

1                                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 381.0041, F.S.; providing that it is a felony for  
4           certain persons living with human immunodeficiency  
5           virus to donate human tissue to persons who are not  
6           living with such virus; providing an exception;  
7           amending s. 394.463, F.S.; authorizing a psychiatric  
8           nurse performing within the framework of a protocol  
9           with a psychiatrist to approve the release of a  
10          patient from certain community health centers;  
11          amending s. 408.809, F.S.; providing that battery on a  
12          specified victim is a disqualifying offense for  
13          licensure as a health care practitioner; amending s.  
14          456.0135, F.S.; providing that battery on a specified  
15          victim is a disqualifying offense for licensure as a  
16          health care practitioner; creating s. 456.4501, F.S.;  
17          implementing the Interstate Medical Licensure Compact  
18          in this state; providing for an interstate medical  
19          licensure process; providing requirements for  
20          multistate practice; creating s. 456.4502, F.S.;  
21          establishing that a formal hearing before the Division  
22          of Administrative Hearings must be held if there are  
23          any disputed issues of material fact when the licenses  
24          of certain physicians and osteopathic physicians are  
25          suspended or revoked by this state under the compact;

26 | requiring the department to notify the division of a  
27 | petition for a formal hearing within a specified  
28 | timeframe; requiring the administrative law judge to  
29 | issue a recommended order; requiring the Board of  
30 | Medicine or the Board of Osteopathic Medicine, as  
31 | applicable, to determine and issue final orders in  
32 | certain cases; providing the department with standing  
33 | to seek judicial review of any final order of the  
34 | boards; creating s. 456.4503, F.S.; requiring the  
35 | Interstate Medical Licensure Compact Commissioners to  
36 | ensure that the Interstate Medical Licensure Compact  
37 | Commission complies with specified public records and  
38 | public meetings laws; creating s. 456.4504, F.S.;  
39 | authorizing the department to adopt rules; creating s.  
40 | 458.3129, F.S.; establishing that a physician licensed  
41 | under the Interstate Medical Licensure Compact is  
42 | deemed to be licensed as a physician under ch. 458,  
43 | F.S.; amending s. 458.3145, F.S.; revising the list of  
44 | individuals who may be issued a medical faculty  
45 | certificate without examination; creating s. 459.074,  
46 | F.S.; establishing that an osteopathic physician  
47 | licensed under the Interstate Medical Licensure  
48 | Compact is deemed to be licensed as an osteopathic  
49 | physician under ch. 459, F.S.; amending s. 464.019,  
50 | F.S.; authorizing the Board of Nursing to adopt

51 specified rules; authorizing certain nursing education  
52 programs to apply for an extension of an accreditation  
53 deadline within a specified timeframe; providing  
54 limitations on and eligibility criteria for the  
55 extension; providing a specific timeframe for an  
56 extension to be tolled; amending s. 465.003, F.S.;  
57 revising a definition; amending s. 465.1893, F.S.;  
58 authorizing a pharmacist who meets certain  
59 requirements to administer certain extended-release  
60 medications; amending s. 466.017, F.S.; authorizing a  
61 licensed dentist to order physical impression  
62 materials for self-administration by a patient for a  
63 specified purpose; amending s. 466.031, F.S.; making  
64 technical changes; authorizing an employee or  
65 independent contractor of a dental laboratory, acting  
66 as an agent of that dental laboratory, to engage in  
67 onsite consultation with a licensed dentist during a  
68 dental procedure; amending s. 466.036, F.S.; requiring  
69 dental laboratories to be inspected at least once each  
70 biennial registration period; renaming ch. 480, F.S.,  
71 as "Massage Therapy Practice"; amending s. 480.031,  
72 F.S.; conforming a provision to changes made by the  
73 act; amending s. 480.032, F.S.; revising the purpose  
74 of ch. 480, F.S.; amending s. 480.033, F.S.; revising  
75 definitions; amending s. 480.041, F.S.; revising

76 requirements for licensure as a massage therapist;  
77 conforming provisions to changes made by the act;  
78 providing applicability for persons who were issued a  
79 license as an apprentice before a specified date;  
80 repealing s. 480.042, F.S., relating to examinations;  
81 amending s. 491.003, F.S.; providing definitions;  
82 amending s. 491.004, F.S.; deleting an obsolete  
83 provision; amending s. 491.0045, F.S.; authorizing the  
84 Board of Clinical Social Work, Marriage and Family  
85 Therapy, and Mental Health Counseling to make a one-  
86 time exception to intern registration requirements  
87 under certain circumstances; amending s. 491.005,  
88 F.S.; revising the licensure requirements for clinical  
89 social workers, marriage and family therapists, and  
90 mental health counselors; amending s. 491.0057, F.S.;  
91 requiring that an applicant for dual licensure as a  
92 marriage and family therapist pass an examination  
93 designated by the Board of Clinical Social Work,  
94 Marriage and Family Therapy, and Mental Health  
95 Counseling; amending s. 491.006, F.S.; revising  
96 requirements for licensure or certification by  
97 endorsement for certain professions; amending s.  
98 491.007, F.S.; deleting a provision providing  
99 certified master social workers an exemption from  
100 continuing education requirements; deleting a

101 provision requiring the board to establish a procedure  
102 for the biennial renewal of intern registrations;  
103 amending s. 491.009, F.S.; revising who may enter an  
104 order denying licensure or imposing penalties against  
105 an applicant for licensure under certain  
106 circumstances; amending s. 491.012, F.S.; providing  
107 that using the title "certified master social worker"  
108 without a valid, active license is unlawful; amending  
109 s. 491.0145, F.S.; requiring the department to license  
110 an applicant for designation as a certified master  
111 social worker under certain circumstances; providing  
112 that applicants for designation as a certified master  
113 social worker submit their application to the board;  
114 deleting a provision relating to the nonrefundable fee  
115 for examination set by department rule; authorizing  
116 the board to adopt rules; amending s. 491.0149, F.S.;  
117 requiring the use of applicable professional titles by  
118 specified licensees and registrants on social media  
119 and other specified materials; repealing s. 491.015,  
120 F.S., relating to duties of the department relating to  
121 certified master social workers; amending s. 514.0115,  
122 F.S.; providing that certain surf pools are exempt  
123 from supervision under certain circumstances;  
124 providing construction; defining the term "surf pool";  
125 amending s. 768.28, F.S.; designating the state

126 commissioners of the Interstate Medical Licensure  
 127 Compact Commission and other members or employees of  
 128 the commission as state agents for the purpose of  
 129 applying sovereign immunity and waivers of sovereign  
 130 immunity; requiring the commission to pay certain  
 131 claims or judgments; authorizing the commission to  
 132 maintain insurance coverage to pay such claims or  
 133 judgments; amending ss. 414.065, 477.013, 477.0135,  
 134 477.0265, 480.034, 480.035, 480.043, 480.046,  
 135 480.0465, 480.047, 480.052, 480.0535, 553.77,  
 136 627.6407, 627.6619, 627.736, and 641.31, F.S.;  
 137 conforming cross-references and provisions to changes  
 138 made by the act; making technical changes; providing  
 139 effective dates.

140

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

142

143 Section 1. Paragraph (b) of subsection (11) of section  
 144 381.0041, Florida Statutes, is amended to read:

145 381.0041 Donation and transfer of human tissue; testing  
 146 requirements.—

147 (11)

148 (b) Any person who is living with ~~has~~ human  
 149 immunodeficiency virus infection, who knows he or she is living  
 150 ~~infected~~ with human immunodeficiency virus, and who has been

151 informed that he or she may communicate this disease by donating  
152 blood, plasma, organs, skin, or other human tissue who donates  
153 blood, plasma, organs, skin, or other human tissue for use in  
154 another person commits ~~is guilty of~~ a felony of the third  
155 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
156 775.084. This paragraph does not apply to a donation made to a  
157 recipient who is living with human immunodeficiency virus and  
158 who knows that the donor is living with human immunodeficiency  
159 virus.

160 Section 2. Paragraph (f) of subsection (2) of section  
161 394.463, Florida Statutes, is amended to read:

162 394.463 Involuntary examination.—

163 (2) INVOLUNTARY EXAMINATION.—

164 (f) A patient shall be examined by a physician or a  
165 clinical psychologist, or by a psychiatric nurse performing  
166 within the framework of an established protocol with a  
167 psychiatrist at a facility without unnecessary delay to  
168 determine if the criteria for involuntary services are met.  
169 Emergency treatment may be provided upon the order of a  
170 physician if the physician determines that such treatment is  
171 necessary for the safety of the patient or others. The patient  
172 may not be released by the receiving facility or its contractor  
173 without the documented approval of a psychiatrist or a clinical  
174 psychologist or, if the receiving facility is owned or operated  
175 by a hospital, ~~or~~ health system, or nationally accredited not-

176 for-profit community mental health center, the release may also  
177 be approved by a psychiatric nurse performing within the  
178 framework of an established protocol with a psychiatrist, or an  
179 attending emergency department physician with experience in the  
180 diagnosis and treatment of mental illness after completion of an  
181 involuntary examination pursuant to this subsection. A  
182 psychiatric nurse may not approve the release of a patient if  
183 the involuntary examination was initiated by a psychiatrist  
184 unless the release is approved by the initiating psychiatrist.

185 Section 3. Paragraphs (g) through (v) of subsection (4) of  
186 section 408.809, Florida Statutes, are redesignated as  
187 paragraphs (h) through (w), respectively, and a new paragraph  
188 (g) is added to that subsection to read:

189 408.809 Background screening; prohibited offenses.—

190 (4) In addition to the offenses listed in s. 435.04, all  
191 persons required to undergo background screening pursuant to  
192 this part or authorizing statutes must not have an arrest  
193 awaiting final disposition for, must not have been found guilty  
194 of, regardless of adjudication, or entered a plea of nolo  
195 contendere or guilty to, and must not have been adjudicated  
196 delinquent and the record not have been sealed or expunged for  
197 any of the following offenses or any similar offense of another  
198 jurisdiction:

199 (g) Section 784.03, relating to battery, if the victim is  
200 a vulnerable adult as defined in 415.102 or a patient or



201 resident of a facility licensed under chapter 395, chapter 400,  
202 or chapter 429.

203

204 If, upon rescreening, a person who is currently employed or  
205 contracted with a licensee as of June 30, 2014, and was screened  
206 and qualified under ss. 435.03 and 435.04, has a disqualifying  
207 offense that was not a disqualifying offense at the time of the  
208 last screening, but is a current disqualifying offense and was  
209 committed before the last screening, he or she may apply for an  
210 exemption from the appropriate licensing agency and, if agreed  
211 to by the employer, may continue to perform his or her duties  
212 until the licensing agency renders a decision on the application  
213 for exemption if the person is eligible to apply for an  
214 exemption and the exemption request is received by the agency no  
215 later than 30 days after receipt of the rescreening results by  
216 the person.

217 Section 4. Subsection (5) is added to section 456.0135,  
218 Florida Statutes, to read:

219 456.0135 General background screening provisions.—

220 (5) In addition to the offenses listed in s. 435.04, all  
221 persons required to undergo background screening pursuant to  
222 this section, other than those licensed under s. 465.022, must  
223 not have an arrest awaiting final disposition for, must not have  
224 been found guilty of, regardless of adjudication, or entered a  
225 plea of nolo contendere or guilty to, and must not have been

226 adjudicated delinquent and the record not have been sealed or  
227 expunged for an offense or any similar offense of another  
228 jurisdiction under s. 784.03, relating to battery, if the victim  
229 is a vulnerable adult as defined in 415.102 or a patient or  
230 resident of a facility licensed under chapter 395, chapter 400,  
231 or chapter 429.

232 Section 5. Effective July 1, 2021, section 456.4501,  
233 Florida Statutes, is created to read:

234 456.4501 Interstate Medical Licensure Compact.—The  
235 Interstate Medical Licensure Compact is hereby enacted into law  
236 and entered into by this state with all other jurisdictions  
237 legally joining therein in the form substantially as follows:

238  
239 SECTION 1

240 PURPOSE

241  
242 In order to strengthen access to health care, and in  
243 recognition of the advances in the delivery of health care, the  
244 member states of the Interstate Medical Licensure Compact have  
245 allied in common purpose to develop a comprehensive process that  
246 complements the existing licensing and regulatory authority of  
247 state medical boards, provides a streamlined process that allows  
248 physicians to become licensed in multiple states, thereby  
249 enhancing the portability of a medical license and ensuring the  
250 safety of patients. The Compact creates another pathway for

251 licensure and does not otherwise change a state's existing  
 252 Medical Practice Act. The Compact also adopts the prevailing  
 253 standard for licensure and affirms that the practice of medicine  
 254 occurs where the patient is located at the time of the  
 255 physician-patient encounter, and therefore, requires the  
 256 physician to be under the jurisdiction of the state medical  
 257 board where the patient is located. State medical boards that  
 258 participate in the Compact retain the jurisdiction to impose an  
 259 adverse action against a license to practice medicine in that  
 260 state issued to a physician through the procedures in the  
 261 Compact.

262  
 263 SECTION 2  
 264 DEFINITIONS  
 265

266 In this Compact:

267 (1) "Bylaws" means those bylaws established by the  
 268 Interstate Commission pursuant to section 11 for its governance,  
 269 or for directing and controlling its actions and conduct.

270 (2) "Commissioner" means the voting representative  
 271 appointed by each member board pursuant to section 11.

272 (3) "Conviction" means a finding by a court that an  
 273 individual is guilty of a criminal offense through adjudication,  
 274 or entry of a plea of guilt or no contest to the charge by the  
 275 offender. Evidence of an entry of a conviction of a criminal

276 offense by the court shall be considered final for purposes of  
277 disciplinary action by a member board.

278 (4) "Expedited license" means a full and unrestricted  
279 medical license granted by a member state to an eligible  
280 physician through the process set forth in the Compact.

281 (5) "Interstate Commission" means the Interstate Medical  
282 Licensure Compact Commission created pursuant to section 11.

283 (6) "License" means authorization by a state for a  
284 physician to engage in the practice of medicine, which would be  
285 unlawful without the authorization.

286 (7) "Medical Practice Act" means laws and regulations  
287 governing the practice of allopathic and osteopathic medicine  
288 within a member state.

289 (8) "Member board" means a state agency in a member state  
290 that acts in the sovereign interests of the state by protecting  
291 the public through licensure, regulation, and education of  
292 physicians as directed by the state government.

293 (9) "Member state" means a state that has enacted the  
294 Compact.

295 (10) "Practice of medicine" means the diagnosis,  
296 treatment, prevention, cure, or relieving of a human disease,  
297 ailment, defect, complaint, or other physical or mental  
298 condition, by attendance, advice, device, diagnostic test, or  
299 other means, or offering, undertaking, attempting to do, or  
300 holding oneself out as able to do, any of these acts.

