

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 39.303, F.S.; specifying direct reporting
4 requirements for certain positions within the
5 Children's Medical Services Program; amending s.
6 381.0042, F.S.; revising the purpose of patient care
7 networks from serving patients with acquired immune
8 deficiency syndrome to serving those with human
9 immunodeficiency virus; conforming provisions to
10 changes made by the act; deleting obsolete language;
11 amending s. 381.4018, F.S.; requiring the Department
12 of Health to develop strategies to maximize federal-
13 state partnerships that provide incentives for
14 physicians to practice in medically underserved or
15 rural areas; authorizing the department to adopt
16 certain rules; amending s. 381.915, F.S.; revising
17 provisions relating to time limitations on a cancer
18 center's participation in the Tier 3 designation under
19 the Florida Consortium of National Cancer Institute
20 Centers Program; amending s. 401.35, F.S.; revising
21 provisions relating to the applicability of rules to
22 certain licensees; deleting a requirement that the
23 department base rules governing medical supplies and
24 equipment required in ambulances and emergency medical
25 services vehicles on a certain association's

26 standards; deleting a requirement that the department
27 base rules governing ambulance or vehicle design and
28 construction on a certain agency's standards and
29 instead requiring the department to base such rules on
30 national standards recognized by the department;
31 amending s. 404.031, F.S.; defining the term "useful
32 beam"; amending s. 404.202, F.S.; providing
33 requirements for the maintenance, operation, and
34 modification of certain radiation machines; providing
35 conditions for the authorized exposure of human beings
36 to the radiation emitted from a radiation machine;
37 amending s. 456.013, F.S.; revising health care
38 practitioner licensure application requirements;
39 authorizing the board or department to issue a
40 temporary license to certain applicants which expires
41 after 60 days; amending s. 456.0635, F.S.; providing
42 an exception to a prohibition on the examination or
43 licensure of certain applicants who are listed on a
44 specified federal list; amending s. 456.072, F.S.;

45 conforming provisions to changes made by the act;
46 repealing s. 456.0721, F.S., relating to health care
47 practitioners in default on student loan or
48 scholarship obligations; amending s. 456.074, F.S.;

49 conforming provisions to changes made by the act;
50 amending s. 458.3145, F.S.; revising the list of

51 individuals who may be issued a medical faculty
52 certificate without examination; amending s. 458.3312,
53 F.S.; removing a prohibition against physicians
54 representing themselves as board-certified specialists
55 in dermatology unless the recognizing agency is
56 reviewed and reauthorized on a specified basis by the
57 Board of Medicine; amending s. 459.0055, F.S.;

58 revising licensure requirements for a person seeking
59 licensure or certification as an osteopathic
60 physician; repealing s. 460.4166, F.S., relating to
61 registered chiropractic assistants; amending s.
62 464.019, F.S.; extending through 2025 the Florida
63 Center for Nursing's responsibility to study and issue
64 an annual report on the implementation of nursing
65 education programs; amending s. 464.202, F.S.;

66 requiring the Board of Nursing to adopt rules that
67 include disciplinary procedures and standards of
68 practice for certified nursing assistants; amending s.
69 464.203, F.S.; revising certification requirements for
70 nursing assistants; amending s. 464.204, F.S.;

71 revising grounds for board-imposed disciplinary
72 sanctions; amending s. 466.006, F.S.; revising certain
73 examination requirements for applicants seeking dental
74 licensure; reviving, reenacting, and amending s.
75 466.0067, F.S., relating to the application for a

76 health access dental license; reviving, reenacting,
77 and amending s. 466.00671, F.S., relating to the
78 renewal of such a license; reviving and reenacting s.
79 466.00672, F.S., relating to the revocation of such a
80 license; providing for retroactive application;
81 amending s. 466.007, F.S.; revising requirements for
82 examinations of dental hygienists; amending s.
83 466.017, F.S.; requiring dentists and certified
84 registered dental hygienists to report in writing
85 certain adverse incidents to the department within a
86 specified timeframe; providing for disciplinary action
87 by the Board of Dentistry for violations; defining the
88 term "adverse incident"; authorizing the board to
89 adopt rules; amending s. 466.031, F.S.; making
90 technical changes; authorizing an employee or an
91 independent contractor of a dental laboratory, acting
92 as an agent of that dental laboratory, to engage in
93 onsite consultation with a licensed dentist during a
94 dental procedure; amending s. 466.036, F.S.; revising
95 the frequency of dental laboratory inspections during
96 a specified period; amending s. 468.701, F.S.;
97 revising the definition of the term "athletic
98 trainer"; deleting a requirement that is relocated to
99 another section; amending s. 468.707, F.S.; revising
100 athletic trainer licensure requirements; amending s.

101 468.711, F.S.; requiring certain licensees to maintain
102 certification in good standing without lapse as a
103 condition of renewal of their athletic trainer
104 licenses; amending s. 468.713, F.S.; requiring that an
105 athletic trainer work within a specified scope of
106 practice; relocating an existing requirement that was
107 stricken from another section; amending s. 468.723,
108 F.S.; requiring the direct supervision of an athletic
109 training student to be in accordance with rules
110 adopted by the Board of Athletic Training; amending s.
111 468.803, F.S.; revising orthotic, prosthetic, and
112 pedorthic licensure, registration, and examination
113 requirements; amending s. 480.033, F.S.; revising the
114 definition of the term "apprentice"; amending s.
115 480.041, F.S.; revising qualifications for licensure
116 as a massage therapist; specifying that massage
117 apprentices licensed before a specified date may
118 continue to perform massage therapy as authorized
119 under their licenses; authorizing massage apprentices
120 to apply for full licensure upon completion of their
121 apprenticeships, under certain conditions; repealing
122 s. 480.042, F.S., relating to examinations for
123 licensure as a massage therapist; amending s. 490.003,
124 F.S.; revising the definition of the terms "doctoral-
125 level psychological education" and "doctoral degree in

126 psychology"; amending s. 490.005, F.S.; revising
127 requirements for licensure by examination of
128 psychologists and school psychologists; amending s.
129 490.006, F.S.; revising requirements for licensure by
130 endorsement of psychologists and school psychologists;
131 amending s. 491.0045, F.S.; exempting clinical social
132 worker interns, marriage and family therapist interns,
133 and mental health counselor interns from registration
134 requirements, under certain circumstances; amending s.
135 491.005, F.S.; revising requirements for the licensure
136 by examination of marriage and family therapists;
137 revising requirements for the licensure by examination
138 of mental health counselors; amending s. 491.006,
139 F.S.; revising requirements for licensure by
140 endorsement or certification for specified
141 professions; amending s. 491.007, F.S.; removing a
142 biennial intern registration fee; amending s. 491.009,
143 F.S.; authorizing the Board of Clinical Social Work,
144 Marriage and Family Therapy, and Mental Health
145 Counseling or, under certain circumstances, the
146 department to enter an order denying licensure or
147 imposing penalties against an applicant for licensure
148 under certain circumstances; amending ss. 491.0046 and
149 945.42, F.S.; conforming cross-references; providing
150 an effective date.

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

Section 1. Paragraphs (a) and (b) of subsection (2) of section 39.303, Florida Statutes, are amended to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(2) (a) The Statewide Medical Director for Child Protection must be a physician licensed under chapter 458 or chapter 459 who is a board-certified pediatrician with a subspecialty certification in child abuse from the American Board of Pediatrics. The Statewide Medical Director for Child Protection shall report directly to the Deputy Secretary for Children's Medical Services.

(b) Each Child Protection Team medical director must be a physician licensed under chapter 458 or chapter 459 who is a board-certified physician in pediatrics or family medicine and, within 2 years after the date of employment as a Child Protection Team medical director, obtains a subspecialty certification in child abuse from the American Board of Pediatrics or within 2 years meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Each Child Protection Team medical director employed on July 1, 2015, must, by July 1, 2019, either

176 obtain a subspecialty certification in child abuse from the
177 American Board of Pediatrics or meet the minimum requirements
178 established by a third-party credentialing entity recognizing a
179 demonstrated specialized competence in child abuse pediatrics
180 pursuant to paragraph (d). Child Protection Team medical
181 directors shall be responsible for oversight of the teams in the
182 circuits. Each Child Protection Team medical director shall
183 report directly to the Statewide Medical Director for Child
184 Protection.

