 | submit proof of having been consecutively engaged in the full-
1080 | time practice of dentistry in another state or territory of the
1081 | United States, the District of Columbia, or the Commonwealth of
1082 | Puerto Rico, or, if the applicant has been licensed in another
1083 | state or territory of the United States, the District of
1084 | Columbia, or the Commonwealth of Puerto Rico for less than 5
1085 | years, the applicant must submit proof of having been engaged in
1086 | the full-time practice of dentistry since the date of his or her
1087 | initial licensure.

1088 | (II) As used in this section, "full-time practice" is
1089 | defined as a minimum of 1,200 hours per year for each and every
1090 | year in the consecutive 5-year period or, where applicable, the
1091 | period since initial licensure, and must include any combination
1092 | of the following:

1093 | (A) Active clinical practice of dentistry providing direct
1094 | patient care.

1095 | (B) Full-time practice as a faculty member employed by a
1096 | dental or dental hygiene school approved by the board or
1097 | accredited by the American Dental Association Commission on
1098 | Dental Accreditation.

1099 | (C) Full-time practice as a student at a postgraduate
1100 | dental education program approved by the board or accredited by

1101 the American Dental Association Commission on Dental
1102 Accreditation.

1103 (III) The board shall develop rules to determine what type
1104 of proof of full-time practice is required and to recoup the
1105 cost to the board of verifying full-time practice under this
1106 section. Such proof must, at a minimum, be:

1107 (A) Admissible as evidence in an administrative
1108 proceeding;

1109 (B) Submitted in writing;

1110 (C) Submitted by the applicant under oath with penalties
1111 of perjury attached;

1112 (D) Further documented by an affidavit of someone
1113 unrelated to the applicant who is familiar with the applicant's
1114 practice and testifies with particularity that the applicant has
1115 been engaged in full-time practice; and

1116 (E) Specifically found by the board to be both credible
1117 and admissible.

1118 (IV) An affidavit of only the applicant is not acceptable
1119 proof of full-time practice unless it is further attested to by
1120 someone unrelated to the applicant who has personal knowledge of
1121 the applicant's practice. If the board deems it necessary to
1122 assess credibility or accuracy, the board may require the
1123 applicant or the applicant's witnesses to appear before the
1124 board and give oral testimony under oath;

1125 f. The applicant must submit documentation that he or she

1126 has completed, or will complete, prior to licensure in this
1127 state, continuing education equivalent to this state's
1128 requirements for the last full reporting biennium;

1129 g. The applicant must prove that he or she has never been
1130 convicted of, or pled nolo contendere to, regardless of
1131 adjudication, any felony or misdemeanor related to the practice
1132 of a health care profession in any jurisdiction;

1133 h. The applicant must successfully pass a written
1134 examination on the laws and rules of this state regulating the
1135 practice of dentistry and must successfully pass the computer-
1136 based diagnostic skills examination; and

1137 i. The applicant must submit documentation that he or she
1138 has successfully completed the National Board of Dental
1139 Examiners dental examination.

1140 Section 25. Paragraph (b) of subsection (4) and paragraph
1141 (a) of subsection (6) of section 466.007, Florida Statutes, are
1142 amended to read:

1143 466.007 Examination of dental hygienists.—

1144 (4) Effective July 1, 2012, to be licensed as a dental
1145 hygienist in this state, an applicant must successfully complete
1146 the following:

1147 (b) A practical or clinical examination approved by the
1148 board. The examination shall be the Dental Hygiene Examination
1149 produced by the American Board of Dental Examiners, Inc. (ADEX)
1150 or its successor entity, if any, if the board finds that the

1151 successor entity's clinical examination meets or exceeds the
1152 provisions of this section. The board shall approve the ADEX
1153 Dental Hygiene Examination if the board has attained and
1154 continues to maintain representation on the ADEX House of
1155 Representatives, the ADEX Dental Hygiene Examination Development
1156 Committee, and such other ADEX Dental Hygiene committees as the
1157 board deems appropriate through rulemaking to ensure that the
1158 standards established in this section are maintained
1159 organizationally. The ADEX Dental Hygiene Examination or the
1160 examination produced by its successor entity is a comprehensive
1161 examination in which an applicant must demonstrate skills within
1162 the dental hygiene scope of practice on a live patient and any
1163 other components that the board deems necessary for the
1164 applicant to successfully demonstrate competency for the purpose
1165 of licensure. ~~The ADEX Dental Hygiene Examination or the~~
1166 ~~examination by the successor entity administered in this state~~
1167 ~~shall be graded by dentists and dental hygienists licensed in~~
1168 ~~this state who are employed by the department for this purpose.~~

1169 (6) (a) A passing score on the ADEX Dental Hygiene
1170 Examination administered out of state shall be considered the
1171 same as a passing score for the ADEX Dental Hygiene Examination
1172 administered in this state ~~and graded by licensed dentists and~~
1173 ~~dental hygienists.~~

1174 Section 26. Subsections (9) through (15) are added to
1175 section 466.017, Florida Statutes, to read:

1176 466.017 Prescription of drugs; anesthesia.—
 1177 (9) Any adverse incident that occurs in an office
 1178 maintained by a dentist must be reported to the department. The
 1179 required notification to the department must be submitted in
 1180 writing by certified mail and postmarked within 48 hours after
 1181 the incident occurs.

1182 (10) A dentist practicing in this state must notify the
 1183 board in writing by certified mail within 48 hours of any
 1184 mortality or other adverse incident that occurs in the dentist's
 1185 outpatient facility. A complete written report must be filed
 1186 with the board within 30 days after the mortality or other
 1187 adverse incident.

1188 (11) For purposes of notification to the department
 1189 pursuant to this section, the term "adverse incident" means any
 1190 mortality that occurs during or as the result of a dental
 1191 procedure, or an incident that results in the temporary or
 1192 permanent physical or mental injury that requires
 1193 hospitalization or emergency room treatment of a dental patient
 1194 that occurred during or as a direct result of the use of general
 1195 anesthesia, deep sedation, moderate sedation, pediatric moderate
 1196 sedation, oral sedation, minimal sedation (anxiolysis), nitrous
 1197 oxide, or local anesthesia.