301        (11) "Physician" means any person who:

302        (a) Is a graduate of a medical school accredited by the

303 Liaison Committee on Medical Education, the Commission on

304 Osteopathic College Accreditation, or a medical school listed in

305 the International Medical Education Directory or its equivalent;

306        (b) Passed each component of the United States Medical

307 Licensing Examination (USMLE) or the Comprehensive Osteopathic

308 Medical Licensing Examination (COMLEX-USA) within three

309 attempts, or any of its predecessor examinations accepted by a

310 state medical board as an equivalent examination for licensure

311 purposes;

312        (c) Successfully completed graduate medical education

313 approved by the Accreditation Council for Graduate Medical

314 Education or the American Osteopathic Association;

315        (d) Holds specialty certification or a time-unlimited

316 specialty certificate recognized by the American Board of

317 Medical Specialties or the American Osteopathic Association's

318 Bureau of Osteopathic Specialists; however, the specialty

319 certification or a time-unlimited specialty certificate does not

320 have to be maintained once a physician is initially determined

321 to be eligible for expedited licensure through the Compact;

322        (e) Possesses a full and unrestricted license to engage in

323 the practice of medicine issued by a member board;

324        (f) Has never been convicted, received adjudication,

325 deferred adjudication, community supervision, or deferred

326 disposition for any offense by a court of appropriate  
327 jurisdiction;

328 (g) Has never held a license authorizing the practice of  
329 medicine subjected to discipline by a licensing agency in any  
330 state, federal, or foreign jurisdiction, excluding any action  
331 related to non-payment of fees related to a license;

332 (h) Has never had a controlled substance license or permit  
333 suspended or revoked by a state or the United States Drug  
334 Enforcement Administration; and

335 (i) Is not under active investigation by a licensing  
336 agency or law enforcement authority in any state, federal, or  
337 foreign jurisdiction.

338 (12) "Offense" means a felony, high court misdemeanor, or  
339 crime of moral turpitude.

340 (13) "Rule" means a written statement by the Interstate  
341 Commission promulgated pursuant to section 12 of the Compact  
342 that is of general applicability, implements, interprets, or  
343 prescribes a policy or provision of the Compact, or an  
344 organizational, procedural, or practice requirement of the  
345 Interstate Commission, and has the force and effect of statutory  
346 law in a member state, if the rule is not inconsistent with the  
347 laws of the member state. The term includes the amendment,  
348 repeal, or suspension of an existing rule.

349 (14) "State" means any state, commonwealth, district, or  
350 territory of the United States.

351       (15) "State of principal license" means a member state  
352 where a physician holds a license to practice medicine and which  
353 has been designated as such by the physician for purposes of  
354 registration and participation in the Compact.

355  
356                   SECTION 3

357                   ELIGIBILITY

358  
359       (1) A physician must meet the eligibility requirements as  
360 defined in subsection (11) of section 2 to receive an expedited  
361 license under the terms and provisions of the Compact.

362       (2) A physician who does not meet the requirements of  
363 subsection (11) of section 2 may obtain a license to practice  
364 medicine in a member state if the individual complies with all  
365 laws and requirements, other than the Compact, relating to the  
366 issuance of a license to practice medicine in that state.

367  
368                   SECTION 4

369                   DESIGNATION OF STATE OF PRINCIPAL LICENSE

370  
371       (1) A physician shall designate a member state as the  
372 state of principal license for purposes of registration for  
373 expedited licensure through the Compact if the physician  
374 possesses a full and unrestricted license to practice medicine  
375 in that state, and the state is:

376 (a) The state of primary residence for the physician, or  
 377 (b) The state where at least 25% of the practice of  
 378 medicine occurs, or

379 (c) The location of the physician's employer, or  
 380 (d) If no state qualifies under paragraph (a), paragraph  
 381 (b), or paragraph (c), the state designated as state of  
 382 residence for purpose of federal income tax.

383 (2) A physician may redesignate a member state as state of  
 384 principal license at any time, as long as the state meets the  
 385 requirements in subsection (1).

386 (3) The Interstate Commission is authorized to develop  
 387 rules to facilitate redesignation of another member state as the  
 388 state of principal license.

390 SECTION 5

391 APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE

393 (1) A physician seeking licensure through the Compact  
 394 shall file an application for an expedited license with the  
 395 member board of the state selected by the physician as the state  
 396 of principal license.

397 (2) Upon receipt of an application for an expedited  
 398 license, the member board within the state selected as the state  
 399 of principal license shall evaluate whether the physician is  
 400 eligible for expedited licensure and issue a letter of



401 qualification, verifying or denying the physician's eligibility,  
402 to the Interstate Commission.

403 (a) Static qualifications, which include verification of  
404 medical education, graduate medical education, results of any  
405 medical or licensing examination, and other qualifications as  
406 determined by the Interstate Commission through rule, shall not  
407 be subject to additional primary source verification where  
408 already primary source verified by the state of principal  
409 license.

410 (b) The member board within the state selected as the  
411 state of principal license shall, in the course of verifying  
412 eligibility, perform a criminal background check of an  
413 applicant, including the use of the results of fingerprint or  
414 other biometric data checks compliant with the requirements of  
415 the Federal Bureau of Investigation, with the exception of  
416 federal employees who have suitability determination in  
417 accordance with U.S. 5 C.F.R. s. 731.202.

418 (c) Appeal on the determination of eligibility shall be  
419 made to the member state where the application was filed and  
420 shall be subject to the law of that state.

421 (3) Upon verification in subsection (2), physicians  
422 eligible for an expedited license shall complete the  
423 registration process established by the Interstate Commission to  
424 receive a license in a member state selected pursuant to  
425 subsection (1), including the payment of any applicable fees.

426 (4) After receiving verification of eligibility under  
427 subsection (2) and any fees under subsection (3), a member board  
428 shall issue an expedited license to the physician. This license  
429 shall authorize the physician to practice medicine in the  
430 issuing state consistent with the Medical Practice Act and all  
431 applicable laws and regulations of the issuing member board and  
432 member state.

433 (5) An expedited license shall be valid for a period  
434 consistent with the licensure period in the member state and in  
435 the same manner as required for other physicians holding a full  
436 and unrestricted license within the member state.

437 (6) An expedited license obtained through the Compact  
438 shall be terminated if a physician fails to maintain a license  
439 in the state of principal licensure for a non-disciplinary  
440 reason, without redesignation of a new state of principal  
441 licensure.

442 (7) The Interstate Commission is authorized to develop  
443 rules regarding the application process, including payment of  
444 any applicable fees, and the issuance of an expedited license.  
445

#### 446 SECTION 6

#### 447 FEEES FOR EXPEDITED LICENSURE

448

449 (1) A member state issuing an expedited license  
450 authorizing the practice of medicine in that state, or the

451 regulating authority of the member state, may impose a fee for a  
452 license issued or renewed through the Compact.

453 (2) The Interstate Commission is authorized to develop  
454 rules regarding fees for expedited licenses. However, those  
455 rules shall not limit the authority of a member state, or the  
456 regulating authority of the member state, to impose and  
457 determine the amount of a fee under subsection (1).

458  
459 SECTION 7

460 RENEWAL AND CONTINUED PARTICIPATION

461  
462 (1) A physician seeking to renew an expedited license  
463 granted in a member state shall complete a renewal process with  
464 the Interstate Commission if the physician:

465 (a) Maintains a full and unrestricted license in a state  
466 of principal license;

467 (b) Has not been convicted, received adjudication,  
468 deferred adjudication, community supervision, or deferred  
469 disposition for any offense by a court of appropriate  
470 jurisdiction;

471 (c) Has not had a license authorizing the practice of  
472 medicine subject to discipline by a licensing agency in any  
473 state, federal, or foreign jurisdiction, excluding any action  
474 related to non-payment of fees related to a license; and

475 (d) Has not had a controlled substance license or permit

476 suspended or revoked by a state or the United States Drug  
477 Enforcement Administration.

478 (2) Physicians shall comply with all continuing  
479 professional development or continuing medical education  
480 requirements for renewal of a license issued by a member state.

481 (3) The Interstate Commission shall collect any renewal  
482 fees charged for the renewal of a license and distribute the  
483 fees to the applicable member board.

484 (4) Upon receipt of any renewal fees collected in  
485 subsection (3), a member board shall renew the physician's  
486 license.

487 (5) Physician information collected by the Interstate  
488 Commission during the renewal process will be distributed to all  
489 member boards.

490 (6) The Interstate Commission is authorized to develop  
491 rules to address renewal of licenses obtained through the  
492 Compact.

493

494 SECTION 8

495 COORDINATED INFORMATION SYSTEM

496

497 (1) The Interstate Commission shall establish a database  
498 of all physicians licensed, or who have applied for licensure,  
499 under section 5.

500 (2) Notwithstanding any other provision of law, member

501 boards shall report to the Interstate Commission any public  
502 action or complaints against a licensed physician who has  
503 applied or received an expedited license through the Compact.

504 (3) Member boards shall report disciplinary or  
505 investigatory information determined as necessary and proper by  
506 rule of the Interstate Commission.

507 (4) Member boards may report any non-public complaint,  
508 disciplinary, or investigatory information not required by  
509 subsection (3) to the Interstate Commission.

510 (5) Member boards shall share complaint or disciplinary  
511 information about a physician upon request of another member  
512 board.

513 (6) All information provided to the Interstate Commission  
514 or distributed by member boards shall be confidential, filed  
515 under seal, and used only for investigatory or disciplinary  
516 matters.

517 (7) The Interstate Commission is authorized to develop  
518 rules for mandated or discretionary sharing of information by  
519 member boards.

520  
521 SECTION 9

522 JOINT INVESTIGATIONS

523  
524 (1) Licensure and disciplinary records of physicians are  
525 deemed investigative.

526           (2) In addition to the authority granted to a member board  
 527 by its respective Medical Practice Act or other applicable state  
 528 law, a member board may participate with other member boards in  
 529 joint investigations of physicians licensed by the member  
 530 boards.

531           (3) A subpoena issued by a member state shall be  
 532 enforceable in other member states.

533           (4) Member boards may share any investigative, litigation,  
 534 or compliance materials in furtherance of any joint or  
 535 individual investigation initiated under the Compact.

536           (5) Any member state may investigate actual or alleged  
 537 violations of the statutes authorizing the practice of medicine  
 538 in any other member state in which a physician holds a license  
 539 to practice medicine.

541   SECTION 10

542   DISCIPLINARY ACTIONS

544           (1) Any disciplinary action taken by any member board  
 545 against a physician licensed through the Compact shall be deemed  
 546 unprofessional conduct which may be subject to discipline by  
 547 other member boards, in addition to any violation of the Medical  
 548 Practice Act or regulations in that state.

549           (2) If a license granted to a physician by the member  
 550 board in the state of principal license is revoked, surrendered

551 or relinquished in lieu of discipline, or suspended, then all  
552 licenses issued to the physician by member boards shall  
553 automatically be placed, without further action necessary by any  
554 member board, on the same status. If the member board in the  
555 state of principal license subsequently reinstates the  
556 physician's license, a license issued to the physician by any  
557 other member board shall remain encumbered until that respective  
558 member board takes action to reinstate the license in a manner  
559 consistent with the Medical Practice Act of that state.

560 (3) If disciplinary action is taken against a physician by  
561 a member board not in the state of principal license, any other  
562 member board may deem the action conclusive as to matter of law  
563 and fact decided, and:

564 (a) Impose the same or lesser sanction(s) against the  
565 physician so long as such sanctions are consistent with the  
566 Medical Practice Act of that state; or

567 (b) Pursue separate disciplinary action against the  
568 physician under its respective Medical Practice Act, regardless  
569 of the action taken in other member states.

570 (4) If a license granted to a physician by a member board  
571 is revoked, surrendered or relinquished in lieu of discipline,  
572 or suspended, then any license(s) issued to the physician by any  
573 other member board(s) shall be suspended, automatically and  
574 immediately without further action necessary by the other member  
575 board(s), for ninety (90) days upon entry of the order by the

576 disciplining board, to permit the member board(s) to investigate  
 577 the basis for the action under the Medical Practice Act of that  
 578 state. A member board may terminate the automatic suspension of  
 579 the license it issued prior to the completion of the ninety (90)  
 580 day suspension period in a manner consistent with the Medical  
 581 Practice Act of that state.

582  
 583 SECTION 11

584 INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION

585  
 586 (1) The member states hereby create the "Interstate  
 587 Medical Licensure Compact Commission."

588 (2) The purpose of the Interstate Commission is the  
 589 administration of the Interstate Medical Licensure Compact,  
 590 which is a discretionary state function.

591 (3) The Interstate Commission shall be a body corporate  
 592 and joint agency of the member states and shall have all the  
 593 responsibilities, powers, and duties set forth in the Compact,  
 594 and such additional powers as may be conferred upon it by a  
 595 subsequent concurrent action of the respective legislatures of  
 596 the member states in accordance with the terms of the Compact.

597 (4) The Interstate Commission shall consist of two voting  
 598 representatives appointed by each member state who shall serve  
 599 as Commissioners. In states where allopathic and osteopathic  
 600 physicians are regulated by separate member boards, or if the



601 licensing and disciplinary authority is split between multiple  
602 member boards within a member state, the member state shall  
603 appoint one representative from each member board. A  
604 Commissioner shall be a(n):

605 (a) Allopathic or osteopathic physician appointed to a  
606 member board;

607 (b) Executive director, executive secretary, or similar  
608 executive of a member board; or

609 (c) Member of the public appointed to a member board.

610 (5) The Interstate Commission shall meet at least once  
611 each calendar year. A portion of this meeting shall be a  
612 business meeting to address such matters as may properly come  
613 before the Commission, including the election of officers. The  
614 chairperson may call additional meetings and shall call for a  
615 meeting upon the request of a majority of the member states.

616 (6) The bylaws may provide for meetings of the Interstate  
617 Commission to be conducted by telecommunication or electronic  
618 communication.

619 (7) Each Commissioner participating at a meeting of the  
620 Interstate Commission is entitled to one vote. A majority of  
621 Commissioners shall constitute a quorum for the transaction of  
622 business, unless a larger quorum is required by the bylaws of  
623 the Interstate Commission. A Commissioner shall not delegate a  
624 vote to another Commissioner. In the absence of its  
625 Commissioner, a member state may delegate voting authority for a

626 specified meeting to another person from that state who shall  
627 meet the requirements of subsection (4).

628 (8) The Interstate Commission shall provide public notice  
629 of all meetings and all meetings shall be open to the public.  
630 The Interstate Commission may close a meeting, in full or in  
631 portion, where it determines by a two-thirds vote of the  
632 Commissioners present that an open meeting would be likely to:

633 (a) Relate solely to the internal personnel practices and  
634 procedures of the Interstate Commission;

635 (b) Discuss matters specifically exempted from disclosure  
636 by federal statute;

637 (c) Discuss trade secrets, commercial, or financial  
638 information that is privileged or confidential;

639 (d) Involve accusing a person of a crime, or formally  
640 censuring a person;

641 (e) Discuss information of a personal nature where  
642 disclosure would constitute a clearly unwarranted invasion of  
643 personal privacy;

644 (f) Discuss investigative records compiled for law  
645 enforcement purposes; or

646 (g) Specifically relate to the participation in a civil  
647 action or other legal proceeding.

648 (9) The Interstate Commission shall keep minutes which  
649 shall fully describe all matters discussed in a meeting and  
650 shall provide a full and accurate summary of actions taken,

651 including record of any roll call votes.

652 (10) The Interstate Commission shall make its information  
653 and official records, to the extent not otherwise designated in  
654 the Compact or by its rules, available to the public for  
655 inspection.

656 (11) The Interstate Commission shall establish an  
657 executive committee, which shall include officers, members, and  
658 others as determined by the bylaws. The executive committee  
659 shall have the power to act on behalf of the Interstate  
660 Commission, with the exception of rulemaking, during periods  
661 when the Interstate Commission is not in session. When acting on  
662 behalf of the Interstate Commission, the executive committee  
663 shall oversee the administration of the Compact including  
664 enforcement and compliance with the provisions of the Compact,  
665 its bylaws and rules, and other such duties as necessary.