185 Section 2. Section 381.0042, Florida Statutes, is amended
186 to read:

187 381.0042 Patient care for persons with HIV infection.—The
188 department may establish human immunodeficiency virus ~~acquired~~
189 ~~immune deficiency syndrome~~ patient care networks in each region
190 of the state where the number ~~numbers~~ of cases of ~~acquired~~
191 ~~immune deficiency syndrome~~ and other human immunodeficiency
192 virus transmission ~~infections~~ justifies the establishment of
193 cost-effective regional patient care networks. Such networks
194 shall be delineated by rule of the department which shall take
195 into account natural trade areas and centers of medical
196 excellence that specialize in the treatment of human
197 immunodeficiency virus ~~acquired immune deficiency syndrome~~, as
198 well as available federal, state, and other funds. Each patient
199 care network shall include representation of persons with human
200 immunodeficiency virus infection; health care providers;

201 business interests; the department, including, but not limited
202 to, county health departments; and local units of government.
203 Each network shall plan for the care and treatment of persons
204 with human immunodeficiency virus ~~acquired immune deficiency~~
205 ~~syndrome and acquired immune deficiency syndrome related complex~~
206 in a cost-effective, dignified manner that ~~which~~ emphasizes
207 outpatient and home care. Once per ~~each~~ year, ~~beginning April~~
208 ~~1989~~, each network shall make its recommendations concerning the
209 needs for patient care to the department.

210 Section 3. Subsection (3) of section 381.4018, Florida
211 Statutes, is amended to read:

212 381.4018 Physician workforce assessment and development.—

213 (3) GENERAL FUNCTIONS.—The department shall maximize the
214 use of existing programs under the jurisdiction of the
215 department and other state agencies and coordinate governmental
216 and nongovernmental stakeholders and resources in order to
217 develop a state strategic plan and assess the implementation of
218 such strategic plan. In developing the state strategic plan, the
219 department shall:

220 (a) Monitor, evaluate, and report on the supply and
221 distribution of physicians licensed under chapter 458 or chapter
222 459. The department shall maintain a database to serve as a
223 statewide source of data concerning the physician workforce.

224 (b) Develop a model and quantify, on an ongoing basis, the
225 adequacy of the state's current and future physician workforce

226 as reliable data becomes available. Such model must take into
227 account demographics, physician practice status, place of
228 education and training, generational changes, population growth,
229 economic indicators, and issues concerning the "pipeline" into
230 medical education.

231 (c) Develop and recommend strategies to determine whether
232 the number of qualified medical school applicants who might
233 become competent, practicing physicians in this state will be
234 sufficient to meet the capacity of the state's medical schools.
235 If appropriate, the department shall, working with
236 representatives of appropriate governmental and nongovernmental
237 entities, develop strategies and recommendations and identify
238 best practice programs that introduce health care as a
239 profession and strengthen skills needed for medical school
240 admission for elementary, middle, and high school students, and
241 improve premedical education at the precollege and college level
242 in order to increase this state's potential pool of medical
243 students.

244 (d) Develop strategies to ensure that the number of
245 graduates from the state's public and private allopathic and
246 osteopathic medical schools is adequate to meet physician
247 workforce needs, based on the analysis of the physician
248 workforce data, so as to provide a high-quality medical
249 education to students in a manner that recognizes the uniqueness
250 of each new and existing medical school in this state.

251 (e) Pursue strategies and policies to create, expand, and
252 maintain graduate medical education positions in the state based
253 on the analysis of the physician workforce data. Such strategies
254 and policies must take into account the effect of federal
255 funding limitations on the expansion and creation of positions
256 in graduate medical education. The department shall develop
257 options to address such federal funding limitations. The
258 department shall consider options to provide direct state
259 funding for graduate medical education positions in a manner
260 that addresses requirements and needs relative to accreditation
261 of graduate medical education programs. The department shall
262 consider funding residency positions as a means of addressing
263 needed physician specialty areas, rural areas having a shortage
264 of physicians, and areas of ongoing critical need, and as a
265 means of addressing the state's physician workforce needs based
266 on an ongoing analysis of physician workforce data.

267 (f) Develop strategies to maximize federal and state
268 programs that provide for the use of incentives to attract
269 physicians to this state or retain physicians within the state.
270 Such strategies should explore and maximize federal-state
271 partnerships that provide incentives for physicians to practice
272 in federally designated shortage areas, in otherwise medically
273 underserved areas, or in rural areas. Strategies shall also
274 consider the use of state programs, such as the Medical
275 Education Reimbursement and Loan Repayment Program pursuant to

276 s. 1009.65, which provide for education loan repayment or loan
277 forgiveness and provide monetary incentives for physicians to
278 relocate to underserved areas of the state.

279 (g) Coordinate and enhance activities relative to
280 physician workforce needs, undergraduate medical education,
281 graduate medical education, and reentry of retired military and
282 other physicians into the physician workforce provided by the
283 Division of Medical Quality Assurance, area health education
284 center networks established pursuant to s. 381.0402, and other
285 offices and programs within the department as designated by the
286 State Surgeon General.

287 (h) Work in conjunction with and act as a coordinating
288 body for governmental and nongovernmental stakeholders to
289 address matters relating to the state's physician workforce
290 assessment and development for the purpose of ensuring an
291 adequate supply of well-trained physicians to meet the state's
292 future needs. Such governmental stakeholders shall include, but
293 need not be limited to, the State Surgeon General or his or her
294 designee, the Commissioner of Education or his or her designee,
295 the Secretary of Health Care Administration or his or her
296 designee, and the Chancellor of the State University System or
297 his or her designee, and, at the discretion of the department,
298 other representatives of state and local agencies that are
299 involved in assessing, educating, or training the state's
300 current or future physicians. Other stakeholders shall include,

301 but need not be limited to, organizations representing the
302 state's public and private allopathic and osteopathic medical
303 schools; organizations representing hospitals and other
304 institutions providing health care, particularly those that
305 currently provide or have an interest in providing accredited
306 medical education and graduate medical education to medical
307 students and medical residents; organizations representing
308 allopathic and osteopathic practicing physicians; and, at the
309 discretion of the department, representatives of other
310 organizations or entities involved in assessing, educating, or
311 training the state's current or future physicians.

312 (i) Serve as a liaison with other states and federal
313 agencies and programs in order to enhance resources available to
314 the state's physician workforce and medical education continuum.

315 (j) Act as a clearinghouse for collecting and
316 disseminating information concerning the physician workforce and
317 medical education continuum in this state.

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319 The department may adopt rules to implement this subsection,
320 including rules that establish guidelines to implement the
321 federal Conrad 30 Waiver Program created under s. 214(1) of the
322 Immigration and Nationality Act.

323 Section 4. Paragraph (c) of subsection (4) of section
324 381.915, Florida Statutes, is amended to read:

325 381.915 Florida Consortium of National Cancer Institute
 326 Centers Program.—

327 (4) Tier designations and corresponding weights within the
 328 Florida Consortium of National Cancer Institute Centers Program
 329 are as follows:

330 (c) Tier 3: Florida-based cancer centers seeking
 331 designation as either a NCI-designated cancer center or NCI-
 332 designated comprehensive cancer center, which shall be weighted
 333 at 1.0.

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

337 a. Conducting cancer-related basic scientific research and
 338 cancer-related population scientific research;

339 b. Offering and providing the full range of diagnostic and
 340 treatment services on site, as determined by the Commission on
 341 Cancer of the American College of Surgeons;

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

345 d. Offering degree-granting programs or affiliating with
 346 universities through degree-granting programs accredited or
 347 approved by a nationally recognized agency and offered through
 348 the center or through the center in conjunction with another

349 institution accredited by the Commission on Colleges of the
350 Southern Association of Colleges and Schools;

351 e. Providing training to clinical trainees, medical
352 trainees accredited by the Accreditation Council for Graduate
353 Medical Education or the American Osteopathic Association, and
354 postdoctoral fellows recently awarded a doctorate degree; and

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

357 2. The General Appropriations Act or accompanying
358 legislation may limit the number of cancer centers which shall
359 receive Tier 3 designations or provide additional criteria for
360 such designation.