1198 (12) Any certified registered dental hygienist
 1199 administering local anesthesia must notify the board, in writing
 1200 by registered mail within 48 hours of any adverse incident that

1201 was related to or the result of the administration of local
1202 anesthesia. A complete written report must be filed with the
1203 board within 30 days after the mortality or other adverse
1204 incident.

1205 (13) A failure by the dentist or dental hygienist to
1206 timely and completely comply with all the reporting requirements
1207 in this section is the basis for disciplinary action by the
1208 board pursuant to s. 466.028(1).

1209 (14) The department shall review each incident and
1210 determine whether it involved conduct by a health care
1211 professional subject to disciplinary action, in which case s.
1212 456.073 applies. Disciplinary action, if any, shall be taken by
1213 the board under which the health care professional is licensed.

1214 (15) The board may adopt rules to administer this section.

1215 Section 27. Subsection (1) of section 466.031, Florida
1216 Statutes, is amended to read:

1217 466.031 "Dental laboratory" defined.—The term "dental
1218 laboratory" as used in this chapter:

1219 (1) Includes any person, firm, or corporation who performs
1220 for a fee of any kind, gratuitously, or otherwise, directly or
1221 through an agent or employee, by any means or method, or who in
1222 any way supplies or manufactures artificial substitutes for the
1223 natural teeth, or who furnishes, supplies, constructs, or
1224 reproduces or repairs any prosthetic denture, bridge, or
1225 appliance to be worn in the human mouth, or who provides onsite

1226 consultation during dental procedures, or who in any way holds
 1227 itself out as a dental laboratory.

1228 Section 28. Section 466.036, Florida Statutes, is amended
 1229 to read:

1230 466.036 Information; periodic inspections; equipment and
 1231 supplies.—The department may require from the applicant for a
 1232 registration certificate to operate a dental laboratory any
 1233 information necessary to carry out the purpose of this chapter,
 1234 including proof that the applicant has the equipment and
 1235 supplies necessary to operate as determined by rule of the
 1236 department, and shall require periodic inspection of all dental
 1237 laboratories operating in this state at least once each biennial
 1238 registration period. Such inspections shall include, but not be
 1239 limited to, inspection of sanitary conditions, equipment,
 1240 supplies, and facilities on the premises. The department shall
 1241 specify dental equipment and supplies that are not permitted in
 1242 a registered dental laboratory.

1243 Section 29. Paragraph (n) is added to subsection (1) of
 1244 section 468.505, Florida Statutes, to read:

1245 468.505 Exemptions; exceptions.—

1246 (1) Nothing in this part may be construed as prohibiting
 1247 or restricting the practice, services, or activities of:

1248 (n) A person who provides information, recommendations, or
 1249 advice concerning nutrition, or who markets food, food
 1250 materials, or dietary supplements for remuneration, if that

1251 person:

1252 1. Does not represent himself or herself as a dietitian,
 1253 licensed dietitian, registered dietitian, licensed nutritionist,
 1254 nutrition counselor, or licensed nutrition counselor, or use any
 1255 word, letter, symbol, or insignia indicating or implying that he
 1256 or she is a dietitian, nutritionist, or nutrition counselor.

1257 2. Does not provide such information, recommendations,
 1258 advice, or marketing to an individual he or she knows or has
 1259 reason to believe has a medical diagnosis for which the
 1260 individual is seeking such information, recommendations, advice,
 1261 or marketing in support of his or her medical condition.

1262 Section 30. Subsection (1) of section 468.701, Florida
 1263 Statutes, is amended to read:

1264 468.701 Definitions.—As used in this part, the term:

1265 (1) "Athletic trainer" means a person licensed under this
 1266 part who has met the requirements under this part, including
 1267 education requirements as set forth by the Commission on
 1268 Accreditation of Athletic Training Education or its successor
 1269 and necessary credentials from the Board of Certification. An
 1270 athletic trainer must work within his or her scope of practice
 1271 as established in the rules adopted by the board under s.

1272 468.705. An individual who is licensed as an athletic trainer
 1273 may not otherwise provide, offer to provide, or represent that
 1274 he or she is qualified to provide any care or services beyond
 1275 his or her scope of practice, or that he or she lacks the

1276 education, training, or experience to provide, or that he or she
 1277 is otherwise prohibited by law from providing.

1278 Section 31. Section 468.707, Florida Statutes, is amended
 1279 to read:

1280 468.707 Licensure requirements.—Any person desiring to be
 1281 licensed as an athletic trainer shall apply to the department on
 1282 a form approved by the department. An applicant shall also
 1283 provide records or other evidence, as determined by the board,
 1284 to prove he or she has met the requirements of this section. The
 1285 department shall license each applicant who:

1286 (1) Has completed the application form and remitted the
 1287 required fees.

1288 (2) ~~For a person who applies on or after July 1, 2016,~~ Has
 1289 submitted to background screening pursuant to s. 456.0135. The
 1290 board may require a background screening for an applicant whose
 1291 license has expired or who is undergoing disciplinary action.

1292 (3) (a) Has obtained a baccalaureate or higher degree from
 1293 a college or university professional athletic training degree
 1294 program accredited by the Commission on Accreditation of
 1295 Athletic Training Education or its successor recognized and
 1296 approved by the United States Department of Education or the
 1297 Commission on Recognition of Postsecondary Accreditation,
 1298 approved by the board, or recognized by the Board of
 1299 Certification, and has passed the national examination to be
 1300 certified by the Board of Certification; ~~or—~~

1301 (b) (4) Has obtained, at a minimum, a bachelor's degree and
 1302 has completed the Board of Certification internship requirements
 1303 and ~~If graduated before 2004,~~ has a current certification from
 1304 the Board of Certification.

1305 (4) (5) Has current certification in both cardiopulmonary
 1306 resuscitation and the use of an automated external defibrillator
 1307 set forth in the continuing education requirements as determined
 1308 by the board pursuant to s. 468.711.

1309 (5) (6) Has completed any other requirements as determined
 1310 by the department and approved by the board.