666 (12) The Interstate Commission may establish other  
667 committees for governance and administration of the Compact.

668  
669 SECTION 12

670 POWERS AND DUTIES OF THE INTERSTATE COMMISSION

671  
672 The Interstate Commission shall have the duty and power to:

673 (1) Oversee and maintain the administration of the

674 Compact;

675 (2) Promulgate rules which shall be binding to the extent

676 and in the manner provided for in the Compact;  
677 (3) Issue, upon the request of a member state or member  
678 board, advisory opinions concerning the meaning or  
679 interpretation of the Compact, its bylaws, rules, and actions;  
680 (4) Enforce compliance with Compact provisions, the rules  
681 promulgated by the Interstate Commission, and the bylaws, using  
682 all necessary and proper means, including but not limited to the  
683 use of judicial process;  
684 (5) Establish and appoint committees including, but not  
685 limited to, an executive committee as required by section 11,  
686 which shall have the power to act on behalf of the Interstate  
687 Commission in carrying out its powers and duties;  
688 (6) Pay, or provide for the payment of the expenses  
689 related to the establishment, organization, and ongoing  
690 activities of the Interstate Commission;  
691 (7) Establish and maintain one or more offices;  
692 (8) Borrow, accept, hire, or contract for services of  
693 personnel;  
694 (9) Purchase and maintain insurance and bonds;  
695 (10) Employ an executive director who shall have such  
696 powers to employ, select or appoint employees, agents, or  
697 consultants, and to determine their qualifications, define their  
698 duties, and fix their compensation;  
699 (11) Establish personnel policies and programs relating to  
700 conflicts of interest, rates of compensation, and qualifications

701 of personnel;

702 (12) Accept donations and grants of money, equipment,

703 supplies, materials and services, and to receive, utilize, and

704 dispose of it in a manner consistent with the conflict of

705 interest policies established by the Interstate Commission;

706 (13) Lease, purchase, accept contributions or donations

707 of, or otherwise to own, hold, improve or use, any property,

708 real, personal, or mixed;

709 (14) Sell, convey, mortgage, pledge, lease, exchange,

710 abandon, or otherwise dispose of any property, real, personal,

711 or mixed;

712 (15) Establish a budget and make expenditures;

713 (16) Adopt a seal and bylaws governing the management and

714 operation of the Interstate Commission;

715 (17) Report annually to the legislatures and governors of

716 the member states concerning the activities of the Interstate

717 Commission during the preceding year. Such reports shall also

718 include reports of financial audits and any recommendations that

719 may have been adopted by the Interstate Commission;

720 (18) Coordinate education, training, and public awareness

721 regarding the Compact, its implementation, and its operation;

722 (19) Maintain records in accordance with the bylaws;

723 (20) Seek and obtain trademarks, copyrights, and patents;

724 and

725 (21) Perform such functions as may be necessary or

726 appropriate to achieve the purposes of the Compact.

727  
728 SECTION 13

729 FINANCE POWERS

730  
731 (1) The Interstate Commission may levy on and collect an  
732 annual assessment from each member state to cover the cost of  
733 the operations and activities of the Interstate Commission and  
734 its staff. The total assessment, subject to appropriation, must  
735 be sufficient to cover the annual budget approved each year for  
736 which revenue is not provided by other sources. The aggregate  
737 annual assessment amount shall be allocated upon a formula to be  
738 determined by the Interstate Commission, which shall promulgate  
739 a rule binding upon all member states.

740 (2) The Interstate Commission shall not incur obligations  
741 of any kind prior to securing the funds adequate to meet the  
742 same.

743 (3) The Interstate Commission shall not pledge the credit  
744 of any of the member states, except by, and with the authority  
745 of, the member state.

746 (4) The Interstate Commission shall be subject to a yearly  
747 financial audit conducted by a certified or licensed public  
748 accountant and the report of the audit shall be included in the  
749 annual report of the Interstate Commission.

SECTION 14

ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

(1) The Interstate Commission shall, by a majority of Commissioners present and voting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the Compact within twelve (12) months of the first Interstate Commission meeting.

(2) The Interstate Commission shall elect or appoint annually from among its Commissioners a chairperson, a vice-chairperson, and a treasurer, each of whom shall have such authority and duties as may be specified in the bylaws. The chairperson, or in the chairperson's absence or disability, the vice-chairperson, shall preside at all meetings of the Interstate Commission.

(3) Officers selected in subsection (2) shall serve without remuneration from the Interstate Commission.

(4) The officers and employees of the Interstate Commission shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of, or relating to, an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or

776 responsibilities; provided that such person shall not be  
777 protected from suit or liability for damage, loss, injury, or  
778 liability caused by the intentional or willful and wanton  
779 misconduct of such person.

780 (a) The liability of the executive director and employees  
781 of the Interstate Commission or representatives of the  
782 Interstate Commission, acting within the scope of such person's  
783 employment or duties for acts, errors, or omissions occurring  
784 within such person's state, may not exceed the limits of  
785 liability set forth under the constitution and laws of that  
786 state for state officials, employees, and agents. The Interstate  
787 Commission is considered to be an instrumentality of the states  
788 for the purposes of any such action. Nothing in this subsection  
789 shall be construed to protect such person from suit or liability  
790 for damage, loss, injury, or liability caused by the intentional  
791 or willful and wanton misconduct of such person.

792 (b) The Interstate Commission shall defend the executive  
793 director, its employees, and subject to the approval of the  
794 attorney general or other appropriate legal counsel of the  
795 member state represented by an Interstate Commission  
796 representative, shall defend such Interstate Commission  
797 representative in any civil action seeking to impose liability  
798 arising out of an actual or alleged act, error or omission that  
799 occurred within the scope of Interstate Commission employment,  
800 duties or responsibilities, or that the defendant had a



801 reasonable basis for believing occurred within the scope of  
802 Interstate Commission employment, duties, or responsibilities,  
803 provided that the actual or alleged act, error, or omission did  
804 not result from intentional or willful and wanton misconduct on  
805 the part of such person.

806 (c) To the extent not covered by the state involved,  
807 member state, or the Interstate Commission, the representatives  
808 or employees of the Interstate Commission shall be held harmless  
809 in the amount of a settlement or judgment, including attorney's  
810 fees and costs, obtained against such persons arising out of an  
811 actual or alleged act, error, or omission that occurred within  
812 the scope of Interstate Commission employment, duties, or  
813 responsibilities, or that such persons had a reasonable basis  
814 for believing occurred within the scope of Interstate Commission  
815 employment, duties, or responsibilities, provided that the  
816 actual or alleged act, error, or omission did not result from  
817 intentional or willful and wanton misconduct on the part of such  
818 persons.

819  
820 SECTION 15

821 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

822  
823 (1) The Interstate Commission shall promulgate reasonable  
824 rules in order to effectively and efficiently achieve the  
825 purposes of the Compact. Notwithstanding the foregoing, in the

826 event the Interstate Commission exercises its rulemaking  
827 authority in a manner that is beyond the scope of the purposes  
828 of the Compact, or the powers granted hereunder, then such an  
829 action by the Interstate Commission shall be invalid and have no  
830 force or effect.

831 (2) Rules deemed appropriate for the operations of the  
832 Interstate Commission shall be made pursuant to a rulemaking  
833 process that substantially conforms to the "Model State  
834 Administrative Procedure Act" of 2010, and subsequent amendments  
835 thereto.

836 (3) Not later than thirty (30) days after a rule is  
837 promulgated, any person may file a petition for judicial review  
838 of the rule in the United States District Court for the District  
839 of Columbia or the federal district where the Interstate  
840 Commission has its principal offices, provided that the filing  
841 of such a petition shall not stay or otherwise prevent the rule  
842 from becoming effective unless the court finds that the  
843 petitioner has a substantial likelihood of success. The court  
844 shall give deference to the actions of the Interstate Commission  
845 consistent with applicable law and shall not find the rule to be  
846 unlawful if the rule represents a reasonable exercise of the  
847 authority granted to the Interstate Commission.

848  
849 SECTION 16

850 OVERSIGHT OF INTERSTATE COMPACT

851  
852       (1) The executive, legislative, and judicial branches of  
853 state government in each member state shall enforce the Compact  
854 and shall take all actions necessary and appropriate to  
855 effectuate the Compact's purposes and intent. The provisions of  
856 the Compact and the rules promulgated hereunder shall have  
857 standing as statutory law but shall not override existing state  
858 authority to regulate the practice of medicine.

859       (2) All courts shall take judicial notice of the Compact  
860 and the rules in any judicial or administrative proceeding in a  
861 member state pertaining to the subject matter of the Compact  
862 which may affect the powers, responsibilities or actions of the  
863 Interstate Commission.

864       (3) The Interstate Commission shall be entitled to receive  
865 all service of process in any such proceeding, and shall have  
866 standing to intervene in the proceeding for all purposes.  
867 Failure to provide service of process to the Interstate  
868 Commission shall render a judgment or order void as to the  
869 Interstate Commission, the Compact, or promulgated rules.

870  
871                   SECTION 17

872                   ENFORCEMENT OF INTERSTATE COMPACT

873  
874       (1) The Interstate Commission, in the reasonable exercise  
875 of its discretion, shall enforce the provisions and rules of the

876 Compact.  
 877 (2) The Interstate Commission may, by majority vote of the  
 878 Commissioners, initiate legal action in the United States  
 879 District Court for the District of Columbia, or, at the  
 880 discretion of the Interstate Commission, in the federal district  
 881 where the Interstate Commission has its principal offices, to  
 882 enforce compliance with the provisions of the Compact, and its  
 883 promulgated rules and bylaws, against a member state in default.  
 884 The relief sought may include both injunctive relief and  
 885 damages. In the event judicial enforcement is necessary, the  
 886 prevailing party shall be awarded all costs of such litigation  
 887 including reasonable attorney's fees.

888 (3) The remedies herein shall not be the exclusive  
 889 remedies of the Interstate Commission. The Interstate Commission  
 890 may avail itself of any other remedies available under state law  
 891 or the regulation of a profession.

892  
 893 SECTION 18

894 DEFAULT PROCEDURES

895  
 896 (1) The grounds for default include, but are not limited  
 897 to, failure of a member state to perform such obligations or  
 898 responsibilities imposed upon it by the Compact, or the rules  
 899 and bylaws of the Interstate Commission promulgated under the  
 900 Compact.

901        (2) If the Interstate Commission determines that a member  
902 state has defaulted in the performance of its obligations or  
903 responsibilities under the Compact, or the bylaws or promulgated  
904 rules, the Interstate Commission shall:

905        (a) Provide written notice to the defaulting state and  
906 other member states, of the nature of the default, the means of  
907 curing the default, and any action taken by the Interstate  
908 Commission. The Interstate Commission shall specify the  
909 conditions by which the defaulting state must cure its default;  
910 and

911        (b) Provide remedial training and specific technical  
912 assistance regarding the default.

913        (3) If the defaulting state fails to cure the default, the  
914 defaulting state shall be terminated from the Compact upon an  
915 affirmative vote of a majority of the Commissioners and all  
916 rights, privileges, and benefits conferred by the Compact shall  
917 terminate on the effective date of termination. A cure of the  
918 default does not relieve the offending state of obligations or  
919 liabilities incurred during the period of the default.

920        (4) Termination of membership in the Compact shall be  
921 imposed only after all other means of securing compliance have  
922 been exhausted. Notice of intent to terminate shall be given by  
923 the Interstate Commission to the governor, the majority and  
924 minority leaders of the defaulting state's legislature, and each  
925 of the member states.

926       (5) The Interstate Commission shall establish rules and  
927 procedures to address licenses and physicians that are  
928 materially impacted by the termination of a member state, or the  
929 withdrawal of a member state.

930       (6) The member state which has been terminated is  
931 responsible for all dues, obligations, and liabilities incurred  
932 through the effective date of termination including obligations,  
933 the performance of which extends beyond the effective date of  
934 termination.

935       (7) The Interstate Commission shall not bear any costs  
936 relating to any state that has been found to be in default or  
937 which has been terminated from the Compact, unless otherwise  
938 mutually agreed upon in writing between the Interstate  
939 Commission and the defaulting state.

940       (8) The defaulting state may appeal the action of the  
941 Interstate Commission by petitioning the United States District  
942 Court for the District of Columbia or the federal district where  
943 the Interstate Commission has its principal offices. The  
944 prevailing party shall be awarded all costs of such litigation  
945 including reasonable attorney's fees.

946  
947                   SECTION 19

948                   DISPUTE RESOLUTION

949  
950       (1) The Interstate Commission shall attempt, upon the

951 request of a member state, to resolve disputes which are subject  
952 to the Compact and which may arise among member states or member  
953 boards.

954 (2) The Interstate Commission shall promulgate rules  
955 providing for both mediation and binding dispute resolution as  
956 appropriate.

957  
958 SECTION 20

959 MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

960  
961 (1) Any state is eligible to become a member state of the  
962 Compact.

963 (2) The Compact shall become effective and binding upon  
964 legislative enactment of the Compact into law by no less than  
965 seven (7) states. Thereafter, it shall become effective and  
966 binding on a state upon enactment of the Compact into law by  
967 that state.

968 (3) The governors of non-member states, or their  
969 designees, shall be invited to participate in the activities of  
970 the Interstate Commission on a non-voting basis prior to  
971 adoption of the Compact by all states.

972 (4) The Interstate Commission may propose amendments to  
973 the Compact for enactment by the member states. No amendment  
974 shall become effective and binding upon the Interstate  
975 Commission and the member states unless and until it is enacted

976 into law by unanimous consent of the member states.

977  
978 SECTION 21

979 WITHDRAWAL

980  
981 (1) Once effective, the Compact shall continue in force  
982 and remain binding upon each and every member state; provided  
983 that a member state may withdraw from the Compact by  
984 specifically repealing the statute which enacted the Compact  
985 into law.

986 (2) Withdrawal from the Compact shall be by the enactment  
987 of a statute repealing the same, but shall not take effect until  
988 one (1) year after the effective date of such statute and until  
989 written notice of the withdrawal has been given by the  
990 withdrawing state to the governor of each other member state.

991 (3) The withdrawing state shall immediately notify the  
992 chairperson of the Interstate Commission in writing upon the  
993 introduction of legislation repealing the Compact in the  
994 withdrawing state.

995 (4) The Interstate Commission shall notify the other  
996 member states of the withdrawing state's intent to withdraw  
997 within sixty (60) days of its receipt of notice provided under  
998 subsection (3).

999 (5) The withdrawing state is responsible for all dues,  
1000 obligations and liabilities incurred through the effective date



1001 of withdrawal, including obligations, the performance of which  
 1002 extend beyond the effective date of withdrawal.

1003 (6) Reinstatement following withdrawal of a member state  
 1004 shall occur upon the withdrawing state reenacting the Compact or  
 1005 upon such later date as determined by the Interstate Commission.

1006 (7) The Interstate Commission is authorized to develop  
 1007 rules to address the impact of the withdrawal of a member state  
 1008 on licenses granted in other member states to physicians who  
 1009 designated the withdrawing member state as the state of  
 1010 principal license.