361 3. A cancer center's participation in Tier 3 may not
362 extend beyond June 30, 2024 ~~shall be limited to 6 years.~~

363 4. A cancer center that qualifies as a designated Tier 3
364 center under the criteria provided in subparagraph 1. by July 1,
365 2014, is authorized to pursue NCI designation as a cancer center
366 or a comprehensive cancer center until June 30, 2024 ~~for 6 years~~
367 ~~after qualification.~~

368 Section 5. Paragraphs (c) and (d) of subsection (1) of
369 section 401.35, Florida Statutes, are amended to read:

370 401.35 Rules.—The department shall adopt rules, including
371 definitions of terms, necessary to carry out the purposes of
372 this part.

373 (1) The rules must provide at least minimum standards
 374 governing:

375 (c) Ground ambulance and vehicle equipment and supplies
 376 that a licensee with a valid vehicle permit under s. 401.26 is
 377 required to maintain to provide basic or advanced life support
 378 services ~~at least as comprehensive as those published in the~~
 379 ~~most current edition of the American College of Surgeons,~~
 380 ~~Committee on Trauma, list of essential equipment for ambulances,~~
 381 ~~as interpreted by rules of the department.~~

382 (d) Ground ambulance or vehicle design and construction
 383 based on national standards recognized by the department and at
 384 ~~least equal to those most currently recommended by the United~~
 385 ~~States General Services Administration as interpreted by~~
 386 department rules of the department.

387 Section 6. Subsection (21) is added to section 404.031,
 388 Florida Statutes, to read:

389 404.031 Definitions.—As used in this chapter, unless the
 390 context clearly indicates otherwise, the term:

391 (21) "Useful beam" means that portion of the radiation
 392 emitted from a radiation machine through the aperture of the
 393 machine's beam-limiting device which is designed to focus the
 394 radiation on the intended target in order to accomplish the
 395 machine's purpose when the machine's exposure controls are in a
 396 mode to cause the system to produce radiation.

397 Section 7. Subsections (7) and (8) are added to section
398 404.22, Florida Statutes, to read:

399 404.22 Radiation machines and components; inspection.—

400 (7) Radiation machines that are used to intentionally
401 expose a human being to the useful beam:

402 (a) Must be maintained and operated according to
403 manufacturer standards or nationally-recognized consensus
404 standards accepted by the department;

405 (b) Must be operated at the lowest exposure that will
406 achieve the intended purpose of the exposure; and

407 (c) May not be modified in a manner that causes the
408 original parts to operate in a way that differs from the
409 original manufacturer's design specification or the parameters
410 approved for the machine and its components by the United States
411 Food and Drug Administration.

412 (8) A human being may be exposed to the useful beam of a
413 radiation machine only under the following conditions:

414 (a) For the purpose of medical or health care, if a
415 licensed health care practitioner operating within the scope of
416 his or her practice determines that the exposure provides a
417 medical or health benefit greater than the health risks posed by
418 the exposure and the health care practitioner uses the results
419 of the exposure in the medical or health care of the exposed
420 individual; or

421 (b) For the purpose of providing security for facilities

422 or other venues, the exposure is determined to provide a life
 423 safety benefit to the individual exposed which is greater than
 424 the health risk posed by the exposure. Such determination must
 425 be made by an individual trained in evaluating and calculating
 426 comparative mortality and morbidity risks according to standards
 427 set by the department. To be valid, the calculation and method
 428 of making the determination must be submitted to and accepted by
 429 the department. Limits to annual total exposure for security
 430 purposes must be adopted by department rule based on nationally
 431 recognized limits or relevant consensus standards.

432 Section 8. Paragraphs (a) and (b) of subsection (1) of
 433 section 456.013, Florida Statutes, are amended to read:

434 456.013 Department; general licensing provisions.—

435 (1) (a) Any person desiring to be licensed in a profession
 436 within the jurisdiction of the department must ~~shall~~ apply to
 437 the department in writing ~~to take the licensure examination~~. The
 438 application must ~~shall~~ be made on a form prepared and furnished
 439 by the department. The application form must be available on the
 440 Internet, World Wide Web and the department may accept
 441 electronically submitted applications. The application shall
 442 require the social security number and date of birth of the
 443 applicant, except as provided in paragraphs (b) and (c). The
 444 form shall be supplemented as needed to reflect any material
 445 change in any circumstance or condition stated in the
 446 application which takes place between the initial filing of the

447 application and the final grant or denial of the license and
448 which might affect the decision of the department. If an
449 application is submitted electronically, the department may
450 require supplemental materials, including an original signature
451 of the applicant and verification of credentials, to be
452 submitted in a nonelectronic format. An incomplete application
453 shall expire 1 year after initial filing. In order to further
454 the economic development goals of the state, and notwithstanding
455 any law to the contrary, the department may enter into an
456 agreement with the county tax collector for the purpose of
457 appointing the county tax collector as the department's agent to
458 accept applications for licenses and applications for renewals
459 of licenses. The agreement must specify the time within which
460 the tax collector must forward any applications and accompanying
461 application fees to the department.

462 (b) If an applicant has not been issued a social security
463 number by the Federal Government at the time of application
464 because the applicant is not a citizen or resident of this
465 country, the department may process the application using a
466 unique personal identification number. If such an applicant is
467 otherwise eligible for licensure, the board, or the department
468 when there is no board, may issue a temporary license to the
469 applicant, ~~7~~ which shall expire 30 days after issuance unless a
470 social security number is obtained and submitted in writing to
471 the department. A temporary license issued under this paragraph

472 to an applicant who has accepted a position with an accredited
473 residency, internship, or fellowship program in this state and
474 is applying for registration under s. 458.345 or s. 459.021
475 shall expire 60 days after issuance unless the applicant obtains
476 a social security number and submits it in writing to the
477 department. Upon receipt of the applicant's social security
478 number, the department shall issue a new license, which shall
479 expire at the end of the current biennium.

480 Section 9. Paragraph (e) of subsection (2) and paragraph
481 (e) of subsection (3) of section 456.0635, Florida Statutes, are
482 amended to read:

483 456.0635 Health care fraud; disqualification for license,
484 certificate, or registration.—

485 (2) Each board within the jurisdiction of the department,
486 or the department if there is no board, shall refuse to admit a
487 candidate to any examination and refuse to issue a license,
488 certificate, or registration to any applicant if the candidate
489 or applicant or any principal, officer, agent, managing
490 employee, or affiliated person of the candidate or applicant:

491 (e) Is currently listed on the United States Department of
492 Health and Human Services Office of Inspector General's List of
493 Excluded Individuals and Entities, unless such applicant is
494 listed solely based on a default or delinquency on a student
495 loan.

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497 This subsection does not apply to an applicant for initial
498 licensure, certification, or registration who was arrested or
499 charged with a felony specified in paragraph (a) or paragraph
500 (b) before July 1, 2009.

501 (3) The department shall refuse to renew a license,
502 certificate, or registration of any applicant if the applicant
503 or any principal, officer, agent, managing employee, or
504 affiliated person of the applicant:

505 (e) Is currently listed on the United States Department of
506 Health and Human Services Office of Inspector General's List of
507 Excluded Individuals and Entities, unless such applicant is
508 listed solely based on a default or delinquency on a student
509 loan.

510
511 This subsection does not apply to an applicant for renewal of
512 licensure, certification, or registration who was arrested or
513 charged with a felony specified in paragraph (a) or paragraph
514 (b) before July 1, 2009.

515 Section 10. Paragraph (k) of subsection (1) of section
516 456.072, Florida Statutes, is amended to read:

517 456.072 Grounds for discipline; penalties; enforcement.—

518 (1) The following acts shall constitute grounds for which
519 the disciplinary actions specified in subsection (2) may be
520 taken:

521 (k) Failing to perform any statutory or legal obligation

522 placed upon a licensee. For purposes of this section, failing to
523 repay a student loan issued or guaranteed by the state or the
524 Federal Government in accordance with the terms of the loan is
525 ~~not or failing to comply with service scholarship obligations~~
526 ~~shall be considered a failure to perform a statutory or legal~~
527 ~~obligation, and the minimum disciplinary action imposed shall be~~
528 ~~a suspension of the license until new payment terms are agreed~~
529 ~~upon or the scholarship obligation is resumed, followed by~~
530 ~~probation for the duration of the student loan or remaining~~
531 ~~scholarship obligation period, and a fine equal to 10 percent of~~
532 ~~the defaulted loan amount.~~ Fines collected shall be deposited
533 into the Medical Quality Assurance Trust Fund.