1311 Section 32. Subsection (3) of section 468.711, Florida
 1312 Statutes, is amended to read:

1313 468.711 Renewal of license; continuing education.—

1314 (3) If initially licensed after January 1, 1998, the
 1315 licensee must be currently certified by the Board of
 1316 Certification or its successor agency and maintain that
 1317 certification in good standing without lapse.

1318 Section 33. Subsection (2) of section 468.723, Florida
 1319 Statutes, is amended to read:

1320 468.723 Exemptions.—This part does not prevent or
 1321 restrict:

1322 (2) An athletic training student acting under the direct
 1323 supervision of a licensed athletic trainer. For purposes of this
 1324 subsection, "direct supervision" means the physical presence of
 1325 an athletic trainer so that the athletic trainer is immediately

1326 available to the athletic training student and able to intervene
 1327 on behalf of the athletic training student. The supervision must
 1328 be in accordance with rules adopted by the board ~~the standards~~
 1329 ~~set forth by the Commission on Accreditation of Athletic~~
 1330 ~~Training Education or its successor.~~

1331 Section 34. Subsections (1), (3), and (4) of section
 1332 468.803, Florida Statutes, are amended to read:

1333 468.803 License, registration, and examination
 1334 requirements.—

1335 (1) The department shall issue a license to practice
 1336 orthotics, prosthetics, or pedorthics, or a registration for a
 1337 resident to practice orthotics or prosthetics, to qualified
 1338 applicants. Licenses shall be granted independently in
 1339 orthotics, prosthetics, or pedorthics, but a person may be
 1340 licensed in more than one such discipline, and a prosthetist-
 1341 orthotist license may be granted to persons meeting the
 1342 requirements for both a prosthetist and an orthotist license.
 1343 Registrations shall be granted independently in orthotics or
 1344 prosthetics, and a person may be registered in both fields at
 1345 the same time or jointly in orthotics and prosthetics as a dual
 1346 registration.

1347 (3) A person seeking to attain the required orthotics or
 1348 prosthetics experience in this state must be approved by the
 1349 board and registered as a resident by the department. Although a
 1350 registration may be held in both practice fields, for

1351 independent registrations the board shall not approve a second
1352 registration until at least 1 year after the issuance of the
1353 first registration. Notwithstanding subsection (2), an applicant
1354 for independent registrations who has been approved by the board
1355 and registered by the department in one practice field may apply
1356 for registration in the second practice field without an
1357 additional state or national criminal history check during the
1358 period in which the first registration is valid. Each
1359 independent registration or dual registration is valid for 2
1360 years from the date of issuance unless otherwise revoked by the
1361 department upon recommendation of the board. The board shall set
1362 a registration fee not to exceed \$500 to be paid by the
1363 applicant. A registration may be renewed once by the department
1364 upon recommendation of the board for a period no longer than 1
1365 year, as such renewal is defined by the board by rule. The
1366 registration renewal fee shall not exceed one-half the current
1367 registration fee. To be considered by the board for approval of
1368 registration as a resident, the applicant must have:

1369 (a) A Bachelor of Science or higher-level postgraduate
1370 degree in Orthotics and Prosthetics from a regionally accredited
1371 college or university recognized by the Commission on
1372 Accreditation of Allied Health Education Programs or, at a
1373 minimum, a bachelor's degree from a regionally accredited
1374 college or university and a certificate in orthotics from a
1375 program recognized by the Commission on Accreditation of Allied

1376 Health Education Programs, or its equivalent, as determined by
 1377 the board;~~or~~

1378 (b) A Bachelor of Science or higher-level postgraduate
 1379 degree in Orthotics and Prosthetics from a regionally accredited
 1380 college or university recognized by the Commission on
 1381 Accreditation of Allied Health Education Programs or, at a
 1382 minimum, a bachelor's degree from a regionally accredited
 1383 college or university and a certificate in prosthetics from a
 1384 program recognized by the Commission on Accreditation of Allied
 1385 Health Education Programs, or its equivalent, as determined by
 1386 the board; or

1387 (c) A Bachelor of Science or higher-level postgraduate
 1388 degree in Orthotics and Prosthetics from a regionally accredited
 1389 college or university recognized by the Commission on
 1390 Accreditation of Allied Health Education Programs or, at a
 1391 minimum, a bachelor's degree from a regionally accredited
 1392 college or university and a dual certificate in both orthotics
 1393 and prosthetics from programs recognized by the Commission on
 1394 Accreditation of Allied Health Education Programs, or its
 1395 equivalent, as determined by the board.

1396 (4) The department may develop and administer a state
 1397 examination for an orthotist or a prosthetist license, or the
 1398 board may approve the existing examination of a national
 1399 standards organization. The examination must be predicated on a
 1400 minimum of a baccalaureate-level education and formalized

1401 specialized training in the appropriate field. Each examination
 1402 must demonstrate a minimum level of competence in basic
 1403 scientific knowledge, written problem solving, and practical
 1404 clinical patient management. The board shall require an
 1405 examination fee not to exceed the actual cost to the board in
 1406 developing, administering, and approving the examination, which
 1407 fee must be paid by the applicant. To be considered by the board
 1408 for examination, the applicant must have:

1409 (a) For an examination in orthotics:

1410 1. A Bachelor of Science or higher-level postgraduate
 1411 degree in Orthotics and Prosthetics from a regionally accredited
 1412 college or university recognized by the Commission on
 1413 Accreditation of Allied Health Education Programs or, at a
 1414 minimum, a bachelor's degree from a regionally accredited
 1415 college or university and a certificate in orthotics from a
 1416 program recognized by the Commission on Accreditation of Allied
 1417 Health Education Programs, or its equivalent, as determined by
 1418 the board; and

1419 2. An approved orthotics internship of 1 year of qualified
 1420 experience, as determined by the board, or an orthotic residency
 1421 program or dual residency program recognized by the board.

1422 (b) For an examination in prosthetics:

1423 1. A Bachelor of Science or higher-level postgraduate
 1424 degree in Orthotics and Prosthetics from a regionally accredited
 1425 college or university recognized by the Commission on

1426 Accreditation of Allied Health Education Programs or, at a
 1427 minimum, a bachelor's degree from a regionally accredited
 1428 college or university and a certificate in prosthetics from a
 1429 program recognized by the Commission on Accreditation of Allied
 1430 Health Education Programs, or its equivalent, as determined by
 1431 the board; and

1432 2. An approved prosthetics internship of 1 year of
 1433 qualified experience, as determined by the board, or a
 1434 prosthetic residency program or dual residency program
 1435 recognized by the board.