1012 SECTION 22

1013 DISSOLUTION

1014  
 1015 (1) The Compact shall dissolve effective upon the date of  
 1016 the withdrawal or default of the member state which reduces the  
 1017 membership in the Compact to one (1) member state.

1018 (2) Upon the dissolution of the Compact, the Compact  
 1019 becomes null and void and shall be of no further force or  
 1020 effect, and the business and affairs of the Interstate  
 1021 Commission shall be concluded and surplus funds shall be  
 1022 distributed in accordance with the bylaws.

1024 SECTION 23

1025 SEVERABILITY AND CONSTRUCTION

1026  
1027       (1) The provisions of the Compact shall be severable, and  
1028 if any phrase, clause, sentence, or provision is deemed  
1029 unenforceable, the remaining provisions of the Compact shall be  
1030 enforceable.

1031       (2) The provisions of the Compact shall be liberally  
1032 construed to effectuate its purposes.

1033       (3) Nothing in the Compact shall be construed to prohibit  
1034 the applicability of other interstate compacts to which the  
1035 states are members.

1036  
1037   SECTION 24

1038                   BINDING EFFECT OF COMPACT AND OTHER LAWS

1039  
1040       (1) Nothing herein prevents the enforcement of any other  
1041 law of a member state that is not inconsistent with the Compact.

1042       (2) All laws in a member state in conflict with the  
1043 Compact are superseded to the extent of the conflict.

1044       (3) All lawful actions of the Interstate Commission,  
1045 including all rules and bylaws promulgated by the Commission,  
1046 are binding upon the member states.

1047       (4) All agreements between the Interstate Commission and  
1048 the member states are binding in accordance with their terms.

1049       (5) In the event any provision of the Compact exceeds the  
1050 constitutional limits imposed on the legislature of any member

1051 state, such provision shall be ineffective to the extent of the  
1052 conflict with the constitutional provision in question in that  
1053 member state.

1054 Section 6. Effective July 1, 2021, section 456.4502,  
1055 Florida Statutes, is created to read:

1056 456.4502 Interstate Medical Licensure Compact;  
1057 disciplinary proceedings.—A physician licensed pursuant to  
1058 chapter 458, chapter 459, or s. 456.4501 whose license is  
1059 suspended or revoked by this state pursuant to the Interstate  
1060 Medical Licensure Compact as a result of disciplinary action  
1061 taken against the physician's license in another state shall be  
1062 granted a formal hearing before an administrative law judge from  
1063 the Division of Administrative Hearings held pursuant to chapter  
1064 120 if there are any disputed issues of material fact. In such  
1065 proceedings:

1066 (1) Notwithstanding s. 120.569(2), the department shall  
1067 notify the division within 45 days after receipt of a petition  
1068 or request for a formal hearing.

1069 (2) The determination of whether the physician has  
1070 violated the laws and rules regulating the practice of medicine  
1071 or osteopathic medicine, as applicable, including a  
1072 determination of the reasonable standard of care, is a  
1073 conclusion of law that is to be determined by appropriate board,  
1074 and is not a finding of fact to be determined by an  
1075 administrative law judge.

1076        (3) The administrative law judge shall issue a recommended  
 1077 order pursuant to chapter 120.

1078        (4) The Board of Medicine or the Board of Osteopathic  
 1079 Medicine, as applicable, shall determine and issue the final  
 1080 order in each disciplinary case. Such order shall constitute  
 1081 final agency action.

1082        (5) Any consent order or agreed-upon settlement is subject  
 1083 to the approval of the department.

1084        (6) The department shall have standing to seek judicial  
 1085 review of any final order of the board, pursuant to s. 120.68.

1086        Section 7. Effective July 1, 2021, section 456.4503,  
 1087 Florida Statutes, is created to read:

1088        456.4503 Interstate Medical Licensure Compact  
 1089 Commissioners.—The duly appointed commissioners to the  
 1090 Interstate Medical Licensure Compact Commission under s.  
 1091 456.4501 shall ensure that the Interstate Medical Licensure  
 1092 Compact Commission complies with the requirements of chapter 119  
 1093 and s. 24, Art. I of the State Constitution.

1094        Section 8. Effective July 1, 2021, section 456.4504,  
 1095 Florida Statutes, is created to read:

1096        456.4504 Interstate Medical Licensure Compact Rules.—The  
 1097 department may adopt rules to implement the Interstate Medical  
 1098 Licensure Compact.

1099        Section 9. Effective July 1, 2021, section 458.3129,  
 1100 Florida Statutes, is created to read:

1101            458.3129 Interstate Medical Licensure Compact.—A physician  
 1102 licensed to practice medicine under s. 456.4501 is deemed to be  
 1103 licensed as a physician under this chapter.

1104            Section 10. Paragraph (i) of subsection (1) of section  
 1105 458.3145, Florida Statutes, is amended to read:

1106            458.3145 Medical faculty certificate.—

1107            (1) A medical faculty certificate may be issued without  
 1108 examination to an individual who:

1109            (i) Has been offered and has accepted a full-time faculty  
 1110 appointment to teach in a program of medicine at:

- 1111            1. The University of Florida;
- 1112            2. The University of Miami;
- 1113            3. The University of South Florida;
- 1114            4. The Florida State University;
- 1115            5. The Florida International University;
- 1116            6. The University of Central Florida;
- 1117            7. The Mayo Clinic College of Medicine and Science in  
 1118 Jacksonville, Florida;
- 1119            8. The Florida Atlantic University; ~~or~~
- 1120            9. The Johns Hopkins All Children's Hospital in St.  
 1121 Petersburg, Florida;
- 1122            10. Nova Southeastern University; or
- 1123            11. The Lake Erie College of Osteopathic Medicine.

1124            Section 11. Effective July 1, 2021, section 459.074,  
 1125 Florida Statutes, is created to read:

1126           459.074 Interstate Medical Licensure Compact.—A physician  
 1127 licensed to practice osteopathic medicine under s. 456.4501 is  
 1128 deemed to be licensed as an osteopathic physician under this  
 1129 chapter.

1130           Section 12. Effective upon this act becoming a law,  
 1131 subsection (8) of section 464.019, Florida Statutes, is amended,  
 1132 and paragraph (f) is added to subsection (11) of that section,  
 1133 to read:

1134           464.019 Approval of nursing education programs.—

1135           (8) RULEMAKING.—The board does not have rulemaking  
 1136 authority to administer this section, except that the board  
 1137 shall adopt rules that prescribe the format for submitting  
 1138 program applications under subsection (1) and annual reports  
 1139 under subsection (3), and to administer the documentation of the  
 1140 accreditation of nursing education programs under subsection  
 1141 (11). The board may adopt rules relating to the nursing  
 1142 curriculum, including rules relating to the uses and limitations  
 1143 of simulation technology, and rules relating to the criteria to  
 1144 qualify for an extension of time to meet the accreditation  
 1145 requirements under paragraph (11)(f). The board may not impose  
 1146 any condition or requirement on an educational institution  
 1147 submitting a program application, an approved program, or an  
 1148 accredited program, except as expressly provided in this  
 1149 section.

1150           (11) ACCREDITATION REQUIRED.—

1151 (f) An approved nursing education program may, no sooner  
1152 than 90 days before the deadline for meeting the accreditation  
1153 requirements of this subsection, apply to the board for an  
1154 extension of the accreditation deadline for a period which does  
1155 not exceed 2 years. An additional extension may not be granted.  
1156 In order to be eligible for the extension, the approved program  
1157 must establish that it has a graduate passage rate of 60 percent  
1158 or higher on the National Council of State Boards of Nursing  
1159 Licensing Examination for the most recent calendar year and must  
1160 meet a majority of the board's additional criteria, including,  
1161 but not limited to, all of the following:

1162 1. A student retention rate of 60 percent or higher for  
1163 the most recent calendar year.

1164 2. A graduate work placement rate of 70 percent or higher  
1165 for the most recent calendar year.

1166 3. The program has applied for approval or has been  
1167 approved by an institutional or programmatic accreditor  
1168 recognized by the United States Department of Education.

1169 4. The program is in full compliance with subsections (1)  
1170 and (3) and paragraph (5) (b).

1171 5. The program is not currently in its second year of  
1172 probationary status under subsection (5).

1173  
1174 The applicable deadline under this paragraph is tolled from the  
1175 date on which an approved program applies for an extension until

1176 | the date on which the board issues a decision on the requested  
 1177 | extension.

1178 | Section 13. Subsection (13) of section 465.003, Florida  
 1179 | Statutes, is amended to read:

1180 | 465.003 Definitions.—As used in this chapter, the term:

1181 | (13) "Practice of the profession of pharmacy" includes  
 1182 | compounding, dispensing, and consulting concerning contents,  
 1183 | therapeutic values, and uses of any medicinal drug; consulting  
 1184 | concerning therapeutic values and interactions of patent or  
 1185 | proprietary preparations, whether pursuant to prescriptions or  
 1186 | in the absence and entirely independent of such prescriptions or  
 1187 | orders; and conducting other pharmaceutical services. For  
 1188 | purposes of this subsection, "other pharmaceutical services"  
 1189 | means the monitoring of the patient's drug therapy and assisting  
 1190 | the patient in the management of his or her drug therapy, and  
 1191 | includes review of the patient's drug therapy and communication  
 1192 | with the patient's prescribing health care provider as licensed  
 1193 | under chapter 458, chapter 459, chapter 461, or chapter 466, or  
 1194 | similar statutory provision in another jurisdiction, or such  
 1195 | provider's agent or such other persons as specifically  
 1196 | authorized by the patient, regarding the drug therapy. However,  
 1197 | nothing in this subsection may be interpreted to permit an  
 1198 | alteration of a prescriber's directions, the diagnosis or  
 1199 | treatment of any disease, the initiation of any drug therapy,  
 1200 | the practice of medicine, or the practice of osteopathic



1201 medicine, unless otherwise permitted by law. "Practice of the  
 1202 profession of pharmacy" also includes any other act, service,  
 1203 operation, research, or transaction incidental to, or forming a  
 1204 part of, any of the foregoing acts, requiring, involving, or  
 1205 employing the science or art of any branch of the pharmaceutical  
 1206 profession, study, or training, and shall expressly permit a  
 1207 pharmacist to transmit information from persons authorized to  
 1208 prescribe medicinal drugs to their patients. The practice of the  
 1209 profession of pharmacy also includes the administration of  
 1210 vaccines to adults pursuant to s. 465.189, the administration of  
 1211 long-acting medications pursuant to s. 465.1893, and the  
 1212 preparation of prepackaged drug products in facilities holding  
 1213 Class III institutional pharmacy permits.

1214 Section 14. Paragraph (a) of subsection (1) and paragraph  
 1215 (a) of subsection (2) of section 465.1893, Florida Statutes, are  
 1216 amended to read:

1217 465.1893 Administration of long-acting antipsychotic  
 1218 medication by injection.—

1219 (1) (a) A pharmacist, at the direction of a physician  
 1220 licensed under chapter 458 or chapter 459, may administer a  
 1221 long-acting antipsychotic medication and extended-release  
 1222 medications, including controlled substances, to treat substance  
 1223 abuse disorders or dependency that have been approved by the  
 1224 United States Food and Drug Administration by injection to a  
 1225 patient if the pharmacist:

1226 | 1. Is authorized by and acting within the framework of an  
 1227 | established protocol with the prescribing physician.

1228 | 2. Practices at a facility that accommodates privacy for  
 1229 | nondeltoid injections and conforms with state rules and  
 1230 | regulations regarding the appropriate and safe disposal of  
 1231 | medication and medical waste.

1232 | 3. Has completed the course required under subsection (2).

1233 | (2) (a) A pharmacist seeking to administer a ~~long-acting~~  
 1234 | ~~antipsychotic~~ medication as described in paragraph (1) (a) by  
 1235 | injection must complete an 8-hour continuing education course  
 1236 | offered by:

1237 | 1. A statewide professional association of physicians in  
 1238 | this state accredited to provide educational activities  
 1239 | designated for the American Medical Association Physician's  
 1240 | Recognition Award (AMA PRA) Category 1 Credit or the American  
 1241 | Osteopathic Association (AOA) Category 1-A continuing medical  
 1242 | education (CME) credit; and

1243 | 2. A statewide association of pharmacists.

1244 | Section 15. Subsection (9) is added to section 466.017,  
 1245 | Florida Statutes, to read:

1246 | 466.017 Prescription of drugs; anesthesia.—

1247 | (9) A dentist may order physical impression materials for  
 1248 | self-administration by a patient for the purpose of fabricating  
 1249 | an orthodontic appliance.

1250 | Section 16. Section 466.031, Florida Statutes, is amended

1251 to read:

1252 466.031 "Dental laboratories ~~laboratory~~" defined.—

1253 (1) As used in this chapter, the term "dental laboratory"  
1254 ~~as used in this chapter:~~

1255 ~~(1)~~ includes any person, firm, or corporation that ~~who~~  
1256 performs for a fee of any kind, gratuitously, or otherwise,  
1257 directly or through an agent or an employee, by any means or  
1258 method, or ~~who in any way~~ supplies or manufactures artificial  
1259 substitutes for the natural teeth; ~~or who~~ furnishes, supplies,  
1260 constructs, or reproduces or repairs any prosthetic denture,  
1261 bridge, or appliance to be worn in the human mouth; or ~~who~~ in  
1262 any way represents ~~holds~~ itself ~~out~~ as a dental laboratory.

1263 ~~(2)~~ The term does not include a ~~Excludes any~~ dental  
1264 laboratory technician who constructs or repairs dental  
1265 prosthetic appliances in the office of a licensed dentist  
1266 exclusively for that ~~such~~ dentist ~~only and~~ under her or his  
1267 supervision and work order.

1268 (2) An employee or independent contractor of a dental  
1269 laboratory, acting as an agent of that dental laboratory, may  
1270 engage in onsite consultation with a licensed dentist during a  
1271 dental procedure.

1272 Section 17. Section 466.036, Florida Statutes, is amended  
1273 to read:

1274 466.036 Information; periodic inspections; equipment and  
1275 supplies.—The department may require from the applicant for a

1276 registration certificate to operate a dental laboratory any  
 1277 information necessary to carry out the purpose of this chapter,  
 1278 including proof that the applicant has the equipment and  
 1279 supplies necessary to operate as determined by rule of the  
 1280 department, and shall require periodic inspection of all dental  
 1281 laboratories operating in this state at least once each biennial  
 1282 registration period. Such inspections must ~~shall~~ include, but  
 1283 need not be limited to, inspection of sanitary conditions,  
 1284 equipment, supplies, and facilities on the premises. The  
 1285 department shall specify dental equipment and supplies that are  
 1286 not allowed ~~permitted~~ in a registered dental laboratory.

1287 Section 18. Chapter 480, Florida Statutes, entitled  
 1288 "Massage Practice," is renamed "Massage Therapy Practice."

1289 Section 19. Section 480.031, Florida Statutes, is amended  
 1290 to read:

1291 480.031 Short title.—This act ~~shall be known and~~ may be  
 1292 cited as the "Massage Therapy Practice Act."