534 Section 11. Section 456.0721, Florida Statutes, is
535 repealed.

536 Section 12. Subsection (4) of section 456.074, Florida
537 Statutes, is amended to read:

538 456.074 Certain health care practitioners; immediate
539 suspension of license.—

540 ~~(4) Upon receipt of information that a Florida-licensed~~
541 ~~health care practitioner has defaulted on a student loan issued~~
542 ~~or guaranteed by the state or the Federal Government, the~~
543 ~~department shall notify the licensee by certified mail that he~~
544 ~~or she shall be subject to immediate suspension of license~~
545 ~~unless, within 45 days after the date of mailing, the licensee~~
546 ~~provides proof that new payment terms have been agreed upon by~~

547 | ~~all parties to the loan. The department shall issue an emergency~~
548 | ~~order suspending the license of any licensee who, after 45 days~~
549 | ~~following the date of mailing from the department, has failed to~~
550 | ~~provide such proof. Production of such proof shall not prohibit~~
551 | ~~the department from proceeding with disciplinary action against~~
552 | ~~the licensee pursuant to s. 456.073.~~

553 | Section 13. Subsection (1) of section 458.3145, Florida
554 | Statutes, is amended to read:

555 | 458.3145 Medical faculty certificate.—

556 | (1) A medical faculty certificate may be issued without
557 | examination to an individual who:

558 | (a) Is a graduate of an accredited medical school or its
559 | equivalent, or is a graduate of a foreign medical school listed
560 | with the World Health Organization;

561 | (b) Holds a valid, current license to practice medicine in
562 | another jurisdiction;

563 | (c) Has completed the application form and remitted a
564 | nonrefundable application fee not to exceed \$500;

565 | (d) Has completed an approved residency or fellowship of
566 | at least 1 year or has received training which has been
567 | determined by the board to be equivalent to the 1-year residency
568 | requirement;

569 | (e) Is at least 21 years of age;

570 | (f) Is of good moral character;

571 | (g) Has not committed any act in this or any other

572 jurisdiction which would constitute the basis for disciplining a
 573 physician under s. 458.331;

574 (h) For any applicant who has graduated from medical
 575 school after October 1, 1992, has completed, before entering
 576 medical school, the equivalent of 2 academic years of
 577 preprofessional, postsecondary education, as determined by rule
 578 of the board, which must include, at a minimum, courses in such
 579 fields as anatomy, biology, and chemistry; and

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

- 582 1. The University of Florida;
- 583 2. The University of Miami;
- 584 3. The University of South Florida;
- 585 4. The Florida State University;
- 586 5. The Florida International University;
- 587 6. The University of Central Florida;
- 588 7. The Mayo Clinic College of Medicine and Science in
 589 Jacksonville, Florida;
- 590 8. The Florida Atlantic University; ~~or~~
- 591 9. The Johns Hopkins All Children's Hospital in St.
 592 Petersburg, Florida;
- 593 10. Nova Southeastern University; or
- 594 11. Lake Erie College of Osteopathic Medicine.

595 Section 14. Section 458.3312, Florida Statutes, is amended
 596 to read:

597 458.3312 Specialties.—A physician licensed under this
 598 chapter may not hold himself or herself out as a board-certified
 599 specialist unless the physician has received formal recognition
 600 as a specialist from a specialty board of the American Board of
 601 Medical Specialties or other recognizing agency that has been
 602 approved by the board. However, a physician may indicate the
 603 services offered and may state that his or her practice is
 604 limited to one or more types of services when this accurately
 605 reflects the scope of practice of the physician. ~~A physician may~~
 606 ~~not hold himself or herself out as a board-certified specialist~~
 607 ~~in dermatology unless the recognizing agency, whether authorized~~
 608 ~~in statute or by rule, is triennially reviewed and reauthorized~~
 609 ~~by the Board of Medicine.~~

610 Section 15. Subsection (1) of section 459.0055, Florida
 611 Statutes, is amended to read:

612 459.0055 General licensure requirements.—

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

616 (a) Complete an application form and submit the
 617 appropriate fee to the department;

618 (b) Be at least 21 years of age;

619 (c) Be of good moral character;

620 (d) Have completed at least 3 years of preprofessional
 621 postsecondary education;

622 (e) Have not previously committed any act that would
623 constitute a violation of this chapter, unless the board
624 determines that such act does not adversely affect the
625 applicant's present ability and fitness to practice osteopathic
626 medicine;

627 (f) Not be under investigation in any jurisdiction for an
628 act that would constitute a violation of this chapter. If, upon
629 completion of such investigation, it is determined that the
630 applicant has committed an act that would constitute a violation
631 of this chapter, the applicant is ineligible for licensure
632 unless the board determines that such act does not adversely
633 affect the applicant's present ability and fitness to practice
634 osteopathic medicine;

635 (g) Have not had an application for a license to practice
636 osteopathic medicine denied or a license to practice osteopathic
637 medicine revoked, suspended, or otherwise acted against by the
638 licensing authority of any jurisdiction unless the board
639 determines that the grounds on which such action was taken do
640 not adversely affect the applicant's present ability and fitness
641 to practice osteopathic medicine. A licensing authority's
642 acceptance of a physician's relinquishment of license,
643 stipulation, consent order, or other settlement, offered in
644 response to or in anticipation of the filing of administrative
645 charges against the osteopathic physician, shall be considered
646 action against the osteopathic physician's license;

647 (h) Not have received less than a satisfactory evaluation
648 from an internship, residency, or fellowship training program,
649 unless the board determines that such act does not adversely
650 affect the applicant's present ability and fitness to practice
651 osteopathic medicine. Such evaluation shall be provided by the
652 director of medical education from the medical training
653 facility;

654 (i) Have met the criteria set forth in s. 459.0075, s.
655 459.0077, or s. 459.021, whichever is applicable;

656 (j) Submit to the department a set of fingerprints on a
657 form and under procedures specified by the department, along
658 with a payment in an amount equal to the costs incurred by the
659 Department of Health for the criminal background check of the
660 applicant;

661 (k) Demonstrate that ~~he or she~~ or he is a graduate of a
662 medical college recognized and approved by the American
663 Osteopathic Association;

664 (l) Demonstrate that she or he has successfully completed
665 an internship or residency ~~a resident internship~~ of not less
666 than 12 months in a program accredited ~~hospital approved~~ for
667 this purpose by ~~the Board of Trustees of~~ the American
668 Osteopathic Association or the Accreditation Council for
669 Graduate Medical Education ~~any other internship program approved~~
670 ~~by the board upon a showing of good cause by the applicant.~~ This
671 requirement may be waived for an applicant who matriculated in a

672 college of osteopathic medicine during or before 1948; and
673 (m) Demonstrate that she or he has obtained a passing
674 score, as established by rule of the board, on all parts of the
675 examination conducted by the National Board of Osteopathic
676 Medical Examiners or other examination approved by the board no
677 more than 5 years before making application in this state or, if
678 holding a valid active license in another state, that the
679 initial licensure in the other state occurred no more than 5
680 years after the applicant obtained a passing score on the
681 examination conducted by the National Board of Osteopathic
682 Medical Examiners or other substantially similar examination
683 approved by the board.

684 Section 16. Section 460.4166, Florida Statutes, is
685 repealed.

686 Section 17. Subsection (10) of section 464.019, Florida
687 Statutes, is amended to read:

688 464.019 Approval of nursing education programs.—

689 (10) IMPLEMENTATION STUDY.—The Florida Center for Nursing
690 shall study the administration of this section and submit
691 reports to the Governor, the President of the Senate, and the
692 Speaker of the House of Representatives annually by January 30,
693 through January 30, 2025 ~~2020~~. The annual reports shall address
694 the previous academic year; provide data on the measures
695 specified in paragraphs (a) and (b), as such data becomes
696 available; and include an evaluation of such data for purposes

697 of determining whether this section is increasing the
698 availability of nursing education programs and the production of
699 quality nurses. The department and each approved program or
700 accredited program shall comply with requests for data from the
701 Florida Center for Nursing.

702 (a) The Florida Center for Nursing shall evaluate program-
703 specific data for each approved program and accredited program
704 conducted in the state, including, but not limited to:

705 1. The number of programs and student slots available.