1436 Section 35. Subsection (5) of section 480.033, Florida
 1437 Statutes, is amended to read:

1438 480.033 Definitions.—As used in this act:

1439 (5) "Apprentice" means a person approved by the board to
 1440 study colonic irrigation ~~massage~~ under the instruction of a
 1441 licensed massage therapist practicing colonic irrigation.

1442 Section 36. Subsections (1) and (2) of section 480.041,
 1443 Florida Statutes, are amended, and subsection (8) is added to
 1444 that section, to read:

1445 480.041 Massage therapists; qualifications; licensure;
 1446 endorsement.—

1447 (1) Any person is qualified for licensure as a massage
 1448 therapist under this act who:

1449 (a) Is at least 18 years of age or has received a high
 1450 school diploma or high school equivalency diploma;

1451 (b) Has completed a course of study at a board-approved
1452 massage school ~~or has completed an apprenticeship program~~ that
1453 meets standards adopted by the board; and

1454 (c) Has received a passing grade on a national an
1455 examination designated administered by the board department.

1456 (2) Every person desiring to be examined for licensure as
1457 a massage therapist shall apply to the department in writing
1458 upon forms prepared and furnished by the department. Such
1459 applicants shall be subject to the provisions of s. 480.046(1).
1460 ~~Applicants may take an examination administered by the~~
1461 ~~department only upon meeting the requirements of this section as~~
1462 ~~determined by the board.~~

1463 (8) A person issued a license as a massage apprentice
1464 before July 1, 2018, may continue that apprenticeship and
1465 perform massage therapy as permitted under that license until it
1466 expires. Upon completion of the apprenticeship, before July 1,
1467 2021, a massage apprentice may apply to the board for full
1468 licensure and be granted a license if all other applicable
1469 licensure requirements are met.

1470 Section 37. Section 480.042, Florida Statutes, is
1471 repealed.

1472 Section 38. Subsection (3) of section 480.046, Florida
1473 Statutes, is amended, and subsection (5) is added to that
1474 section, to read:

1475 480.046 Grounds for disciplinary action by the board.—

1476 (3) The board ~~may shall have the power to~~ revoke or
1477 suspend the license of a massage establishment licensed under
1478 this act, or ~~to~~ deny subsequent licensure of such an
1479 establishment, if the establishment is owned by an individual or
1480 entity who has a prior establishment license revoked, in either
1481 of the following cases:

1482 (a) Upon proof that a license has been obtained by fraud
1483 or misrepresentation.

1484 (b) Upon proof that the holder of a license is guilty of
1485 fraud or deceit or of gross negligence, incompetency, or
1486 misconduct in the operation of the establishment so licensed.

1487 (c) Upon proof that the owner of a massage establishment
1488 or any individual or individuals providing massage therapy
1489 services within the establishment, in the aggregate or
1490 individually, have had three convictions of, or pleas of guilty
1491 or nolo contendere to, or dismissals of a criminal action after
1492 a successful completion of a pretrial intervention, diversion,
1493 or substance abuse program for any misdemeanor or felony,
1494 regardless of adjudication, a crime in any jurisdiction related
1495 to prostitution and related acts as defined in s. 796.07, which
1496 occurred at or within the establishment.

1497 (5) An establishment may not apply for relicensure if
1498 disciplined under this section unless there is a change in
1499 ownership.

1500 Section 39. Subsection (3) of section 490.003, Florida

1501 Statutes, is amended to read:

1502 490.003 Definitions.—As used in this chapter:

1503 ~~(3)(a) Prior to July 1, 1999, "doctoral-level~~
1504 ~~psychological education" and "doctoral degree in psychology"~~
1505 ~~mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology~~
1506 ~~from:~~

1507 ~~1. An educational institution which, at the time the~~
1508 ~~applicant was enrolled and graduated, had institutional~~
1509 ~~accreditation from an agency recognized and approved by the~~
1510 ~~United States Department of Education or was recognized as a~~
1511 ~~member in good standing with the Association of Universities and~~
1512 ~~Colleges of Canada; and~~

1513 ~~2. A psychology program within that educational~~
1514 ~~institution which, at the time the applicant was enrolled and~~
1515 ~~graduated, had programmatic accreditation from an accrediting~~
1516 ~~agency recognized and approved by the United States Department~~
1517 ~~of Education or was comparable to such programs.~~

1518 ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological
1519 education" and "doctoral degree in psychology" mean a Psy.D., an
1520 Ed.D. in psychology, or a Ph.D. in psychology from:

1521 (a)~~1.~~ An educational institution which, at the time the
1522 applicant was enrolled and graduated, had institutional
1523 accreditation from an agency recognized and approved by the
1524 United States Department of Education or was recognized as a
1525 member in good standing with the Association of Universities and

1526 Colleges of Canada; and

1527 (b)2- A psychology program within that educational
 1528 institution which, at the time the applicant was enrolled and
 1529 graduated, had programmatic accreditation from the American
 1530 Psychological Association ~~an agency recognized and approved by~~
 1531 ~~the United States Department of Education.~~

1532 Section 40. Paragraph (b) of subsection (1) and paragraph
 1533 (b) of subsection (2) of section 490.005, Florida Statutes, are
 1534 amended to read:

1535 490.005 Licensure by examination.—

1536 (1) Any person desiring to be licensed as a psychologist
 1537 shall apply to the department to take the licensure examination.
 1538 The department shall license each applicant who the board
 1539 certifies has:

1540 (b) Submitted proof satisfactory to the board that the
 1541 applicant has:

1542 1. Received doctoral-level psychological education, ~~as~~
 1543 ~~defined in s. 490.003(3);~~ or

1544 2. Received the equivalent of a doctoral-level
 1545 psychological education, as defined in s. 490.003(3), from a
 1546 program at a school or university located outside the United
 1547 States of America ~~and Canada~~, which was officially recognized by
 1548 the government of the country in which it is located as an
 1549 institution or program to train students to practice
 1550 professional psychology. The burden of establishing that the

1551 requirements of this provision have been met shall be upon the
1552 applicant.