1293 Section 20. Section 480.032, Florida Statutes, is amended  
 1294 to read:

1295 480.032 Purpose.—The Legislature recognizes that the  
 1296 practice of massage therapy is potentially dangerous to the  
 1297 public in that massage therapists must have a knowledge of  
 1298 anatomy and physiology and an understanding of the relationship  
 1299 between the structure and the function of the tissues being  
 1300 treated and the total function of the body. Massage therapy is a

1301 therapeutic health care practice, and regulations are necessary  
 1302 to protect the public from unqualified practitioners. It is  
 1303 therefore deemed necessary in the interest of public health,  
 1304 safety, and welfare to regulate the practice of massage therapy  
 1305 in this state; however, restrictions shall be imposed to the  
 1306 extent necessary to protect the public from significant and  
 1307 discernible danger to health and yet not in such a manner which  
 1308 will unreasonably affect the competitive market. Further,  
 1309 consumer protection for both health and economic matters shall  
 1310 be afforded the public through legal remedies provided for in  
 1311 this act.

1312 Section 21. Section 480.033, Florida Statutes, is amended  
 1313 to read:

1314 480.033 Definitions.—As used in this act:

1315 (1)~~(5)~~ "Apprentice" means a person approved by the board  
 1316 to study colon hydrotherapy ~~massage~~ under the instruction of a  
 1317 licensed massage therapist practicing colon hydrotherapy.

1318 (2)~~(1)~~ "Board" means the Board of Massage Therapy.

1319 (3)~~(9)~~ "Board-approved massage therapy school" means a  
 1320 facility that meets minimum standards for training and  
 1321 curriculum as determined by rule of the board and that is  
 1322 licensed by the Department of Education pursuant to chapter 1005  
 1323 or the equivalent licensing authority of another state or is  
 1324 within the public school system of this state or a college or  
 1325 university that is eligible to participate in the William L.

1326 Boyd, IV, Effective Access to Student Education Grant Program.  
 1327 (4)~~(6)~~ "Colon hydrotherapy" ~~"Colonic irrigation"~~ means a  
 1328 method of hydrotherapy used to cleanse the colon with the aid of  
 1329 a mechanical device and water.  
 1330 (5)~~(2)~~ "Department" means the Department of Health.  
 1331 (6)~~(11)~~ "Designated establishment manager" means a massage  
 1332 therapist who holds a clear and active license without  
 1333 restriction, who is responsible for the operation of a massage  
 1334 establishment in accordance with ~~the provisions of~~ this chapter,  
 1335 and who is designated the manager by the rules or practices at  
 1336 the establishment.  
 1337 (7) "Establishment" or "massage establishment" means a  
 1338 site or premises, or portion thereof, wherein a massage  
 1339 therapist practices massage therapy.  
 1340 (8)~~(10)~~ "Establishment owner" means a person who has  
 1341 ownership interest in a massage establishment. The term includes  
 1342 an individual who holds a massage establishment license, a  
 1343 general partner of a partnership, an owner or officer of a  
 1344 corporation, and a member of a limited liability company and its  
 1345 subsidiaries who holds a massage establishment license.  
 1346 (9)~~(8)~~ "Licensure" means the procedure by which a person,  
 1347 hereinafter referred to as a "practitioner," applies to the  
 1348 board for approval to practice massage therapy or to operate an  
 1349 establishment.  
 1350 (10)~~(4)~~ "Massage therapist" means a person licensed as

1351 required by this act, who performs ~~administers~~ massage therapy,  
1352 including massage therapy assessment, for compensation.

1353 (11)-(3) "Massage therapy" means the manipulation of the  
1354 soft tissues of the human body with the hand, foot, knee, arm,  
1355 or elbow, regardless of whether ~~or not~~ such manipulation is  
1356 aided by hydrotherapy, including colon hydrotherapy ~~colonic~~  
1357 ~~irrigation,~~ or thermal therapy; any electrical or mechanical  
1358 device; or the application to the human body of a chemical or  
1359 herbal preparation.

1360 (12) "Massage therapy assessment" means the determination  
1361 of the course of massage therapy treatment.

1362 Section 22. Subsections (1), (2), and (4) and paragraph  
1363 (b) of subsection (5) of section 480.041, Florida Statutes, are  
1364 amended, and subsection (8) is added to that section, to read:

1365 480.041 Massage therapists; qualifications; licensure;  
1366 endorsement.—

1367 (1) Any person is qualified for licensure as a massage  
1368 therapist under this act who:

1369 (a) Is at least 18 years of age or has received a high  
1370 school diploma or high school equivalency diploma;

1371 (b) Has completed a course of study at a board-approved  
1372 massage therapy school ~~or has completed an apprenticeship~~  
1373 ~~program that meets standards adopted by the board;~~ and

1374 (c) Has received a passing grade on a national ~~an~~  
1375 examination designated ~~administered~~ by the board ~~department~~.

1376 (2) Every person desiring to be examined for licensure as  
1377 a massage therapist must ~~shall~~ apply to the department in  
1378 writing upon forms prepared by the board and furnished by the  
1379 department. Such applicants are ~~shall be~~ subject to the  
1380 ~~provisions of s. 480.046(1). Applicants may take an examination~~  
1381 ~~administered by the department only upon meeting the~~  
1382 ~~requirements of this section as determined by the board.~~

1383 (4) Upon an applicant's passing the examination and paying  
1384 the initial licensure fee, the department shall issue to the  
1385 applicant a license, valid until the next scheduled renewal  
1386 date, to practice massage therapy.

1387 (5) The board shall adopt rules:

1388 (b) Providing for educational standards, examination, and  
1389 certification for the practice of colon hydrotherapy eelonic  
1390 irrigation, as defined in s. 480.033 ~~s. 480.033(6)~~, by massage  
1391 therapists.

1392 (8) A person issued a license as an apprentice before July  
1393 1, 2020, may continue that apprenticeship and perform massage  
1394 therapy as authorized under that license until it expires. Upon  
1395 completion of the apprenticeship, which must occur before July  
1396 1, 2023, an apprentice may apply to the board for full licensure  
1397 and be granted a license if all other applicable licensure  
1398 requirements are met.

1399 Section 23. Section 480.042, Florida Statutes, is  
1400 repealed.



1401 Section 24. Subsections (2) through (7) of section  
1402 491.003, Florida Statutes, are renumbered as subsections (3)  
1403 through (8), respectively, present subsections (8) through (17)  
1404 are renumbered as subsections (10) through (19), respectively,  
1405 and new subsections (2) and (9) are added to that section to  
1406 read:

1407 491.003 Definitions.—As used in this chapter:

1408 (2) "Certified master social worker" means a person  
1409 licensed under this chapter to practice generalist social work.

1410 (9) "Practice of generalist social work" means the  
1411 application of social work theory, knowledge, methods, and  
1412 ethics, and the professional use of self to restore or enhance  
1413 social, psychosocial, or biopsychosocial functioning of  
1414 individuals, couples, families, groups, organizations, and  
1415 communities. The term includes the application of specialized  
1416 knowledge and advanced practice skills in nondiagnostic  
1417 assessment, treatment planning, implementation and evaluation,  
1418 case management, information and referral, supervision,  
1419 consultation, education, research, advocacy, and community  
1420 organization, and the development, implementation, and  
1421 administration of policies, programs, and activities.

1422 Section 25. Subsections (4) through (7) of section  
1423 491.004, Florida Statutes, are renumbered as subsections (3)  
1424 through (6), respectively, and present subsections (3) and (4)  
1425 of that section are amended to read:

1426 491.004 Board of Clinical Social Work, Marriage and Family  
 1427 Therapy, and Mental Health Counseling.—

1428 ~~(3) No later than January 1, 1988, the Governor shall~~  
 1429 ~~appoint nine members of the board as follows:~~

1430 ~~(a) Three members for terms of 2 years each.~~

1431 ~~(b) Three members for terms of 3 years each.~~

1432 ~~(c) Three members for terms of 4 years each.~~

1433 (3)~~(4)~~ As the terms of the ~~initial~~ members expire, the  
 1434 Governor shall appoint successors for terms of 4 years; and  
 1435 those members shall serve until their successors are appointed.

1436 Section 26. Subsection (6) of section 491.0045, Florida  
 1437 Statutes, is amended to read:

1438 491.0045 Intern registration; requirements.—

1439 (6) A registration issued on or before March 31, 2017,  
 1440 expires March 31, 2022, and may not be renewed or reissued. Any  
 1441 registration issued after March 31, 2017, expires 60 months  
 1442 after the date it is issued. The board may make a one-time  
 1443 exception from the requirements of this section in emergency or  
 1444 hardship cases, as defined by board rule, if ~~A subsequent intern~~  
 1445 ~~registration may not be issued unless~~ the candidate has passed  
 1446 the theory and practice examination described in s.

1447 491.005 (1) (d), (3) (d), and (4) (d).

1448 Section 27. Subsection (1), paragraph (b) of subsection  
 1449 (2), and subsections (3) and (4) of section 491.005, Florida  
 1450 Statutes, are amended to read:

1451           491.005 Licensure by examination.—

1452           (1) CLINICAL SOCIAL WORK.—Upon verification of

1453 documentation and payment of a fee not to exceed \$200, as set by

1454 board rule, plus the actual per applicant cost ~~to the department~~

1455 for purchase of the examination from the ~~American~~ Association of

1456 ~~State Social Work Worker's~~ Boards or its successor ~~a similar~~

1457 ~~national organization~~, the department shall issue a license as a

1458 clinical social worker to an applicant who the board certifies:

1459           (a) Has submitted an application and paid the appropriate

1460 fee.

1461           (b)1. Has received a doctoral degree in social work from a

1462 graduate school of social work which at the time the applicant

1463 graduated was accredited by an accrediting agency recognized by

1464 the United States Department of Education or has received a

1465 master's degree in social work from a graduate school of social

1466 work which at the time the applicant graduated:

1467           a. Was accredited by the Council on Social Work Education;

1468           b. Was accredited by the Canadian Association of Schools

1469 of Social Work; or

1470           c. Has been determined to have been a program equivalent

1471 to programs approved by the Council on Social Work Education by

1472 the Foreign Equivalency Determination Service of the Council on

1473 Social Work Education. An applicant who graduated from a program

1474 at a university or college outside of the United States or

1475 Canada must present documentation of the equivalency

1476 determination from the council in order to qualify.

1477         2. The applicant's graduate program must have emphasized  
1478 direct clinical patient or client health care services,  
1479 including, but not limited to, coursework in clinical social  
1480 work, psychiatric social work, medical social work, social  
1481 casework, psychotherapy, or group therapy. The applicant's  
1482 graduate program must have included all of the following  
1483 coursework:

1484             a. A supervised field placement which was part of the  
1485 applicant's advanced concentration in direct practice, during  
1486 which the applicant provided clinical services directly to  
1487 clients.

1488             b. Completion of 24 semester hours or 32 quarter hours in  
1489 courses approved by board rule ~~theory of human behavior and~~  
1490 ~~practice methods as courses in clinically oriented services,~~  
1491 ~~including a minimum of one course in psychopathology, and no~~  
1492 ~~more than one course in research, taken in a school of social~~  
1493 ~~work accredited or approved pursuant to subparagraph 1.~~

1494         ~~3. If the course title which appears on the applicant's~~  
1495 ~~transcript does not clearly identify the content of the~~  
1496 ~~coursework, the applicant shall be required to provide~~  
1497 ~~additional documentation, including, but not limited to, a~~  
1498 ~~syllabus or catalog description published for the course.~~

1499             (c) Has had at least 2 years of clinical social work  
1500 experience, which took place subsequent to completion of a

1501 graduate degree in social work at an institution meeting the  
 1502 accreditation requirements of this section, under the  
 1503 supervision of a licensed clinical social worker or the  
 1504 equivalent who is a qualified supervisor as determined by the  
 1505 board. An individual who intends to practice in Florida to  
 1506 satisfy clinical experience requirements must register pursuant  
 1507 to s. 491.0045 before commencing practice. If the applicant's  
 1508 graduate program was not a program which emphasized direct  
 1509 clinical patient or client health care services as described in  
 1510 subparagraph (b)2., the supervised experience requirement must  
 1511 take place after the applicant has completed a minimum of 15  
 1512 semester hours or 22 quarter hours of the coursework required. A  
 1513 doctoral internship may be applied toward the clinical social  
 1514 work experience requirement. A licensed mental health  
 1515 professional must be on the premises when clinical services are  
 1516 provided by a registered intern in a private practice setting.

1517 (d) Has passed a theory and practice examination  
 1518 designated ~~provided~~ by the board ~~department for this purpose~~.

1519 (e) Has demonstrated, in a manner designated by board rule  
 1520 ~~of the board~~, knowledge of the laws and rules governing the  
 1521 practice of clinical social work, marriage and family therapy,  
 1522 and mental health counseling.

1523 (2) CLINICAL SOCIAL WORK.—

1524 (b) An applicant from a master's or doctoral program in  
 1525 social work which did not emphasize direct patient or client

1526 services may complete the clinical curriculum content  
 1527 requirement by returning to a graduate program accredited by the  
 1528 Council on Social Work Education or the Canadian Association for  
 1529 Social Work Education ~~of Schools of Social Work~~, or to a  
 1530 clinical social work graduate program with comparable standards,  
 1531 in order to complete the education requirements for examination.  
 1532 However, a maximum of 6 semester or 9 quarter hours of the  
 1533 clinical curriculum content requirement may be completed by  
 1534 credit awarded for independent study coursework as defined by  
 1535 board rule.

1536 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
 1537 documentation and payment of a fee not to exceed \$200, as set by  
 1538 board rule, plus the actual cost ~~to the department~~ for the  
 1539 purchase of the examination from the Association of Marital and  
 1540 Family Therapy Regulatory Boards ~~Board~~, or its successor ~~similar~~  
 1541 ~~national~~ organization, the department shall issue a license as a  
 1542 marriage and family therapist to an applicant who the board  
 1543 certifies:

1544 (a) Has submitted an application and paid the appropriate  
 1545 fee.