706 2. The number of student applications submitted, the
707 number of qualified applicants, and the number of students
708 accepted.

709 3. The number of program graduates.

710 4. Program retention rates of students tracked from
711 program entry to graduation.

712 5. Graduate passage rates on the National Council of State
713 Boards of Nursing Licensing Examination.

714 6. The number of graduates who become employed as
715 practical or professional nurses in the state.

716 (b) The Florida Center for Nursing shall evaluate the
717 board's implementation of the:

718 1. Program application approval process, including, but
719 not limited to, the number of program applications submitted
720 under subsection (1) ~~1~~ the number of program applications
721 approved and denied by the board under subsection (2) ~~2~~ the

722 number of denials of program applications reviewed under chapter
723 120, ~~+~~ and a description of the outcomes of those reviews.

724 2. Accountability processes, including, but not limited
725 to, the number of programs on probationary status, the number of
726 approved programs for which the program director is required to
727 appear before the board under subsection (5), the number of
728 approved programs terminated by the board, the number of
729 terminations reviewed under chapter 120, and a description of
730 the outcomes of those reviews.

731 (c) The Florida Center for Nursing shall complete an
732 annual assessment of compliance by programs with the
733 accreditation requirements of subsection (11), include in the
734 assessment a determination of the accreditation process status
735 for each program, and submit the assessment as part of the
736 reports required by this subsection.

737 Section 18. Section 464.202, Florida Statutes, is amended
738 to read:

739 464.202 Duties and powers of the board.—The board shall
740 maintain, or contract with or approve another entity to
741 maintain, a state registry of certified nursing assistants. The
742 registry must consist of the name of each certified nursing
743 assistant in this state; other identifying information defined
744 by board rule; certification status; the effective date of
745 certification; other information required by state or federal
746 law; information regarding any crime or any abuse, neglect, or

747 exploitation as provided under chapter 435; and any disciplinary
748 action taken against the certified nursing assistant. The
749 registry shall be accessible to the public, the
750 certificateholder, employers, and other state agencies. The
751 board shall adopt by rule testing procedures for use in
752 certifying nursing assistants and shall adopt rules regulating
753 the practice of certified nursing assistants, including
754 disciplinary procedures and standards of practice, and
755 specifying the scope of practice authorized and the level of
756 supervision required for the practice of certified nursing
757 assistants. The board may contract with or approve another
758 entity or organization to provide the examination services,
759 including the development and administration of examinations.
760 The board shall require that the contract provider offer
761 certified nursing assistant applications via the Internet, and
762 may require the contract provider to accept certified nursing
763 assistant applications for processing via the Internet. The
764 board shall require the contract provider to provide the
765 preliminary results of the certified nursing examination on the
766 date the test is administered. The provider shall pay all
767 reasonable costs and expenses incurred by the board in
768 evaluating the provider's application and performance during the
769 delivery of services, including examination services and
770 procedures for maintaining the certified nursing assistant
771 registry.

772 Section 19. Paragraph (c) of subsection (1) of section
773 464.203, Florida Statutes, is amended to read:

774 464.203 Certified nursing assistants; certification
775 requirement.—

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

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

793 Section 20. Paragraph (b) of subsection (1) of section
794 464.204, Florida Statutes, is amended to read:

795 464.204 Denial, suspension, or revocation of
796 certification; disciplinary actions.—

797 (1) The following acts constitute grounds for which the
 798 board may impose disciplinary sanctions as specified in
 799 subsection (2):

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

802 Section 21. Subsections (3) and (4) of section 466.006,
 803 Florida Statutes, are amended to read:

804 466.006 Examination of dentists.—

805 (3) If an applicant is a graduate of a dental college or
 806 school not accredited in accordance with paragraph (2)(b) or of
 807 a dental college or school not approved by the board, the
 808 applicant is not entitled to take the examinations required in
 809 this section to practice dentistry until she or he satisfies one
 810 of the following:

811 (a) Completes a program of study, as defined by the board
 812 by rule, at an accredited American dental school and
 813 demonstrates receipt of a D.D.S. or D.M.D. from said school; or

814 (b) Submits proof of having successfully completed at
 815 least 2 consecutive academic years at a full-time supplemental
 816 general dentistry program accredited by the American Dental
 817 Association Commission on Dental Accreditation. This program
 818 must provide didactic and clinical education at the level of a
 819 D.D.S. or D.M.D. program accredited by the American Dental
 820 Association Commission on Dental Accreditation. For purposes of
 821 this paragraph, a supplemental general dentistry program does

822 not include an advanced education program in a dental specialty.

823 (4) Notwithstanding any other provision of law in chapter
824 456 pertaining to the clinical dental licensure examination or
825 national examinations, to be licensed as a dentist in this
826 state, an applicant must successfully complete both of the
827 following:

828 (a) A written examination on the laws and rules of the
829 state regulating the practice of dentistry.~~†~~

830 (b)~~1.~~ A practical or clinical examination, which must
831 ~~shall~~ be the American Dental Licensing Examination produced by
832 the American Board of Dental Examiners, Inc., or its successor
833 entity, if any, that is administered in this state ~~and graded by~~
834 ~~dentists licensed in this state and employed by the department~~
835 ~~for just such purpose~~, provided that the board has attained, and
836 continues to maintain thereafter, representation on the board of
837 directors of the American Board of Dental Examiners, the
838 examination development committee of the American Board of
839 Dental Examiners, and such other committees of the American
840 Board of Dental Examiners as the board deems appropriate by rule
841 to assure that the standards established herein are maintained
842 organizationally. A passing score on the American Dental
843 Licensing Examination administered in this state ~~and graded by~~
844 ~~dentists who are licensed in this state~~ is valid for 365 days
845 after the date the official examination results are published.

846 1.2.a. As an alternative to such practical or clinical

847 examination ~~the requirements of subparagraph 1.~~, an applicant
848 may submit scores from an American Dental Licensing Examination
849 previously administered in a jurisdiction other than this state
850 after October 1, 2011, and such examination results shall be
851 recognized as valid for the purpose of licensure in this state.
852 A passing score on the American Dental Licensing Examination
853 administered out of state ~~out of state~~ shall be the same as the
854 passing score for the American Dental Licensing Examination
855 administered in this state ~~and graded by dentists who are~~
856 ~~licensed in this state~~. The examination results are valid for
857 365 days after the date the official examination results are
858 published. The applicant must have completed the examination
859 after October 1, 2011.

860 ~~b.~~ This subparagraph may not be given retroactive
861 application.

862 2.3. ~~2.3.~~ If the date of an applicant's passing American Dental
863 Licensing Examination scores from an examination previously
864 administered in a jurisdiction other than this state under
865 subparagraph 1. ~~subparagraph 2.~~ is older than 365 days, ~~then~~
866 such scores are ~~shall~~ nevertheless ~~be recognized as~~ valid for
867 the purpose of licensure in this state, but only if the
868 applicant demonstrates that all of the following additional
869 standards have been met:

870 a. ~~(I)~~ The applicant completed the American Dental
871 Licensing Examination after October 1, 2011.

872 ~~(II)~~ This sub-subparagraph may not be given retroactive
873 application;

874 b. The applicant graduated from a dental school accredited
875 by the American Dental Association Commission on Dental
876 Accreditation or its successor entity, if any, or any other
877 dental accrediting organization recognized by the United States
878 Department of Education. Provided, however, if the applicant did
879 not graduate from such a dental school, the applicant may submit
880 proof of having successfully completed a full-time supplemental
881 general dentistry program accredited by the American Dental
882 Association Commission on Dental Accreditation of at least 2
883 consecutive academic years at such accredited sponsoring
884 institution. Such program must provide didactic and clinical
885 education at the level of a D.D.S. or D.M.D. program accredited
886 by the American Dental Association Commission on Dental
887 Accreditation. For purposes of this sub-subparagraph, a
888 supplemental general dentistry program does not include an
889 advanced education program in a dental specialty;

890 c. The applicant currently possesses a valid and active
891 dental license in good standing, with no restriction, which has
892 never been revoked, suspended, restricted, or otherwise
893 disciplined, from another state or territory of the United
894 States, the District of Columbia, or the Commonwealth of Puerto
895 Rico;

896 d. The applicant submits proof that he or she has never

897 | been reported to the National Practitioner Data Bank, the
898 | Healthcare Integrity and Protection Data Bank, or the American
899 | Association of Dental Boards Clearinghouse. This sub-
900 | subparagraph does not apply if the applicant successfully
901 | appealed to have his or her name removed from the data banks of
902 | these agencies;

903 | e. (I) (A) ~~In the 5 years immediately preceding the date of~~
904 | ~~application for licensure in this state,~~ The applicant submits
905 | ~~must submit~~ proof of having been consecutively engaged in the
906 | full-time practice of dentistry in another state or territory of
907 | the United States, the District of Columbia, or the Commonwealth
908 | of Puerto Rico in the 5 years immediately preceding the date of
909 | application for licensure in this state; ~~or~~

910 | (B) If the applicant has been licensed in another state or
911 | territory of the United States, the District of Columbia, or the
912 | Commonwealth of Puerto Rico for less than 5 years, the applicant
913 | submits ~~must submit~~ proof of having been engaged in the full-
914 | time practice of dentistry since the date of his or her initial
915 | licensure.