1553 ~~3. Received and submitted to the board, prior to July 1,~~
1554 ~~1999, certification of an augmented doctoral-level psychological~~
1555 ~~education from the program director of a doctoral-level~~
1556 ~~psychology program accredited by a programmatic agency~~
1557 ~~recognized and approved by the United States Department of~~
1558 ~~Education; or~~

1559 ~~4. Received and submitted to the board, prior to August~~
1560 ~~31, 2001, certification of a doctoral-level program that at the~~
1561 ~~time the applicant was enrolled and graduated maintained a~~
1562 ~~standard of education and training comparable to the standard of~~
1563 ~~training of programs accredited by a programmatic agency~~
1564 ~~recognized and approved by the United States Department of~~
1565 ~~Education. Such certification of comparability shall be provided~~
1566 ~~by the program director of a doctoral-level psychology program~~
1567 ~~accredited by a programmatic agency recognized and approved by~~
1568 ~~the United States Department of Education.~~

1569 (2) Any person desiring to be licensed as a school
1570 psychologist shall apply to the department to take the licensure
1571 examination. The department shall license each applicant who the
1572 department certifies has:

1573 (b) Submitted satisfactory proof to the department that
1574 the applicant:

1575 1. Has received a doctorate, specialist, or equivalent

1576 degree from a program primarily psychological in nature and has
1577 completed 60 semester hours or 90 quarter hours of graduate
1578 study, in areas related to school psychology as defined by rule
1579 of the department, from a college or university which at the
1580 time the applicant was enrolled and graduated was accredited by
1581 an accrediting agency recognized and approved by the Council for
1582 Higher Education Accreditation, its successor, Commission on
1583 Recognition of Postsecondary Accreditation or an institution
1584 which is publicly recognized as a member in good standing with
1585 the Association of Universities and Colleges of Canada.

1586 2. Has had a minimum of 3 years of experience in school
1587 psychology, 2 years of which must be supervised by an individual
1588 who is a licensed school psychologist or who has otherwise
1589 qualified as a school psychologist supervisor, by education and
1590 experience, as set forth by rule of the department. A doctoral
1591 internship may be applied toward the supervision requirement.

1592 3. Has passed an examination provided by the department.

1593 Section 41. Subsection (1) of section 490.006, Florida
1594 Statutes, is amended to read:

1595 490.006 Licensure by endorsement.—

1596 (1) The department shall license a person as a
1597 psychologist or school psychologist who, upon applying to the
1598 department and remitting the appropriate fee, demonstrates to
1599 the department or, in the case of psychologists, to the board
1600 that the applicant:

1601 ~~(a) Holds a valid license or certificate in another state~~
 1602 ~~to practice psychology or school psychology, as applicable,~~
 1603 ~~provided that, when the applicant secured such license or~~
 1604 ~~certificate, the requirements were substantially equivalent to~~
 1605 ~~or more stringent than those set forth in this chapter at that~~
 1606 ~~time; and, if no Florida law existed at that time, then the~~
 1607 ~~requirements in the other state must have been substantially~~
 1608 ~~equivalent to or more stringent than those set forth in this~~
 1609 ~~chapter at the present time;~~

1610 (a) ~~(b)~~ Is a diplomate in good standing with the American
 1611 Board of Professional Psychology, Inc.; or

1612 (b) ~~(c)~~ Possesses a doctoral degree in psychology ~~as~~
 1613 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of
 1614 experience as a licensed psychologist in any jurisdiction or
 1615 territory of the United States within 25 years preceding the
 1616 date of application.

1617 Section 42. Subsection (6) of section 491.0045, Florida
 1618 Statutes, as amended by chapter 2016-80 and chapter 2016-241,
 1619 Laws of Florida, is reenacted to read:

1620 491.0045 Intern registration; requirements.—

1621 (6) A registration issued on or before March 31, 2017,
 1622 expires March 31, 2022, and may not be renewed or reissued. Any
 1623 registration issued after March 31, 2017, expires 60 months
 1624 after the date it is issued. The board may make a one-time
 1625 exception from the requirements of this section in emergency or

1626 hardship cases, as defined by board rule, if ~~A subsequent intern~~
 1627 ~~registration may not be issued unless~~ the candidate has passed
 1628 the theory and practice examination described in s.
 1629 491.005(1)(d), (3)(d), and (4)(d).

1630 Section 43. Subsections (3) and (4) of section 491.005,
 1631 Florida Statutes, are amended to read:

1632 491.005 Licensure by examination.—

1633 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
 1634 documentation and payment of a fee not to exceed \$200, as set by
 1635 board rule, plus the actual cost ~~to the department~~ for the
 1636 purchase of the examination from the Association of Marital and
 1637 Family Therapy Regulatory Board, or similar national
 1638 organization, the department shall issue a license as a marriage
 1639 and family therapist to an applicant who the board certifies:

1640 (a) Has submitted an application and paid the appropriate
 1641 fee.

1642 (b)1. Has a minimum of a master's degree with major
 1643 emphasis in marriage and family therapy from a program
 1644 accredited by the Commission on Accreditation for Marriage and
 1645 Family Therapy Education or from a Florida university program
 1646 accredited by the Council for Accreditation of Counseling and
 1647 Related Educational Programs, or a closely related field, and
 1648 graduate courses approved by the Board of Clinical Social Work,
 1649 Marriage and Family Therapy, and Mental Health Counseling. ~~has~~
 1650 ~~completed all of the following requirements:~~