1546 (b) ~~1.~~ Has a minimum of a master's degree with major  
 1547 emphasis in marriage and family therapy from a program  
 1548 accredited by the Commission on Accreditation for Marriage and  
 1549 Family Therapy Education or from a state university program  
 1550 accredited by the Council for Accreditation of Counseling and

1551 Related Educational Programs, or a closely related field, and  
1552 graduate courses approved by the Board of Clinical Social Work,  
1553 Marriage and Family Therapy, and Mental Health Counseling. ~~has~~  
1554 ~~completed all of the following requirements:~~

1555       ~~a. Thirty six semester hours or 48 quarter hours of~~  
1556 ~~graduate coursework, which must include a minimum of 3 semester~~  
1557 ~~hours or 4 quarter hours of graduate-level course credits in~~  
1558 ~~each of the following nine areas: dynamics of marriage and~~  
1559 ~~family systems; marriage therapy and counseling theory and~~  
1560 ~~techniques; family therapy and counseling theory and techniques;~~  
1561 ~~individual human development theories throughout the life cycle;~~  
1562 ~~personality theory or general counseling theory and techniques;~~  
1563 ~~psychopathology; human sexuality theory and counseling~~  
1564 ~~techniques; psychosocial theory; and substance abuse theory and~~  
1565 ~~counseling techniques. Courses in research, evaluation,~~  
1566 ~~appraisal, assessment, or testing theories and procedures;~~  
1567 ~~thesis or dissertation work; or practicums, internships, or~~  
1568 ~~fieldwork may not be applied toward this requirement.~~

1569       ~~b. A minimum of one graduate-level course of 3 semester~~  
1570 ~~hours or 4 quarter hours in legal, ethical, and professional~~  
1571 ~~standards issues in the practice of marriage and family therapy~~  
1572 ~~or a course determined by the board to be equivalent.~~

1573       ~~e. A minimum of one graduate-level course of 3 semester~~  
1574 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~  
1575 ~~and testing for individual or interpersonal disorder or~~

1576 ~~dysfunction; and a minimum of one 3-semester-hour or 4-quarter-~~  
1577 ~~hour graduate-level course in behavioral research which focuses~~  
1578 ~~on the interpretation and application of research data as it~~  
1579 ~~applies to clinical practice. Credit for thesis or dissertation~~  
1580 ~~work, practicums, internships, or fieldwork may not be applied~~  
1581 ~~toward this requirement.~~

1582 ~~d. A minimum of one supervised clinical practicum,~~  
1583 ~~internship, or field experience in a marriage and family~~  
1584 ~~counseling setting, during which the student provided 180 direct~~  
1585 ~~client contact hours of marriage and family therapy services~~  
1586 ~~under the supervision of an individual who met the requirements~~  
1587 ~~for supervision under paragraph (c). This requirement may be met~~  
1588 ~~by a supervised practice experience which took place outside the~~  
1589 ~~academic arena, but which is certified as equivalent to a~~  
1590 ~~graduate-level practicum or internship program which required a~~  
1591 ~~minimum of 180 direct client contact hours of marriage and~~  
1592 ~~family therapy services currently offered within an academic~~  
1593 ~~program of a college or university accredited by an accrediting~~  
1594 ~~agency approved by the United States Department of Education, or~~  
1595 ~~an institution which is publicly recognized as a member in good~~  
1596 ~~standing with the Association of Universities and Colleges of~~  
1597 ~~Canada or a training institution accredited by the Commission on~~  
1598 ~~Accreditation for Marriage and Family Therapy Education~~  
1599 ~~recognized by the United States Department of Education.~~  
1600 ~~Certification shall be required from an official of such~~



1601 ~~college, university, or training institution.~~

1602 ~~2. If the course title which appears on the applicant's~~  
 1603 ~~transcript does not clearly identify the content of the~~  
 1604 ~~coursework, the applicant shall be required to provide~~  
 1605 ~~additional documentation, including, but not limited to, a~~  
 1606 ~~syllabus or catalog description published for the course.~~

1607  
 1608 The required master's degree must have been received in an  
 1609 institution of higher education which at the time the applicant  
 1610 graduated was: fully accredited by a regional accrediting body  
 1611 recognized by the Council for Higher Education Accreditation  
 1612 ~~Commission on Recognition of Postsecondary Accreditation;~~  
 1613 publicly recognized as a member in good standing with ~~the~~  
 1614 ~~Association of Universities and Colleges of Canada;~~ or an  
 1615 institution of higher education located outside the United  
 1616 States and Canada, which at the time the applicant was enrolled  
 1617 and at the time the applicant graduated maintained a standard of  
 1618 training substantially equivalent to the standards of training  
 1619 of those institutions in the United States which are accredited  
 1620 by a regional accrediting body recognized by the Council for  
 1621 Higher Education Accreditation ~~Commission on Recognition of~~  
 1622 ~~Postsecondary Accreditation.~~ Such foreign education and training  
 1623 must have been received in an institution or program of higher  
 1624 education officially recognized by the government of the country  
 1625 in which it is located as an institution or program to train

1626 students to practice as professional marriage and family  
1627 therapists or psychotherapists. The burden of establishing that  
1628 the requirements of this provision have been met shall be upon  
1629 the applicant, and the board shall require documentation, such  
1630 as, but not limited to, an evaluation by a foreign equivalency  
1631 determination service, as evidence that the applicant's graduate  
1632 degree program and education were equivalent to an accredited  
1633 program in this country. An applicant with a master's degree  
1634 from a program which did not emphasize marriage and family  
1635 therapy may complete the coursework requirement in a training  
1636 institution fully accredited by the Commission on Accreditation  
1637 for Marriage and Family Therapy Education recognized by the  
1638 United States Department of Education.

1639 (c) Has had at least 2 years of clinical experience during  
1640 which 50 percent of the applicant's clients were receiving  
1641 marriage and family therapy services, which must be at the post-  
1642 master's level under the supervision of a licensed marriage and  
1643 family therapist with at least 5 years of experience, or the  
1644 equivalent, who is a qualified supervisor as determined by the  
1645 board. An individual who intends to practice in Florida to  
1646 satisfy the clinical experience requirements must register  
1647 pursuant to s. 491.0045 before commencing practice. If a  
1648 graduate has a master's degree with a major emphasis in marriage  
1649 and family therapy or a closely related field that did not  
1650 include all the coursework required under paragraph (b) ~~sub-~~

1651 ~~subparagraphs (b)1.a.-c.~~, credit for the post-master's level  
1652 clinical experience shall not commence until the applicant has  
1653 completed a minimum of 10 of the courses required under  
1654 paragraph (b) ~~sub-subparagraphs (b)1.a.-c.~~, as determined by the  
1655 board, and at least 6 semester hours or 9 quarter hours of the  
1656 course credits must have been completed in the area of marriage  
1657 and family systems, theories, or techniques. Within the 2 ~~3~~  
1658 years of required experience, the applicant shall provide direct  
1659 individual, group, or family therapy and counseling, to include  
1660 the following categories of cases: unmarried dyads, married  
1661 couples, separating and divorcing couples, and family groups  
1662 including children. A doctoral internship may be applied toward  
1663 the clinical experience requirement. A licensed mental health  
1664 professional must be on the premises when clinical services are  
1665 provided by a registered intern in a private practice setting.

1666 (d) Has passed a theory and practice examination  
1667 designated ~~provided~~ by the board ~~department~~ for this purpose.

1668 (e) Has demonstrated, in a manner designated by board rule  
1669 ~~of the board~~, knowledge of the laws and rules governing the  
1670 practice of clinical social work, marriage and family therapy,  
1671 and mental health counseling.

1672 (f) For the purposes of dual licensure, the department  
1673 shall license as a marriage and family therapist any person who  
1674 meets the requirements of s. 491.0057. Fees for dual licensure  
1675 shall not exceed those stated in this subsection.

1676 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
1677 documentation and payment of a fee not to exceed \$200, as set by  
1678 board rule, plus the actual per applicant cost ~~to the department~~  
1679 for purchase of the examination from the National Board for  
1680 Certified Counselors or its successor ~~Professional Examination~~  
1681 ~~Service for the National Academy of Certified Clinical Mental~~  
1682 ~~Health Counselors or a similar national organization,~~ the  
1683 department shall issue a license as a mental health counselor to  
1684 an applicant who the board certifies:

1685 (a) Has submitted an application and paid the appropriate  
1686 fee.

1687 (b)1. Has a minimum of an earned master's degree from a  
1688 mental health counseling program accredited by the Council for  
1689 the Accreditation of Counseling and Related Educational Programs  
1690 that consists of at least 60 semester hours or 80 quarter hours  
1691 of clinical and didactic instruction, ~~including a course in~~  
1692 ~~human sexuality and a course in substance abuse.~~ If the master's  
1693 degree is earned from a program related to the practice of  
1694 mental health counseling that is not accredited by the Council  
1695 for the Accreditation of Counseling and Related Educational  
1696 Programs, then the coursework and practicum, internship, or  
1697 fieldwork must consist of at least 60 semester hours or 80  
1698 quarter hours and meet the following requirements:

1699 a. Thirty-three semester hours or 44 quarter hours of  
1700 graduate coursework, which must include a minimum of 3 semester

1701 hours or 4 quarter hours of graduate-level coursework in each of  
1702 the following 11 content areas: counseling theories and  
1703 practice; human growth and development; diagnosis and treatment  
1704 of psychopathology; human sexuality; group theories and  
1705 practice; individual evaluation and assessment; career and  
1706 lifestyle assessment; research and program evaluation; social  
1707 and cultural foundations; substance abuse; and legal, ethical,  
1708 and professional standards issues in the practice of mental  
1709 health counseling in community settings; and substance abuse.  
1710 Courses in research, thesis or dissertation work, practicums,  
1711 internships, or fieldwork may not be applied toward this  
1712 requirement.

1713       b. A minimum of 3 semester hours or 4 quarter hours of  
1714 graduate-level coursework addressing diagnostic processes,  
1715 including differential diagnosis and the use of the current  
1716 diagnostic tools, such as the current edition of the American  
1717 Psychiatric Association's Diagnostic and Statistical Manual of  
1718 Mental Disorders. The graduate program must have emphasized the  
1719 common core curricular experience ~~in legal, ethical, and~~  
1720 ~~professional standards issues in the practice of mental health~~  
1721 ~~counseling, which includes goals, objectives, and practices of~~  
1722 ~~professional counseling organizations, codes of ethics, legal~~  
1723 ~~considerations, standards of preparation, certifications and~~  
1724 ~~licensing, and the role identity and professional obligations of~~  
1725 ~~mental health counselors. Courses in research, thesis or~~

1726 ~~dissertation work, practicums, internships, or fieldwork may not~~  
1727 ~~be applied toward this requirement.~~

1728 c. The equivalent, as determined by the board, of at least  
1729 700 ~~1,000~~ hours of university-sponsored supervised clinical  
1730 practicum, internship, or field experience that includes at  
1731 least 280 hours of direct client services, as required in the  
1732 accrediting standards of the Council for Accreditation of  
1733 Counseling and Related Educational Programs for mental health  
1734 counseling programs. This experience may not be used to satisfy  
1735 the post-master's clinical experience requirement.

1736 2. If the course title which appears on the applicant's  
1737 transcript does not clearly identify the content of the  
1738 coursework, the applicant shall be required to provide  
1739 additional documentation, including, but not limited to, a  
1740 syllabus or catalog description published for the course.

1741  
1742 Education and training in mental health counseling must have  
1743 been received in an institution of higher education which at the  
1744 time the applicant graduated was: fully accredited by a regional  
1745 accrediting body recognized by the Council for Higher Education  
1746 Accreditation or its successor ~~Commission on Recognition of~~  
1747 ~~Postsecondary Accreditation;~~ publicly recognized as a member in  
1748 good standing with ~~the Association of Universities and Colleges~~  
1749 ~~of~~ Canada; or an institution of higher education located outside  
1750 the United States and Canada, which at the time the applicant

1751 was enrolled and at the time the applicant graduated maintained  
1752 a standard of training substantially equivalent to the standards  
1753 of training of those institutions in the United States which are  
1754 accredited by a regional accrediting body recognized by the  
1755 Council for Higher Education Accreditation or its successor  
1756 ~~Commission on Recognition of Postsecondary Accreditation~~. Such  
1757 foreign education and training must have been received in an  
1758 institution or program of higher education officially recognized  
1759 by the government of the country in which it is located as an  
1760 institution or program to train students to practice as mental  
1761 health counselors. The burden of establishing that the  
1762 requirements of this provision have been met shall be upon the  
1763 applicant, and the board shall require documentation, such as,  
1764 but not limited to, an evaluation by a foreign equivalency  
1765 determination service, as evidence that the applicant's graduate  
1766 degree program and education were equivalent to an accredited  
1767 program in this country. Beginning July 1, 2026, an applicant  
1768 must have a master's degree in a program that is accredited by  
1769 the Council for Accreditation of Counseling and Related  
1770 Educational Programs which consists of at least 60 semester  
1771 hours or 80 quarter hours to apply for licensure under this  
1772 paragraph.

1773 (c) Has had at least 2 years of clinical experience in  
1774 mental health counseling, which must be at the post-master's  
1775 level under the supervision of a licensed mental health

1776 counselor or the equivalent who is a qualified supervisor as  
1777 determined by the board. An individual who intends to practice  
1778 in Florida to satisfy the clinical experience requirements must  
1779 register pursuant to s. 491.0045 before commencing practice. If  
1780 a graduate has a master's degree with a major related to the  
1781 practice of mental health counseling that did not include all  
1782 the coursework required under sub-subparagraphs (b)1.a.-b.,  
1783 credit for the post-master's level clinical experience shall not  
1784 commence until the applicant has completed a minimum of seven of  
1785 the courses required under sub-subparagraphs (b)1.a.-b., as  
1786 determined by the board, one of which must be a course in  
1787 psychopathology or abnormal psychology. A doctoral internship  
1788 may be applied toward the clinical experience requirement. A  
1789 licensed mental health professional must be on the premises when  
1790 clinical services are provided by a registered intern in a  
1791 private practice setting.

1792 (d) Has passed a theory and practice examination  
1793 designated ~~provided~~ by the board ~~department~~ for this purpose.

1794 (e) Has demonstrated, in a manner designated by board rule  
1795 ~~of the board~~, knowledge of the laws and rules governing the  
1796 practice of clinical social work, marriage and family therapy,  
1797 and mental health counseling.

1798 Section 28. Subsection (3) of section 491.0057, Florida  
1799 Statutes, is amended to read:

1800 491.0057 Dual licensure as a marriage and family



1801 therapist.—The department shall license as a marriage and family  
 1802 therapist any person who demonstrates to the board that he or  
 1803 she:

1804 (3) Has passed the examination designated ~~provided~~ by the  
 1805 board ~~department~~ for marriage and family therapy.

1806 Section 29. Paragraph (b) of subsection (1) of section  
 1807 491.006, Florida Statutes, is amended to read:

1808 491.006 Licensure or certification by endorsement.—

1809 (1) The department shall license or grant a certificate to  
 1810 a person in a profession regulated by this chapter who, upon  
 1811 applying to the department and remitting the appropriate fee,  
 1812 demonstrates to the board that he or she:

1813 (b)1. Holds an active valid license to practice and has  
 1814 actively practiced the profession for which licensure is applied  
 1815 in another state for 3 of the last 5 years immediately preceding  
 1816 licensure.

1817 ~~2. Meets the education requirements of this chapter for~~  
 1818 ~~the profession for which licensure is applied.~~

1819 ~~2.3.~~ Has passed a substantially equivalent licensing  
 1820 examination in another state or has passed the licensure  
 1821 examination in this state in the profession for which the  
 1822 applicant seeks licensure.

1823 ~~3.4.~~ Holds a license in good standing, is not under  
 1824 investigation for an act that would constitute a violation of  
 1825 this chapter, and has not been found to have committed any act

1826 that would constitute a violation of this chapter. ~~The fees paid~~  
 1827 ~~by any applicant for certification as a master social worker~~  
 1828 ~~under this section are nonrefundable.~~

1829 Section 30. Subsections (2) and (3) of section 491.007,  
 1830 Florida Statutes, are amended to read:

1831 491.007 Renewal of license, registration, or certificate.—

1832 (2) Each applicant for renewal shall present satisfactory  
 1833 evidence that, in the period since the license or certificate  
 1834 was issued, the applicant has completed continuing education  
 1835 requirements set by rule of the board or department. Not more  
 1836 than 25 classroom hours of continuing education per year shall  
 1837 be required. ~~A certified master social worker is exempt from the~~  
 1838 ~~continuing education requirements for the first renewal of the~~  
 1839 ~~certificate.~~

1840 ~~(3) The board or department shall prescribe by rule a~~  
 1841 ~~method for the biennial renewal of an intern registration at a~~  
 1842 ~~fee set by rule, not to exceed \$100.~~

1843 Section 31. Subsection (2) of section 491.009, Florida  
 1844 Statutes, is amended to read:

1845 491.009 Discipline.—

1846 (2) ~~The department, or, in the case of psychologists, the~~  
 1847 ~~board,~~ may enter an order denying licensure or imposing any of  
 1848 the penalties in s. 456.072(2) against any applicant for  
 1849 licensure or licensee who is found guilty of violating any  
 1850 provision of subsection (1) of this section or who is found

1851 guilty of violating any provision of s. 456.072(1).