916 | (II) As used in this section, "full-time practice" is
917 | defined as a minimum of 1,200 hours per year for each and every
918 | year in the consecutive 5-year period or, when ~~where~~ applicable,
919 | the period since initial licensure, and must include any
920 | combination of the following:

921 | (A) Active clinical practice of dentistry providing direct

922 patient care.

923 (B) Full-time practice as a faculty member employed by a
 924 dental or dental hygiene school approved by the board or
 925 accredited by the American Dental Association Commission on
 926 Dental Accreditation.

927 (C) Full-time practice as a student at a postgraduate
 928 dental education program approved by the board or accredited by
 929 the American Dental Association Commission on Dental
 930 Accreditation.

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

935 (A) Admissible as evidence in an administrative
 936 proceeding;

937 (B) Submitted in writing;

938 (C) Submitted by the applicant under oath with penalties
 939 of perjury attached;

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

944 (E) Specifically found by the board to be both credible
 945 and admissible.

946 (IV) An affidavit of only the applicant is not acceptable

947 proof of full-time practice unless it is further attested to by
948 someone unrelated to the applicant who has personal knowledge of
949 the applicant's practice. If the board deems it necessary to
950 assess credibility or accuracy, the board may require the
951 applicant or the applicant's witnesses to appear before the
952 board and give oral testimony under oath;

953 f. The applicant submits ~~must submit~~ documentation that he
954 or she has completed, or will complete before he or she is
955 licensed, ~~prior to licensure~~ in this state, continuing education
956 equivalent to this state's requirements for the last full
957 reporting biennium;

958 g. The applicant proves ~~must prove~~ that he or she has
959 never been convicted of, or pled nolo contendere to, regardless
960 of adjudication, any felony or misdemeanor related to the
961 practice of a health care profession in any jurisdiction;

962 h. The applicant has ~~must~~ successfully passed ~~pass~~ a
963 written examination on the laws and rules of this state
964 regulating the practice of dentistry and ~~must successfully pass~~
965 the computer-based diagnostic skills examination; and

966 i. The applicant submits ~~must submit~~ documentation that he
967 or she has successfully completed the applicable examination
968 administered by the Joint Commission on National Dental
969 Examinations or its successor organization ~~National Board of~~
970 ~~Dental Examiners dental examination.~~

971 Section 22. Notwithstanding the January 1, 2020, repeal of

972 section 466.0067, Florida Statutes, that section is revived,
 973 reenacted, and amended, to read:

974 466.0067 Application for health access dental license.—The
 975 Legislature finds that there is an important state interest in
 976 attracting dentists to practice in underserved health access
 977 settings in this state and further, that allowing out-of-state
 978 dentists who meet certain criteria to practice in health access
 979 settings without the supervision of a dentist licensed in this
 980 state is substantially related to achieving this important state
 981 interest. Therefore, notwithstanding the requirements of s.
 982 466.006, the board shall grant a health access dental license to
 983 practice dentistry in this state in health access settings as
 984 defined in s. 466.003 to an applicant who ~~that~~:

985 (1) Files an appropriate application approved by the
 986 board;

987 (2) Pays an application license fee for a health access
 988 dental license, laws-and-rule exam fee, and an initial licensure
 989 fee. The fees specified in this subsection may not differ from
 990 an applicant seeking licensure pursuant to s. 466.006;

991 (3) Has not been convicted of or pled nolo contendere to,
 992 regardless of adjudication, any felony or misdemeanor related to
 993 the practice of a health care profession;

994 (4) Submits proof of graduation from a dental school
 995 accredited by the Commission on Dental Accreditation of the
 996 American Dental Association or its successor agency;

997 (5) Submits documentation that she or he has completed, or
 998 will obtain before ~~prior to~~ licensure, continuing education
 999 equivalent to this state's requirement for dentists licensed
 1000 under s. 466.006 for the last full reporting biennium before
 1001 applying for a health access dental license;

1002 (6) Submits proof of her or his successful completion of
 1003 parts I and II of the dental examination by the National Board
 1004 of Dental Examiners and a state or regional clinical dental
 1005 licensing examination that the board has determined effectively
 1006 measures the applicant's ability to practice safely;

1007 (7) Currently holds a valid, active, ~~7~~ dental license in
 1008 good standing which has not been revoked, suspended, restricted,
 1009 or otherwise disciplined from another of the United States, the
 1010 District of Columbia, or a United States territory;

1011 (8) Has never had a license revoked from another of the
 1012 United States, the District of Columbia, or a United States
 1013 territory;

1014 (9) Has never failed the examination specified in s.
 1015 466.006, unless the applicant was reexamined pursuant to s.
 1016 466.006 and received a license to practice dentistry in this
 1017 state;

1018 (10) Has not been reported to the National Practitioner
 1019 Data Bank, unless the applicant successfully appealed to have
 1020 his or her name removed from the data bank;

1021 (11) Submits proof that he or she has been engaged in the

1022 active, clinical practice of dentistry providing direct patient
 1023 care for 5 years immediately preceding the date of application,
 1024 or in instances when the applicant has graduated from an
 1025 accredited dental school within the preceding 5 years, submits
 1026 proof of continuous clinical practice providing direct patient
 1027 care since graduation; and

1028 (12) Has passed an examination covering the laws and rules
 1029 of the practice of dentistry in this state as described in s.
 1030 466.006(4) (a).

1031 Section 23. Notwithstanding the January 1, 2020, repeal of
 1032 section 466.00671, Florida Statutes, that section is revived,
 1033 reenacted, and amended to read:

1034 466.00671 Renewal of the health access dental license.—

1035 (1) A health access dental licensee shall apply for
 1036 renewal each biennium. At the time of renewal, the licensee
 1037 shall sign a statement that she or he has complied with all
 1038 continuing education requirements of an active dentist licensee.
 1039 The board shall renew a health access dental license for an
 1040 applicant who ~~that~~:

1041 (a) Submits documentation, as approved by the board, from
 1042 the employer in the health access setting that the licensee has
 1043 at all times pertinent remained an employee;

1044 (b) Has not been convicted of or pled nolo contendere to,
 1045 regardless of adjudication, any felony or misdemeanor related to
 1046 the practice of a health care profession;

1047 (c) Has paid a renewal fee set by the board. The fee
 1048 specified herein may not differ from the renewal fee adopted by
 1049 the board pursuant to s. 466.013. The department may provide
 1050 payment for these fees through the dentist's salary, benefits,
 1051 or other department funds;

1052 (d) Has not failed the examination specified in s. 466.006
 1053 since initially receiving a health access dental license or
 1054 since the last renewal; and

1055 (e) Has not been reported to the National Practitioner
 1056 Data Bank, unless the applicant successfully appealed to have
 1057 his or her name removed from the data bank.

1058 (2) The board may undertake measures to independently
 1059 verify the health access dental licensee's ongoing employment
 1060 status in the health access setting.

1061 Section 24. Notwithstanding the January 1, 2020, repeal of
 1062 section 466.00672, Florida Statutes, that section is revived and
 1063 reenacted to read:

1064 466.00672 Revocation of health access dental license.—

1065 (1) The board shall revoke a health access dental license
 1066 upon:

1067 (a) The licensee's termination from employment from a
 1068 qualifying health access setting;

1069 (b) Final agency action determining that the licensee has
 1070 violated any provision of s. 466.027 or s. 466.028, other than
 1071 infractions constituting citation offenses or minor violations;

1072 | or

1073 | (c) Failure of the Florida dental licensure examination.