1651 ~~a. Thirty-six semester hours or 48 quarter hours of~~
1652 ~~graduate coursework, which must include a minimum of 3 semester~~
1653 ~~hours or 4 quarter hours of graduate-level course credits in~~
1654 ~~each of the following nine areas: dynamics of marriage and~~
1655 ~~family systems; marriage therapy and counseling theory and~~
1656 ~~techniques; family therapy and counseling theory and techniques;~~
1657 ~~individual human development theories throughout the life cycle;~~
1658 ~~personality theory or general counseling theory and techniques;~~
1659 ~~psychopathology; human sexuality theory and counseling~~
1660 ~~techniques; psychosocial theory; and substance abuse theory and~~
1661 ~~counseling techniques. Courses in research, evaluation,~~
1662 ~~appraisal, assessment, or testing theories and procedures;~~
1663 ~~thesis or dissertation work; or practicums, internships, or~~
1664 ~~fieldwork may not be applied toward this requirement.~~

1665 ~~b. A minimum of one graduate-level course of 3 semester~~
1666 ~~hours or 4 quarter hours in legal, ethical, and professional~~
1667 ~~standards issues in the practice of marriage and family therapy~~
1668 ~~or a course determined by the board to be equivalent.~~

1669 ~~e. A minimum of one graduate-level course of 3 semester~~
1670 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~
1671 ~~and testing for individual or interpersonal disorder or~~
1672 ~~dysfunction; and a minimum of one 3-semester-hour or 4-quarter-~~
1673 ~~hour graduate-level course in behavioral research which focuses~~
1674 ~~on the interpretation and application of research data as it~~
1675 ~~applies to clinical practice. Credit for thesis or dissertation~~

1676 ~~work, practicums, internships, or fieldwork may not be applied~~
1677 ~~toward this requirement.~~

1678 ~~d. A minimum of one supervised clinical practicum,~~
1679 ~~internship, or field experience in a marriage and family~~
1680 ~~counseling setting, during which the student provided 180 direct~~
1681 ~~client contact hours of marriage and family therapy services~~
1682 ~~under the supervision of an individual who met the requirements~~
1683 ~~for supervision under paragraph (c). This requirement may be met~~
1684 ~~by a supervised practice experience which took place outside the~~
1685 ~~academic arena, but which is certified as equivalent to a~~
1686 ~~graduate-level practicum or internship program which required a~~
1687 ~~minimum of 180 direct client contact hours of marriage and~~
1688 ~~family therapy services currently offered within an academic~~
1689 ~~program of a college or university accredited by an accrediting~~
1690 ~~agency approved by the United States Department of Education, or~~
1691 ~~an institution which is publicly recognized as a member in good~~
1692 ~~standing with the Association of Universities and Colleges of~~
1693 ~~Canada or a training institution accredited by the Commission on~~
1694 ~~Accreditation for Marriage and Family Therapy Education~~
1695 ~~recognized by the United States Department of Education.~~
1696 ~~Certification shall be required from an official of such~~
1697 ~~college, university, or training institution.~~

1698 2. If the course title which appears on the applicant's
1699 transcript does not clearly identify the content of the
1700 coursework, the applicant shall be required to provide

1701 additional documentation, including, but not limited to, a
1702 syllabus or catalog description published for the course.
1703
1704 The required master's degree must have been received in an
1705 institution of higher education which at the time the applicant
1706 graduated was: fully accredited by a regional accrediting body
1707 recognized by the Commission on Recognition of Postsecondary
1708 Accreditation; publicly recognized as a member in good standing
1709 with the Association of Universities and Colleges of Canada; or
1710 an institution of higher education located outside the United
1711 States and Canada, which at the time the applicant was enrolled
1712 and at the time the applicant graduated maintained a standard of
1713 training substantially equivalent to the standards of training
1714 of those institutions in the United States which are accredited
1715 by a regional accrediting body recognized by the Commission on
1716 Recognition of Postsecondary Accreditation. Such foreign
1717 education and training must have been received in an institution
1718 or program of higher education officially recognized by the
1719 government of the country in which it is located as an
1720 institution or program to train students to practice as
1721 professional marriage and family therapists or psychotherapists.
1722 The burden of establishing that the requirements of this
1723 provision have been met shall be upon the applicant, and the
1724 board shall require documentation, such as, but not limited to,
1725 an evaluation by a foreign equivalency determination service, as

1726 | evidence that the applicant's graduate degree program and
1727 | education were equivalent to an accredited program in this
1728 | country. An applicant with a master's degree from a program
1729 | which did not emphasize marriage and family therapy may complete
1730 | the coursework requirement in a training institution fully
1731 | accredited by the Commission on Accreditation for Marriage and
1732 | Family Therapy Education recognized by the United States
1733 | Department of Education.

1734 | (c) Has had at least 2 years of clinical experience during
1735 | which 50 percent of the applicant's clients were receiving
1736 | marriage and family therapy services, which must be at the post-
1737 | master's level under the supervision of a licensed marriage and
1738 | family therapist with at least 5 years of experience, or the
1739 | equivalent, who is a qualified supervisor as determined by the
1740 | board. An individual who intends to practice in Florida to
1741 | satisfy the clinical experience requirements must register
1742 | pursuant to s. 491.0045 before commencing practice. If a
1743 | graduate has a master's degree with a major emphasis in marriage
1744 | and family therapy or a closely related field that did not
1745 | include all the coursework required under subparagraph (b)1.
1746 | ~~sub-paragraphs (b)1.a.-c.~~, credit for the post-master's level
1747 | clinical experience shall not commence until the applicant has
1748 | completed a minimum of 10 of the courses required under
1749 | subparagraph (b)1. ~~sub-paragraphs (b)1.a.-c.~~, as determined
1750 | by the board, and at least 6 semester hours or 9 quarter hours

1751 of the course credits must have been completed in the area of
1752 marriage and family systems, theories, or techniques. Within the
1753 2 ~~3~~ years of required experience, the applicant shall provide
1754 direct individual, group, or family therapy and counseling, to
1755 include the following categories of cases: unmarried dyads,
1756 married couples, separating and divorcing couples, and family
1757 groups including children. A doctoral internship may be applied
1758 toward the clinical experience requirement. A licensed mental
1759 health professional must be on the premises when clinical
1760 services are provided by a registered intern in a private
1761 practice setting.

1762 (d) Has passed a theory and practice examination provided
1763 by the department for this purpose.

1764 (e) Has demonstrated, in a manner designated by rule of
1765 the board, knowledge of the laws and rules governing the
1766 practice of clinical social work, marriage and family therapy,
1767 and mental health counseling.