1852 Section 32. Paragraph (a) of subsection (1) of section  
1853 491.012, Florida Statutes, is amended to read:

1854 491.012 Violations; penalty; injunction.—

1855 (1) It is unlawful and a violation of this chapter for any  
1856 person to:

1857 (a) Use the following titles or any combination thereof,  
1858 unless she or he holds a valid, active license as a clinical  
1859 social worker issued pursuant to this chapter:

- 1860 1. "Licensed clinical social worker."
- 1861 2. "Clinical social worker."
- 1862 3. "Licensed social worker."
- 1863 4. "Psychiatric social worker."
- 1864 5. "Psychosocial worker."
- 1865 6. "Certified master social worker."

1866 Section 33. Section 491.0145, Florida Statutes, is amended  
1867 to read:

1868 491.0145 Certified master social worker.—

1869 (1) The department shall license ~~may certify~~ an applicant  
1870 for a designation as a certified master social worker who, upon  
1871 applying to the department and remitting the appropriate fee,  
1872 demonstrates to the board that he or she has met the following  
1873 conditions:

1874 (a) (1) The applicant has submitted ~~completes~~ an  
1875 application and has paid ~~to be provided by the department and~~

1876 ~~pays~~ a nonrefundable fee not to exceed \$250 to be established by  
1877 rule of the board ~~department~~. ~~The completed application must be~~  
1878 ~~received by the department at least 60 days before the date of~~  
1879 ~~the examination in order for the applicant to qualify to take~~  
1880 ~~the scheduled exam.~~

1881 (b)(2) The applicant submits proof satisfactory to the  
1882 board ~~department~~ that the applicant has received a doctoral  
1883 degree in social work, or a master's degree in social work with  
1884 a major emphasis or specialty in ~~clinical practice or~~  
1885 ~~administration, including, but not limited to, agency~~  
1886 ~~administration and supervision, program planning and evaluation,~~  
1887 ~~staff development, research, community organization, community~~  
1888 ~~services, social planning, and human service advocacy. Doctoral~~  
1889 ~~degrees must have been received from a graduate school of social~~  
1890 ~~work which at the time the applicant was enrolled and graduated~~  
1891 ~~was accredited by an accrediting agency approved by the United~~  
1892 ~~States Department of Education. Master's degrees must have been~~  
1893 ~~received from a graduate school of social work which at the time~~  
1894 ~~the applicant was enrolled and graduated was accredited by the~~  
1895 ~~Council on Social Work Education or the Canadian Association of~~  
1896 ~~Schools for~~ of Social Work Education or by one that meets  
1897 comparable standards.

1898 (c)(3) The applicant has had at least 2 ~~3~~ years'  
1899 experience, as defined by rule of the board, including, but not  
1900 limited to, ~~clinical services or~~ administrative activities as

1901 described in paragraph (b) ~~defined in subsection (2)~~, 2 years of  
1902 which must be at the post-master's level under the supervision  
1903 of a person who meets the education and experience requirements  
1904 for certification as a certified master social worker, as  
1905 defined by rule of the board, or licensure as a clinical social  
1906 worker under this chapter. A doctoral internship may be applied  
1907 toward the supervision requirement.

1908 (d)-(4) Any person who holds a master's degree in social  
1909 work from institutions outside the United States may apply to  
1910 the board ~~department~~ for certification if the academic training  
1911 in social work has been evaluated as equivalent to a degree from  
1912 a school accredited by the Council on Social Work Education. Any  
1913 such person shall submit a copy of the academic training from  
1914 the Foreign Equivalency Determination Service of the Council on  
1915 Social Work Education.

1916 (e)-(5) The applicant has passed an examination required by  
1917 the board ~~department~~ for this purpose. ~~The nonrefundable fee for~~  
1918 ~~such examination may not exceed \$250 as set by department rule.~~

1919 (2)-(6) Nothing in this chapter shall be construed to  
1920 authorize a certified master social worker to provide clinical  
1921 social work services.

1922 (3) The board may adopt rules to implement this section.

1923 Section 34. Section 491.0149, Florida Statutes, is amended  
1924 to read:

1925 491.0149 Display of license; use of professional title on

1926 promotional materials.-

1927 (1) (a) A person licensed under this chapter as a clinical  
 1928 social worker, marriage and family therapist, or mental health  
 1929 counselor, or certified as a master social worker shall  
 1930 conspicuously display the valid license issued by the department  
 1931 or a true copy thereof at each location at which the licensee  
 1932 practices his or her profession.

1933 (b)1. A licensed clinical social worker shall include the  
 1934 words "licensed clinical social worker" or the letters "LCSW" on  
 1935 all promotional materials, including cards, brochures,  
 1936 stationery, advertisements, social media, and signs, naming the  
 1937 licensee.

1938 2. A licensed marriage and family therapist shall include  
 1939 the words "licensed marriage and family therapist" or the  
 1940 letters "LMFT" on all promotional materials, including cards,  
 1941 brochures, stationery, advertisements, social media, and signs,  
 1942 naming the licensee.

1943 3. A licensed mental health counselor shall include the  
 1944 words "licensed mental health counselor" or the letters "LMHC"  
 1945 on all promotional materials, including cards, brochures,  
 1946 stationery, advertisements, social media, and signs, naming the  
 1947 licensee.

1948 (c) A generalist social worker shall include the words  
 1949 "certified master social worker" or the letters "CMSW" on all  
 1950 promotional materials, including cards, brochures, stationery,

1951 | advertisements, social media, and signs, naming the licensee.

1952 |       (2) (a) A person registered under this chapter as a  
 1953 | clinical social worker intern, marriage and family therapist  
 1954 | intern, or mental health counselor intern shall conspicuously  
 1955 | display the valid registration issued by the department or a  
 1956 | true copy thereof at each location at which the registered  
 1957 | intern is completing the experience requirements.

1958 |       (b) A registered clinical social worker intern shall  
 1959 | include the words "registered clinical social worker intern," a  
 1960 | registered marriage and family therapist intern shall include  
 1961 | the words "registered marriage and family therapist intern," and  
 1962 | a registered mental health counselor intern shall include the  
 1963 | words "registered mental health counselor intern" on all  
 1964 | promotional materials, including cards, brochures, stationery,  
 1965 | advertisements, social media, and signs, naming the registered  
 1966 | intern.

1967 |       (3) (a) A person provisionally licensed under this chapter  
 1968 | as a provisional clinical social worker licensee, provisional  
 1969 | marriage and family therapist licensee, or provisional mental  
 1970 | health counselor licensee shall conspicuously display the valid  
 1971 | provisional license issued by the department or a true copy  
 1972 | thereof at each location at which the provisional licensee is  
 1973 | providing services.

1974 |       (b) A provisional clinical social worker licensee shall  
 1975 | include the words "provisional clinical social worker licensee,"

1976 a provisional marriage and family therapist licensee shall  
 1977 include the words "provisional marriage and family therapist  
 1978 licensee," and a provisional mental health counselor licensee  
 1979 shall include the words "provisional mental health counselor  
 1980 licensee" on all promotional materials, including cards,  
 1981 brochures, stationery, advertisements, social media, and signs,  
 1982 naming the provisional licensee.

1983 Section 35. Section 491.015, Florida Statutes, is  
 1984 repealed.

1985 Section 36. Subsection (7) of section 514.0115, Florida  
 1986 Statutes, is renumbered as subsection (8), and a new subsection  
 1987 (7) is added to that section to read:

1988 514.0115 Exemptions from supervision or regulation;  
 1989 variances.—

1990 (7) Until such time as the department adopts rules for the  
 1991 supervision and regulation of surf pools, a surf pool that is  
 1992 larger than 4 acres is exempt from supervision under this  
 1993 chapter, provided that it is permitted by a local government  
 1994 pursuant to a special use permit process in which the local  
 1995 government asserts regulatory authority over the construction of  
 1996 the surf pool and, in consultation with the department,  
 1997 establishes through the local government's special use permit  
 1998 process the conditions for the surf pool's operation, water  
 1999 quality, and necessary lifesaving equipment. This subsection  
 2000 does not affect the department's or a county health department's



2001 right of entry pursuant to s. 514.04 or its authority to seek an  
2002 injunction pursuant to s. 514.06 to restrain the operation of a  
2003 surf pool permitted and operated under this subsection if it  
2004 presents significant risks to public health. For purposes of  
2005 this subsection, the term "surf pool" means a pool designed to  
2006 generate waves dedicated to the activity of surfing on a  
2007 surfboard or an analogous surfing device commonly used in the  
2008 ocean and intended for sport, as opposed to general play intent  
2009 for wave pools, other large-scale public swimming pools, or  
2010 other public bathing places.

2011 Section 37. Effective July 1, 2021, paragraph (h) is added  
2012 to subsection (10) of section 768.28, Florida Statutes, to read:

2013 768.28 Waiver of sovereign immunity in tort actions;  
2014 recovery limits; limitation on attorney fees; statute of  
2015 limitations; exclusions; indemnification; risk management  
2016 programs.—

2017 (10)

2018 (h) For the purposes of this section, the representative  
2019 appointed from the Board of Medicine and the representative  
2020 appointed from the Board of Osteopathic Medicine, when serving  
2021 as commissioners of the Interstate Medical Licensure Compact  
2022 Commission pursuant to s. 456.4501, and any administrator,  
2023 officer, executive director, employee, or representative of the  
2024 Interstate Medical Licensure Compact Commission, when acting  
2025 within the scope of their employment, duties, or

2026 responsibilities in this state, are considered agents of the  
2027 state. The commission shall pay any claims or judgments pursuant  
2028 to this section and may maintain insurance coverage to pay any  
2029 such claims or judgments.

2030 Section 38. Paragraph (c) of subsection (4) of section  
2031 414.065, Florida Statutes, is amended to read:

2032 414.065 Noncompliance with work requirements.—

2033 (4) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—Unless  
2034 otherwise provided, the situations listed in this subsection  
2035 shall constitute exceptions to the penalties for noncompliance  
2036 with participation requirements, except that these situations do  
2037 not constitute exceptions to the applicable time limit for  
2038 receipt of temporary cash assistance:

2039 (c) Noncompliance related to treatment or remediation of  
2040 past effects of domestic violence.—An individual who is  
2041 determined to be unable to comply with the work requirements  
2042 under this section due to mental or physical impairment related  
2043 to past incidents of domestic violence may be exempt from work  
2044 requirements, except that such individual shall comply with a  
2045 plan that specifies alternative requirements that prepare the  
2046 individual for self-sufficiency while providing for the safety  
2047 of the individual and the individual's dependents. A participant  
2048 who is determined to be out of compliance with the alternative  
2049 requirement plan shall be subject to the penalties under  
2050 subsection (1). The plan must include counseling or a course of

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2020

2051 treatment necessary for the individual to resume participation.  
2052 The need for treatment and the expected duration of such  
2053 treatment must be verified by a physician licensed under chapter  
2054 458 or chapter 459; a psychologist licensed under s. 490.005(1),  
2055 s. 490.006, or the provision identified as s. 490.013(2) in s.  
2056 1, chapter 81-235, Laws of Florida; a therapist as defined in s.  
2057 491.003 ~~s. 491.003(2) or (6)~~; or a treatment professional who is  
2058 registered under s. 39.905(1)(g), is authorized to maintain  
2059 confidentiality under s. 90.5036(1)(d), and has a minimum of 2  
2060 years' ~~years~~ experience at a certified domestic violence center.  
2061 An exception granted under this paragraph does not automatically  
2062 constitute an exception from the time limitations on benefits  
2063 specified under s. 414.105.

2064 Section 39. Subsection (13) of section 477.013, Florida  
2065 Statutes, is amended to read:

2066 477.013 Definitions.—As used in this chapter:

2067 (13) "Skin care services" means the treatment of the skin  
2068 of the body, other than the head, face, and scalp, by the use of  
2069 a sponge, brush, cloth, or similar device to apply or remove a  
2070 chemical preparation or other substance, except that chemical  
2071 peels may be removed by peeling an applied preparation from the  
2072 skin by hand. Skin care services must be performed by a licensed  
2073 cosmetologist or facial specialist within a licensed cosmetology  
2074 or specialty salon, and such services may not involve massage  
2075 therapy, as defined in s. 480.033 ~~s. 480.033(3)~~, through

2076 manipulation of the superficial tissue.

2077 Section 40. Paragraph (a) of subsection (1) of section  
2078 477.0135, Florida Statutes, is amended to read:

2079 477.0135 Exemptions.—

2080 (1) This chapter does not apply to the following persons  
2081 when practicing pursuant to their professional or occupational  
2082 responsibilities and duties:

2083 (a) Persons authorized under the laws of this state to  
2084 practice medicine, surgery, osteopathic medicine, chiropractic  
2085 medicine, massage therapy, naturopathy, or podiatric medicine.

2086 Section 41. Paragraph (f) of subsection (1) of section  
2087 477.0265, Florida Statutes, is amended to read:

2088 477.0265 Prohibited acts.—

2089 (1) It is unlawful for any person to:

2090 (f) Advertise or imply that skin care services or body  
2091 wrapping, as performed under this chapter, have any relationship  
2092 to the practice of massage therapy as defined in s. 480.033 ~~s.~~  
2093 ~~480.033(3)~~, except those practices or activities defined in s.  
2094 477.013.

2095 Section 42. Subsection (4) of section 480.034, Florida  
2096 Statutes, is amended to read:

2097 480.034 Exemptions.—

2098 (4) An exemption granted is effective to the extent that  
2099 an exempted person's practice or profession overlaps with the  
2100 practice of massage therapy.

2101 Section 43. Subsection (2) of section 480.035, Florida  
 2102 Statutes, is amended to read:

2103 480.035 Board of Massage Therapy.—

2104 (2) Five members of the board shall be licensed massage  
 2105 therapists and shall have been engaged in the practice of  
 2106 massage therapy for not less than 5 consecutive years before  
 2107 ~~prior to~~ the date of appointment to the board. The Governor  
 2108 shall appoint each member for a term of 4 years. Two members of  
 2109 the board shall be laypersons. Each board member shall be a high  
 2110 school graduate or shall have received a high school equivalency  
 2111 diploma. Each board member shall be a citizen of the United  
 2112 States and a resident of this state for not less than 5 years.  
 2113 The appointments are ~~will be~~ subject to confirmation by the  
 2114 Senate.

2115 Section 44. Subsection (14) of section 480.043, Florida  
 2116 Statutes, is amended to read:

2117 480.043 Massage establishments; requisites; licensure;  
 2118 inspection; human trafficking awareness training and policies.—

2119 (14) Except for the requirements of subsection (13), this  
 2120 section does not apply to a physician licensed under chapter  
 2121 457, chapter 458, chapter 459, or chapter 460 who employs a  
 2122 licensed massage therapist to perform massage therapy on the  
 2123 physician's patients at the physician's place of practice. This  
 2124 subsection does not restrict investigations by the department  
 2125 for violations of chapter 456 or this chapter.