1074 | (2) Failure of an individual licensed pursuant to s.

1075 | 466.0067 to limit the practice of dentistry to health access

1076 | settings as defined in s. 466.003 constitutes the unlicensed

1077 | practice of dentistry.

1078 | Section 25. The amendments and reenactments made by this
 1079 | act to ss. 466.0067, 466.00671, and 466.00672, Florida Statutes,
 1080 | are remedial in nature and apply retroactively to January 1,
 1081 | 2020.

1082 | Section 26. Paragraph (b) of subsection (4) and paragraph
 1083 | (a) of subsection (6) of section 466.007, Florida Statutes, are
 1084 | amended to read:

1085 | 466.007 Examination of dental hygienists.—

1086 | (4) Effective July 1, 2012, to be licensed as a dental
 1087 | hygienist in this state, an applicant must successfully complete
 1088 | the following:

1089 | (b) A practical or clinical examination approved by the
 1090 | board. The examination shall be the Dental Hygiene Examination
 1091 | produced by the American Board of Dental Examiners, Inc. (ADEX)
 1092 | or its successor entity, if any, if the board finds that the
 1093 | successor entity's clinical examination meets or exceeds the
 1094 | provisions of this section. The board shall approve the ADEX
 1095 | Dental Hygiene Examination if the board has attained and
 1096 | continues to maintain representation on the ADEX House of

1097 Representatives, the ADEX Dental Hygiene Examination Development
1098 Committee, and such other ADEX Dental Hygiene committees as the
1099 board deems appropriate through rulemaking to ensure that the
1100 standards established in this section are maintained
1101 organizationally. The ADEX Dental Hygiene Examination or the
1102 examination produced by its successor entity is a comprehensive
1103 examination in which an applicant must demonstrate skills within
1104 the dental hygiene scope of practice on a live patient and any
1105 other components that the board deems necessary for the
1106 applicant to successfully demonstrate competency for the purpose
1107 of licensure. ~~The ADEX Dental Hygiene Examination or the~~
1108 ~~examination by the successor entity administered in this state~~
1109 ~~shall be graded by dentists and dental hygienists licensed in~~
1110 ~~this state who are employed by the department for this purpose.~~

1111 (6) (a) A passing score on the ADEX Dental Hygiene
1112 Examination administered out of state must ~~shall~~ be considered
1113 the same as a passing score for the ADEX Dental Hygiene
1114 Examination administered in this state ~~and graded by licensed~~
1115 ~~dentists and dental hygienists.~~

1116 Section 27. Subsections (9) through (15) are added to
1117 section 466.017, Florida Statutes, to read:

1118 466.017 Prescription of drugs; anesthesia.—

1119 (9) Any adverse incident that occurs in an office
1120 maintained by a dentist must be reported to the department. The
1121 required notification to the department must be submitted in

1122 writing by certified mail and postmarked within 48 hours after
1123 the incident occurs.

1124 (10) A dentist practicing in this state must notify the
1125 board in writing by certified mail within 48 hours after any
1126 adverse incident that occurs in the dentist's outpatient
1127 facility. A complete written report must be filed with the board
1128 within 30 days after the incident occurs.

1129 (11) Any certified registered dental hygienist
1130 administering local anesthesia must notify the board in writing
1131 by registered mail within 48 hours after any adverse incident
1132 that was related to or the result of the administration of local
1133 anesthesia. A complete written report must be filed with the
1134 board within 30 days after the mortality or other adverse
1135 incident.

1136 (12) A failure by the dentist or dental hygienist to
1137 timely and completely comply with all the reporting requirements
1138 in this section is the basis for disciplinary action by the
1139 board pursuant to s. 466.028(1).

1140 (13) The department shall review each adverse incident and
1141 determine whether it involved conduct by a health care
1142 professional subject to disciplinary action, in which case s.
1143 456.073 applies. Disciplinary action, if any, shall be taken by
1144 the board under which the health care professional is licensed.

1145 (14) As used in subsections (9)-(13), the term "adverse
1146 incident" means any mortality that occurs during or as the

1147 result of a dental procedure, or an incident that results in a
 1148 temporary or permanent physical or mental injury that requires
 1149 hospitalization or emergency room treatment of a dental patient
 1150 which occurs during or as a direct result of the use of general
 1151 anesthesia, deep sedation, moderate sedation, pediatric moderate
 1152 sedation, oral sedation, minimal sedation (anxiolysis), nitrous
 1153 oxide, or local anesthesia.

1154 (15) The board may adopt rules to administer this section.

1155 Section 28. Section 466.031, Florida Statutes, is amended
 1156 to read:

1157 466.031 "Dental laboratories ~~laboratory~~" defined.—

1158 (1) As used in this chapter, the term "dental laboratory"
 1159 ~~as used in this chapter:~~

1160 ~~(1)~~ includes any person, firm, or corporation that ~~who~~
 1161 performs for a fee of any kind, gratuitously, or otherwise,
 1162 directly or through an agent or an employee, by any means or
 1163 method, or ~~who in any way~~ supplies or manufactures artificial
 1164 substitutes for the natural teeth; ~~or who~~ furnishes, supplies,
 1165 constructs, or reproduces or repairs any prosthetic denture,
 1166 bridge, or appliance to be worn in the human mouth; ~~or who~~ in
 1167 any way represents ~~holds~~ itself ~~out~~ as a dental laboratory.

1168 ~~(2)~~ The term does not include a ~~Excludes any~~ dental
 1169 laboratory technician who constructs or repairs dental
 1170 prosthetic appliances in the office of a licensed dentist
 1171 exclusively for that ~~such~~ dentist ~~only~~ and under her or his

1172 supervision and work order.

1173 (2) An employee or independent contractor of a dental
1174 laboratory, acting as an agent of that dental laboratory, may
1175 engage in onsite consultation with a licensed dentist during a
1176 dental procedure.

1177 Section 29. Section 466.036, Florida Statutes, is amended
1178 to read:

1179 466.036 Information; periodic inspections; equipment and
1180 supplies.—The department may require from the applicant for a
1181 registration certificate to operate a dental laboratory any
1182 information necessary to carry out the purpose of this chapter,
1183 including proof that the applicant has the equipment and
1184 supplies necessary to operate as determined by rule of the
1185 department, and shall require periodic inspection of all dental
1186 laboratories operating in this state at least once each biennial
1187 registration period. Such inspections must ~~shall~~ include, but
1188 need not be limited to, inspection of sanitary conditions,
1189 equipment, supplies, and facilities on the premises. The
1190 department shall specify dental equipment and supplies that are
1191 not allowed ~~permitted~~ in a registered dental laboratory.

1192 Section 30. Subsection (1) of section 468.701, Florida
1193 Statutes, is amended to read:

1194 468.701 Definitions.—As used in this part, the term:

1195 (1) "Athletic trainer" means a person licensed under this
1196 part who has met the requirements of ~~under~~ this part, including

1197 | the education requirements established ~~as set forth~~ by the
 1198 | Commission on Accreditation of Athletic Training Education or
 1199 | its successor organization and necessary credentials from the
 1200 | Board of Certification. ~~An individual who is licensed as an~~
 1201 | ~~athletic trainer may not provide, offer to provide, or represent~~
 1202 | ~~that he or she is qualified to provide any care or services that~~
 1203 | ~~he or she lacks the education, training, or experience to~~
 1204 | ~~provide, or that he or she is otherwise prohibited by law from~~
 1205 | ~~providing.~~

1206 | Section 31. Section 468.707, Florida Statutes, is amended
 1207 | to read:

1208 | 468.707 Licensure requirements.—Any person desiring to be
 1209 | licensed as an athletic trainer shall apply to the department on
 1210 | a form approved by the department. An applicant shall also
 1211 | provide records or other evidence, as determined by the board,
 1212 | to prove he or she has met the requirements of this section. The
 1213 | department shall license each applicant who:

1214 | (1) Has completed the application form and remitted the
 1215 | required fees.

1216 | (2) ~~For a person who applies on or after July 1, 2016,~~ Has
 1217 | submitted to background screening pursuant to s. 456.0135. The
 1218 | board may require a background screening for an applicant whose
 1219 | license has expired or who is undergoing disciplinary action.