1768 (f) For the purposes of dual licensure, the department
1769 shall license as a marriage and family therapist any person who
1770 meets the requirements of s. 491.0057. Fees for dual licensure
1771 shall not exceed those stated in this subsection.

1772 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1773 documentation and payment of a fee not to exceed \$200, as set by
1774 board rule, plus the actual per applicant cost to the department
1775 for purchase of the examination from the National Board for

1776 Certified Counselors or its successor ~~Professional Examination~~
 1777 ~~Service for the National Academy of Certified Clinical Mental~~
 1778 ~~Health Counselors or a similar national organization,~~ the
 1779 department shall issue a license as a mental health counselor to
 1780 an applicant who the board certifies:

1781 (a) Has submitted an application and paid the appropriate
 1782 fee.

1783 (b)1. Has a minimum of an earned master's degree from a
 1784 mental health counseling program accredited by the Council for
 1785 the Accreditation of Counseling and Related Educational Programs
 1786 that consists of at least 60 semester hours or 80 quarter hours
 1787 of clinical and didactic instruction, including a course in
 1788 human sexuality and a course in substance abuse. If the master's
 1789 degree is earned from a program related to the practice of
 1790 mental health counseling that is not accredited by the Council
 1791 for the Accreditation of Counseling and Related Educational
 1792 Programs, then the coursework and practicum, internship, or
 1793 fieldwork must consist of at least 60 semester hours or 80
 1794 quarter hours and meet the following requirements:

1795 a. Thirty-three semester hours or 44 quarter hours of
 1796 graduate coursework, which must include a minimum of 3 semester
 1797 hours or 4 quarter hours of graduate-level coursework in each of
 1798 the following 11 content areas: counseling theories and
 1799 practice; human growth and development; diagnosis and treatment
 1800 of psychopathology; human sexuality; group theories and

1801 practice; individual evaluation and assessment; career and
1802 lifestyle assessment; research and program evaluation; social
1803 and cultural foundations; substance abuse; and legal, ethical,
1804 and professional standards issues in the practice of mental
1805 health counseling in community settings; and substance abuse.
1806 Courses in research, thesis or dissertation work, practicums,
1807 internships, or fieldwork may not be applied toward this
1808 requirement.

1809 b. A minimum of 3 semester hours or 4 quarter hours of
1810 graduate-level coursework addressing diagnostic processes,
1811 including differential diagnosis and the use of the current
1812 diagnostic tools, such as the current edition of the American
1813 Psychiatric Association's Diagnostic and Statistical Manual of
1814 Mental Disorders. The graduate program must have emphasized the
1815 common core curricular experience in legal, ethical, and
1816 professional standards issues in the practice of mental health
1817 counseling, which includes goals, objectives, and practices of
1818 professional counseling organizations, codes of ethics, legal
1819 considerations, standards of preparation, certifications and
1820 licensing, and the role identity and professional obligations of
1821 mental health counselors. Courses in research, thesis or
1822 dissertation work, practicums, internships, or fieldwork may not
1823 be applied toward this requirement.

1824 c. The equivalent, as determined by the board, of at least
1825 700 ~~1,000~~ hours of university-sponsored supervised clinical

1826 | practicum, internship, or field experience that includes at
1827 | least 280 hours of direct client services, as required in the
1828 | accrediting standards of the Council for Accreditation of
1829 | Counseling and Related Educational Programs for mental health
1830 | counseling programs. This experience may not be used to satisfy
1831 | the post-master's clinical experience requirement.

1832 | 2. If the course title which appears on the applicant's
1833 | transcript does not clearly identify the content of the
1834 | coursework, the applicant shall be required to provide
1835 | additional documentation, including, but not limited to, a
1836 | syllabus or catalog description published for the course.

1837 |
1838 | Education and training in mental health counseling must have
1839 | been received in an institution of higher education which at the
1840 | time the applicant graduated was: fully accredited by a regional
1841 | accrediting body recognized by the Council for Higher Education
1842 | or its successor ~~Commission on Recognition of Postsecondary~~
1843 | ~~Accreditation~~; publicly recognized as a member in good standing
1844 | with the Association of Universities and Colleges of Canada; or
1845 | an institution of higher education located outside the United
1846 | States and Canada, which at the time the applicant was enrolled
1847 | and at the time the applicant graduated maintained a standard of
1848 | training substantially equivalent to the standards of training
1849 | of those institutions in the United States which are accredited
1850 | by a regional accrediting body recognized by the Council for

1851 Higher Education or its successor ~~Commission on Recognition of~~
1852 ~~Postsecondary Accreditation~~. Such foreign education and training
1853 must have been received in an institution or program of higher
1854 education officially recognized by the government of the country
1855 in which it is located as an institution or program to train
1856 students to practice as mental health counselors. The burden of
1857 establishing that the requirements of this provision have been
1858 met shall be upon the applicant, and the board shall require
1859 documentation, such as, but not limited to, an evaluation by a
1860 foreign equivalency determination service, as evidence that the
1861 applicant's graduate degree program and education were
1862 equivalent to an accredited program in this country. Beginning
1863 July 1, 2024, an applicant must have a master's degree that is
1864 accredited by the Council for Accreditation of Counseling and
1865 Related Educational Programs which consists of at least 60
1866 semester hours or 80 quarter hours to apply for licensure under
1867 this paragraph.

1868 (c) Has had at least 2 years of clinical experience in
1869 mental health counseling, which must be at the post-master's
1870 level under the supervision of a licensed mental health
1871 counselor or the equivalent who is a qualified supervisor as
1872 determined by the board. An individual who intends to practice
1873 in Florida to satisfy the clinical experience requirements must
1874 register pursuant to s. 491.0045 before commencing practice. If
1875 a graduate has a master's degree with a major related to the

1876 | practice of mental health counseling that did not include all
 1877 | the coursework required under sub-subparagraphs (b)1.a.-b.,
 1878 | credit for the post-master's level clinical experience shall not
 1879 | commence until the applicant has completed a minimum of seven of
 1880 | the courses required under sub-subparagraphs (b)1.a.-b., as
 1881 | determined by the board, one of which must be a course in
 1882 | psychopathology or abnormal psychology. A doctoral internship
 1883 | may be applied toward the clinical experience requirement. A
 1884 | licensed mental health professional must be on the premises when
 1885 | clinical services are provided by a registered intern in a
 1886 | private practice setting.