2126 Section 45. Paragraphs (a), (b), (c), (f), (g), (h), (i),  
 2127 and (o) of subsection (1) of section 480.046, Florida Statutes,  
 2128 are amended to read:

2129 480.046 Grounds for disciplinary action by the board.—

2130 (1) The following acts constitute grounds for denial of a  
 2131 license or disciplinary action, as specified in s. 456.072(2):

2132 (a) Attempting to procure a license to practice massage  
 2133 therapy by bribery or fraudulent misrepresentation.

2134 (b) Having a license to practice massage therapy revoked,  
 2135 suspended, or otherwise acted against, including the denial of  
 2136 licensure, by the licensing authority of another state,  
 2137 territory, or country.

2138 (c) Being convicted or found guilty, regardless of  
 2139 adjudication, of a crime in any jurisdiction which directly  
 2140 relates to the practice of massage therapy or to the ability to  
 2141 practice massage therapy. Any plea of nolo contendere shall be  
 2142 considered a conviction for purposes of this chapter.

2143 (f) Aiding, assisting, procuring, or advising any  
 2144 unlicensed person to practice massage therapy contrary to ~~the~~  
 2145 ~~provisions of this chapter or to~~ department or board a rule ~~of~~  
 2146 ~~the department or the board~~.

2147 (g) Making deceptive, untrue, or fraudulent  
 2148 representations in the practice of massage therapy.

2149 (h) Being unable to practice massage therapy with  
 2150 reasonable skill and safety by reason of illness or use of

2151 alcohol, drugs, narcotics, chemicals, or any other type of  
2152 material or as a result of any mental or physical condition. In  
2153 enforcing this paragraph, the department ~~shall have~~, upon  
2154 probable cause, may ~~authority to~~ compel a massage therapist to  
2155 submit to a mental or physical examination by physicians  
2156 designated by the department. Failure of a massage therapist to  
2157 submit to such examination when so directed, unless the failure  
2158 was due to circumstances beyond her or his control, constitutes  
2159 ~~shall constitute~~ an admission of the allegations against her or  
2160 him, consequent upon which a default and final order may be  
2161 entered without the taking of testimony or presentation of  
2162 evidence. A massage therapist affected under this paragraph  
2163 shall at reasonable intervals be afforded an opportunity to  
2164 demonstrate that she or he can resume the competent practice of  
2165 massage therapy with reasonable skill and safety to clients.

2166 (i) Gross or repeated malpractice or the failure to  
2167 practice massage therapy with that level of care, skill, and  
2168 treatment which is recognized by a reasonably prudent massage  
2169 therapist as being acceptable under similar conditions and  
2170 circumstances.

2171 (o) Practicing massage therapy at a site, location, or  
2172 place which is not duly licensed as a massage establishment,  
2173 except that a massage therapist, as provided by ~~rules adopted by~~  
2174 the board rule, may provide massage therapy services, excluding  
2175 colon hydrotherapy ~~colonic irrigation~~, at the residence of a

2176 client, at the office of the client, at a sports event, at a  
 2177 convention, or at a trade show.

2178 Section 46. Section 480.0465, Florida Statutes, is amended  
 2179 to read:

2180 480.0465 Advertisement.—Each massage therapist or massage  
 2181 establishment licensed under ~~the provisions of~~ this act shall  
 2182 include the number of the license in any advertisement of  
 2183 massage therapy services appearing in a newspaper, airwave  
 2184 transmission, telephone directory, or other advertising medium.  
 2185 Pending licensure of a new massage establishment pursuant to ~~the~~  
 2186 ~~provisions of~~ s. 480.043(7), the license number of a licensed  
 2187 massage therapist who is an owner or principal officer of the  
 2188 establishment may be used in lieu of the license number for the  
 2189 establishment.

2190 Section 47. Paragraphs (a), (b), and (c) of subsection (1)  
 2191 of section 480.047, Florida Statutes, are amended to read:

2192 480.047 Penalties.—

2193 (1) It is unlawful for any person to:

2194 (a) Hold himself or herself out as a massage therapist or  
 2195 to practice massage therapy unless duly licensed under this  
 2196 chapter or unless otherwise specifically exempted from licensure  
 2197 under this chapter.

2198 (b) Operate any massage establishment unless it has been  
 2199 duly licensed as provided herein, except that nothing herein  
 2200 shall be construed to prevent the teaching of massage therapy in



2201 this state at a board-approved massage therapy school.

2202 (c) Permit an employed person to practice massage therapy  
 2203 unless duly licensed as provided herein.

2204 Section 48. Section 480.052, Florida Statutes, is amended  
 2205 to read:

2206 480.052 Power of county or municipality to regulate  
 2207 massage therapy.—A county or municipality, within its  
 2208 jurisdiction, may regulate persons and establishments licensed  
 2209 under this chapter. Such regulation shall not exceed the powers  
 2210 of the state under this act or be inconsistent with this act.  
 2211 This section shall not be construed to prohibit a county or  
 2212 municipality from enacting any regulation of persons or  
 2213 establishments not licensed pursuant to this act.

2214 Section 49. Subsections (1) and (2) of section 480.0535,  
 2215 Florida Statutes, are amended to read:

2216 480.0535 Documents required while working in a massage  
 2217 establishment.—

2218 (1) In order to provide the department and law enforcement  
 2219 agencies the means to more effectively identify, investigate,  
 2220 and arrest persons engaging in human trafficking, a person  
 2221 employed by a massage establishment and any person performing  
 2222 massage therapy therein must immediately present, upon the  
 2223 request of an investigator of the department or a law  
 2224 enforcement officer, valid government identification while in  
 2225 the establishment. A valid government identification for the

2226 | purposes of this section is:

2227 |       (a) A valid, unexpired driver license issued by any state,

2228 | territory, or district of the United States;

2229 |       (b) A valid, unexpired identification card issued by any

2230 | state, territory, or district of the United States;

2231 |       (c) A valid, unexpired United States passport;

2232 |       (d) A naturalization certificate issued by the United

2233 | States Department of Homeland Security;

2234 |       (e) A valid, unexpired alien registration receipt card

2235 | (green card); or

2236 |       (f) A valid, unexpired employment authorization card

2237 | issued by the United States Department of Homeland Security.

2238 |       (2) A person operating a massage establishment must:

2239 |       (a) Immediately present, upon the request of an

2240 | investigator of the department or a law enforcement officer:

2241 |           1. Valid government identification while in the

2242 | establishment.

2243 |           2. A copy of the documentation specified in paragraph

2244 | (1)(a) for each employee and any person performing massage

2245 | therapy in the establishment.

2246 |       (b) Ensure that each employee and any person performing

2247 | massage therapy in the massage establishment is able to

2248 | immediately present, upon the request of an investigator of the

2249 | department or a law enforcement officer, valid government

2250 | identification while in the establishment.

2251 Section 50. Subsection (7) of section 553.77, Florida  
 2252 Statutes, is amended to read:

2253 553.77 Specific powers of the commission.—

2254 (7) Building officials shall recognize and enforce  
 2255 variance orders issued by the Department of Health pursuant to  
 2256 s. 514.0115(8) ~~s. 514.0115(7)~~, including any conditions attached  
 2257 to the granting of the variance.

2258 Section 51. Section 627.6407, Florida Statutes, is amended  
 2259 to read:

2260 627.6407 Massage.—Any policy of health insurance that  
 2261 provides coverage for massage shall also cover the services of  
 2262 persons licensed to practice massage therapy pursuant to chapter  
 2263 480, where the massage therapy, as defined in chapter 480, has  
 2264 been prescribed by a physician licensed under chapter 458,  
 2265 chapter 459, chapter 460, or chapter 461, as being medically  
 2266 necessary and the prescription specifies the number of  
 2267 treatments.

2268 Section 52. Section 627.6619, Florida Statutes, is amended  
 2269 to read:

2270 627.6619 Massage.—Any policy of health insurance that  
 2271 provides coverage for massage shall also cover the services of  
 2272 persons licensed to practice massage therapy pursuant to chapter  
 2273 480, where the massage therapy, as defined in chapter 480, has  
 2274 been prescribed by a physician licensed under chapter 458,  
 2275 chapter 459, chapter 460, or chapter 461, as being medically

2276 necessary and the prescription specifies the number of  
 2277 treatments.

2278 Section 53. Paragraph (a) of subsection (1) of section  
 2279 627.736, Florida Statutes, is amended to read:

2280 627.736 Required personal injury protection benefits;  
 2281 exclusions; priority; claims.—

2282 (1) REQUIRED BENEFITS.—An insurance policy complying with  
 2283 the security requirements of s. 627.733 must provide personal  
 2284 injury protection to the named insured, relatives residing in  
 2285 the same household, persons operating the insured motor vehicle,  
 2286 passengers in the motor vehicle, and other persons struck by the  
 2287 motor vehicle and suffering bodily injury while not an occupant  
 2288 of a self-propelled vehicle, subject to subsection (2) and  
 2289 paragraph (4) (e), to a limit of \$10,000 in medical and  
 2290 disability benefits and \$5,000 in death benefits resulting from  
 2291 bodily injury, sickness, disease, or death arising out of the  
 2292 ownership, maintenance, or use of a motor vehicle as follows:

2293 (a) Medical benefits.—Eighty percent of all reasonable  
 2294 expenses for medically necessary medical, surgical, X-ray,  
 2295 dental, and rehabilitative services, including prosthetic  
 2296 devices and medically necessary ambulance, hospital, and nursing  
 2297 services if the individual receives initial services and care  
 2298 pursuant to subparagraph 1. within 14 days after the motor  
 2299 vehicle accident. The medical benefits provide reimbursement  
 2300 only for:

2301           1. Initial services and care that are lawfully provided,  
2302 supervised, ordered, or prescribed by a physician licensed under  
2303 chapter 458 or chapter 459, a dentist licensed under chapter  
2304 466, or a chiropractic physician licensed under chapter 460 or  
2305 that are provided in a hospital or in a facility that owns, or  
2306 is wholly owned by, a hospital. Initial services and care may  
2307 also be provided by a person or entity licensed under part III  
2308 of chapter 401 which provides emergency transportation and  
2309 treatment.

2310           2. Upon referral by a provider described in subparagraph  
2311 1., followup services and care consistent with the underlying  
2312 medical diagnosis rendered pursuant to subparagraph 1. which may  
2313 be provided, supervised, ordered, or prescribed only by a  
2314 physician licensed under chapter 458 or chapter 459, a  
2315 chiropractic physician licensed under chapter 460, a dentist  
2316 licensed under chapter 466, or, to the extent permitted by  
2317 applicable law and under the supervision of such physician,  
2318 osteopathic physician, chiropractic physician, or dentist, by a  
2319 physician assistant licensed under chapter 458 or chapter 459 or  
2320 an advanced practice registered nurse licensed under chapter  
2321 464. Followup services and care may also be provided by the  
2322 following persons or entities:

2323           a. A hospital or ambulatory surgical center licensed under  
2324 chapter 395.

2325           b. An entity wholly owned by one or more physicians

2326 licensed under chapter 458 or chapter 459, chiropractic  
 2327 physicians licensed under chapter 460, or dentists licensed  
 2328 under chapter 466 or by such practitioners and the spouse,  
 2329 parent, child, or sibling of such practitioners.

2330 c. An entity that owns or is wholly owned, directly or  
 2331 indirectly, by a hospital or hospitals.

2332 d. A physical therapist licensed under chapter 486, based  
 2333 upon a referral by a provider described in this subparagraph.

2334 e. A health care clinic licensed under part X of chapter  
 2335 400 which is accredited by an accrediting organization whose  
 2336 standards incorporate comparable regulations required by this  
 2337 state, or

2338 (I) Has a medical director licensed under chapter 458,  
 2339 chapter 459, or chapter 460;

2340 (II) Has been continuously licensed for more than 3 years  
 2341 or is a publicly traded corporation that issues securities  
 2342 traded on an exchange registered with the United States  
 2343 Securities and Exchange Commission as a national securities  
 2344 exchange; and

2345 (III) Provides at least four of the following medical  
 2346 specialties:

2347 (A) General medicine.

2348 (B) Radiography.

2349 (C) Orthopedic medicine.

2350 (D) Physical medicine.

2351 (E) Physical therapy.

2352 (F) Physical rehabilitation.

2353 (G) Prescribing or dispensing outpatient prescription  
2354 medication.

2355 (H) Laboratory services.

2356 3. Reimbursement for services and care provided in  
2357 subparagraph 1. or subparagraph 2. up to \$10,000 if a physician  
2358 licensed under chapter 458 or chapter 459, a dentist licensed  
2359 under chapter 466, a physician assistant licensed under chapter  
2360 458 or chapter 459, or an advanced practice registered nurse  
2361 licensed under chapter 464 has determined that the injured  
2362 person had an emergency medical condition.

2363 4. Reimbursement for services and care provided in  
2364 subparagraph 1. or subparagraph 2. is limited to \$2,500 if a  
2365 provider listed in subparagraph 1. or subparagraph 2. determines  
2366 that the injured person did not have an emergency medical  
2367 condition.

2368 5. Medical benefits do not include massage therapy as  
2369 defined in s. 480.033 or acupuncture as defined in s. 457.102,  
2370 regardless of the person, entity, or licensee providing massage  
2371 therapy or acupuncture, and a licensed massage therapist or  
2372 licensed acupuncturist may not be reimbursed for medical  
2373 benefits under this section.

2374 6. The Financial Services Commission shall adopt by rule  
2375 the form that must be used by an insurer and a health care

2376 provider specified in sub-subparagraph 2.b., sub-subparagraph  
2377 2.c., or sub-subparagraph 2.e. to document that the health care  
2378 provider meets the criteria of this paragraph. Such rule must  
2379 include a requirement for a sworn statement or affidavit.

2380

2381 Only insurers writing motor vehicle liability insurance in this  
2382 state may provide the required benefits of this section, and  
2383 such insurer may not require the purchase of any other motor  
2384 vehicle coverage other than the purchase of property damage  
2385 liability coverage as required by s. 627.7275 as a condition for  
2386 providing such benefits. Insurers may not require that property  
2387 damage liability insurance in an amount greater than \$10,000 be  
2388 purchased in conjunction with personal injury protection. Such  
2389 insurers shall make benefits and required property damage  
2390 liability insurance coverage available through normal marketing  
2391 channels. An insurer writing motor vehicle liability insurance  
2392 in this state who fails to comply with such availability  
2393 requirement as a general business practice violates part IX of  
2394 chapter 626, and such violation constitutes an unfair method of  
2395 competition or an unfair or deceptive act or practice involving  
2396 the business of insurance. An insurer committing such violation  
2397 is subject to the penalties provided under that part, as well as  
2398 those provided elsewhere in the insurance code.

2399 Section 54. Subsection (37) of section 641.31, Florida  
2400 Statutes, is amended to read:



2401 641.31 Health maintenance contracts.—

2402 (37) All health maintenance contracts that provide  
2403 coverage for massage must also cover the services of persons  
2404 licensed to practice massage therapy pursuant to chapter 480 if  
2405 the massage is prescribed by a contracted physician licensed  
2406 under chapter 458, chapter 459, chapter 460, or chapter 461 as  
2407 medically necessary and the prescription specifies the number of  
2408 treatments. Such massage services are subject to the same terms,  
2409 conditions, and limitations as those of other covered services.

2410 Section 55. Except as otherwise provided in this act and  
2411 except for this section, which shall take effect upon this act  
2412 becoming a law, this act shall take effect July 1, 2020.