1887 | (d) Has passed a theory and practice examination provided
 1888 | by the department for this purpose.

1889 | (e) Has demonstrated, in a manner designated by rule of
 1890 | the board, knowledge of the laws and rules governing the
 1891 | practice of clinical social work, marriage and family therapy,
 1892 | and mental health counseling.

1893 | Section 44. Paragraph (b) of subsection (1) of section
 1894 | 491.006, Florida Statutes, is amended to read:

1895 | 491.006 Licensure or certification by endorsement.—

1896 | (1) The department shall license or grant a certificate to
 1897 | a person in a profession regulated by this chapter who, upon
 1898 | applying to the department and remitting the appropriate fee,
 1899 | demonstrates to the board that he or she:

1900 | (b)1. Holds an active valid license to practice and has

1901 actively practiced the profession for which licensure is applied
 1902 in another state for 3 of the last 5 years immediately preceding
 1903 licensure.

1904 ~~2. Meets the education requirements of this chapter for~~
 1905 ~~the profession for which licensure is applied.~~

1906 2.3. Has passed a substantially equivalent licensing
 1907 examination in another state or has passed the licensure
 1908 examination in this state in the profession for which the
 1909 applicant seeks licensure.

1910 3.4. Holds a license in good standing, is not under
 1911 investigation for an act that would constitute a violation of
 1912 this chapter, and has not been found to have committed any act
 1913 that would constitute a violation of this chapter. The fees paid
 1914 by any applicant for certification as a master social worker
 1915 under this section are nonrefundable.

1916 Section 45. Subsection (3) of section 491.007, Florida
 1917 Statutes, is amended to read:

1918 491.007 Renewal of license, registration, or certificate.—

1919 ~~(3) The board or department shall prescribe by rule a~~
 1920 ~~method for the biennial renewal of an intern registration at a~~
 1921 ~~fee set by rule, not to exceed \$100.~~

1922 Section 46. Subsection (2) of section 491.009, Florida
 1923 Statutes, is amended to read:

1924 491.009 Discipline.—

1925 (2) The board department, or, in the case of certified

1926 | master social workers ~~psychologists~~, the department board, may
 1927 | enter an order denying licensure or imposing any of the
 1928 | penalties in s. 456.072(2) against any applicant for licensure
 1929 | or licensee who is found guilty of violating any provision of
 1930 | subsection (1) of this section or who is found guilty of
 1931 | violating any provision of s. 456.072(1).

1932 | Section 47. Subsection (4) of section 1003.22, Florida
 1933 | Statutes, is amended to read:

1934 | 1003.22 School-entry health examinations; immunization
 1935 | against communicable diseases; exemptions; duties of Department
 1936 | of Health.—

1937 | (4) Each district school board and the governing authority
 1938 | of each private school shall establish and enforce as policy
 1939 | that:
 1939 | r

1940 | (a) Prior to admittance to or attendance in a public or
 1941 | private school, grades kindergarten through 12, or any other
 1942 | initial entrance into a Florida public or private school, each
 1943 | child shall ~~present or~~ have on file with the state registry of
 1944 | immunizations ~~school~~ a certification of immunization for the
 1945 | prevention of those communicable diseases for which immunization
 1946 | is required by the Department of Health. Any child who is
 1947 | excluded from participation in the state registry of
 1948 | immunizations pursuant to s. 381.003(1)(e)2., must present or
 1949 | have on file with the school such certification of immunization
 1950 | ~~and further shall provide for appropriate screening of its~~

1951 ~~students for scoliosis at the proper age. Such Certification of~~
 1952 immunization shall be made on forms approved and provided by the
 1953 Department of Health or be on file with the state registry of
 1954 immunizations and shall become a part of each student's
 1955 permanent record, to be transferred when the student transfers,
 1956 is promoted, or changes schools. The transfer of such
 1957 immunization certification by Florida public schools shall be
 1958 accomplished using the Florida Automated System for Transferring
 1959 Education Records and shall be deemed to meet the requirements
 1960 of this section.

1961 (b) Appropriate screening of its students for scoliosis be
 1962 conducted at the proper age.

1963 Section 48. Paragraph (c) of subsection (2) of section
 1964 491.0046, Florida Statutes, is amended to read:

1965 491.0046 Provisional license; requirements.—

1966 (2) The department shall issue a provisional clinical
 1967 social worker license, provisional marriage and family therapist
 1968 license, or provisional mental health counselor license to each
 1969 applicant who the board certifies has:

1970 (c) Has met the following minimum coursework requirements:

1971 1. For clinical social work, a minimum of 15 semester
 1972 hours or 22 quarter hours of the coursework required by s.
 1973 491.005(1)(b)2.b.

1974 2. For marriage and family therapy, 10 of the courses
 1975 required by s. 491.005(3)(b)1. ~~s. 491.005(3)(b)1.a.-c.,~~ as

1976 | determined by the board, and at least 6 semester hours or 9
 1977 | quarter hours of the course credits must have been completed in
 1978 | the area of marriage and family systems, theories, or
 1979 | techniques.

1980 | 3. For mental health counseling, a minimum of seven of the
 1981 | courses required under s. 491.005(3)(b)1. ~~s. 491.005(4)(b)1.a.~~
 1982 | ~~e.~~

1983 | Section 49. Subsection (11) of section 945.42, Florida
 1984 | Statutes, is amended to read:

1985 | 945.42 Definitions; ss. 945.40-945.49.—As used in ss.
 1986 | 945.40-945.49, the following terms shall have the meanings
 1987 | ascribed to them, unless the context shall clearly indicate
 1988 | otherwise:

1989 | (11) "Psychological professional" means a behavioral
 1990 | practitioner who has an approved doctoral degree in psychology
 1991 | as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by
 1992 | the department or who is licensed as a psychologist pursuant to
 1993 | chapter 490.

1994 | Section 50. This act shall take effect July 1, 2018.