1220 | (3) (a) Has obtained, at a minimum, a bachelor's
 1221 | ~~baccalaureate or higher~~ degree from a college or university

1222 professional athletic training degree program accredited by the
1223 Commission on Accreditation of Athletic Training Education or
1224 its successor organization recognized and approved by the United
1225 States Department of Education or the Commission on Recognition
1226 of Postsecondary Accreditation, approved by the board, or
1227 recognized by the Board of Certification, and has passed the
1228 national examination to be certified by the Board of
1229 Certification; or-

1230 (b) (4) Has obtained, at a minimum, a bachelor's degree,
1231 has completed the Board of Certification internship
1232 requirements, and holds ~~If graduated before 2004, has~~ a current
1233 certification from the Board of Certification.

1234 (4) (5) Has current certification in both cardiopulmonary
1235 resuscitation and the use of an automated external defibrillator
1236 set forth in the continuing education requirements as determined
1237 by the board pursuant to s. 468.711.

1238 (5) (6) Has completed any other requirements as determined
1239 by the department and approved by the board.

1240 Section 32. Subsection (3) of section 468.711, Florida
1241 Statutes, is amended to read:

1242 468.711 Renewal of license; continuing education.—

1243 (3) If initially licensed after January 1, 1998, the
1244 licensee must be currently certified by the Board of
1245 Certification or its successor agency and maintain that
1246 certification in good standing without lapse.

1247 Section 33. Section 468.713, Florida Statutes, is amended
 1248 to read:

1249 468.713 Responsibilities of athletic trainers.—

1250 (1) An athletic trainer shall practice under the direction
 1251 of a physician licensed under chapter 458, chapter 459, chapter
 1252 460, or otherwise authorized by Florida law to practice
 1253 medicine. The physician shall communicate his or her direction
 1254 through oral or written prescriptions or protocols as deemed
 1255 appropriate by the physician for the provision of services and
 1256 care by the athletic trainer. An athletic trainer shall provide
 1257 service or care in the manner dictated by the physician.

1258 (2) An athletic trainer shall work within his or her
 1259 allowable scope of practice as specified in board rule under s.
 1260 468.705. An athletic trainer may not provide, offer to provide,
 1261 or represent that he or she is qualified to provide any care or
 1262 services that he or she lacks the education, training, or
 1263 experience to provide or that he or she is otherwise prohibited
 1264 by law from providing.

1265 Section 34. Subsection (2) of section 468.723, Florida
 1266 Statutes, is amended to read:

1267 468.723 Exemptions.—This part does not prohibit ~~prevent~~ or
 1268 restrict:

1269 (2) An athletic training student acting under the direct
 1270 supervision of a licensed athletic trainer. For purposes of this
 1271 subsection, "direct supervision" means the physical presence of

1272 an athletic trainer so that the athletic trainer is immediately
1273 available to the athletic training student and able to intervene
1274 on behalf of the athletic training student. The supervision must
1275 comply with board rule ~~in accordance with the standards set~~
1276 ~~forth by the Commission on Accreditation of Athletic Training~~
1277 ~~Education or its successor.~~

1278 Section 35. Subsections (1), (3), and (4) of section
1279 468.803, Florida Statutes, are amended to read:

1280 468.803 License, registration, and examination
1281 requirements.—

1282 (1) The department shall issue a license to practice
1283 orthotics, prosthetics, or pedorthics, or a registration for a
1284 resident to practice orthotics or prosthetics, to qualified
1285 applicants. Licenses to practice ~~shall be granted independently~~
1286 ~~in~~ orthotics, prosthetics, or pedorthics must be granted
1287 independently, but a person may be licensed in more than one
1288 such discipline, and a prosthetist-orthotist license may be
1289 granted to persons meeting the requirements for licensure both
1290 as a prosthetist and as an orthotist ~~license~~. Registrations to
1291 practice ~~shall be granted independently in~~ orthotics or
1292 prosthetics must be granted independently, and a person may be
1293 registered in both disciplines ~~fields~~ at the same time or
1294 jointly in orthotics and prosthetics as a dual registration.

1295 (3) A person seeking to attain the ~~required~~ orthotics or
1296 prosthetics experience required for licensure in this state must

1297 | be approved by the board and registered as a resident by the
1298 | department. Although a registration may be held in both
1299 | disciplines ~~practice fields~~, for independent registrations the
1300 | board may ~~shall~~ not approve a second registration until at least
1301 | 1 year after the issuance of the first registration.
1302 | Notwithstanding subsection (2), a person ~~an applicant~~ who has
1303 | been approved by the board and registered by the department in
1304 | one discipline ~~practice field~~ may apply for registration in the
1305 | second discipline ~~practice field~~ without an additional state or
1306 | national criminal history check during the period in which the
1307 | first registration is valid. Each independent registration or
1308 | dual registration is valid for 2 years after ~~from~~ the date of
1309 | issuance unless otherwise revoked by the department upon
1310 | recommendation of the board. The board shall set a registration
1311 | fee not to exceed \$500 to be paid by the applicant. A
1312 | registration may be renewed once by the department upon
1313 | recommendation of the board for a period no longer than 1 year,
1314 | as such renewal is defined by the board by rule. The
1315 | ~~registration~~ renewal fee may ~~shall~~ not exceed one-half the
1316 | current registration fee. To be considered by the board for
1317 | approval of registration as a resident, the applicant must have
1318 | one of the following:
1319 | (a) A Bachelor of Science or higher-level postgraduate
1320 | degree in orthotics and prosthetics from a regionally accredited
1321 | college or university recognized by the Commission on

1322 Accreditation of Allied Health Education Programs ~~or, at~~
1323 (b) A minimum of, a bachelor's degree from a regionally
1324 accredited college or university and a certificate in orthotics
1325 or prosthetics from a program recognized by the Commission on
1326 Accreditation of Allied Health Education Programs, or its
1327 equivalent, as determined by the board. ~~;~~ ~~or~~

1328 (c) A minimum of a bachelor's degree from a regionally
1329 accredited college or university and a dual certificate in both
1330 orthotics and prosthetics from programs recognized by the
1331 Commission on Accreditation of Allied Health Education Programs,
1332 or its equivalent, as determined by the board.

1333 ~~(b) A Bachelor of Science or higher-level postgraduate~~
1334 ~~degree in Orthotics and Prosthetics from a regionally accredited~~
1335 ~~college or university recognized by the Commission on~~
1336 ~~Accreditation of Allied Health Education Programs or, at a~~
1337 ~~minimum, a bachelor's degree from a regionally accredited~~
1338 ~~college or university and a certificate in prosthetics from a~~
1339 ~~program recognized by the Commission on Accreditation of Allied~~
1340 ~~Health Education Programs, or its equivalent, as determined by~~
1341 ~~the board.~~

1342 (4) The department may develop and administer a state
1343 examination for an orthotist or a prosthetist license, or the
1344 board may approve the existing examination of a national
1345 standards organization. The examination must be predicated on a
1346 minimum of a baccalaureate-level education and formalized

1347 specialized training in the appropriate field. Each examination
 1348 must demonstrate a minimum level of competence in basic
 1349 scientific knowledge, written problem solving, and practical
 1350 clinical patient management. The board shall require an
 1351 examination fee not to exceed the actual cost to the board in
 1352 developing, administering, and approving the examination, which
 1353 fee must be paid by the applicant. To be considered by the board
 1354 for examination, the applicant must have:

1355 (a) For an examination in orthotics:

1356 1. A Bachelor of Science or higher-level postgraduate
 1357 degree in orthotics and prosthetics from a regionally accredited
 1358 college or university recognized by the Commission on
 1359 Accreditation of Allied Health Education Programs or, at a
 1360 minimum, a bachelor's degree from a regionally accredited
 1361 college or university and a certificate in orthotics from a
 1362 program recognized by the Commission on Accreditation of Allied
 1363 Health Education Programs, or its equivalent, as determined by
 1364 the board; and

1365 2. An approved orthotics internship of 1 year of qualified
 1366 experience, as determined by the board, or an orthotic residency
 1367 or dual residency program recognized by the board.

1368 (b) For an examination in prosthetics:

1369 1. A Bachelor of Science or higher-level postgraduate
 1370 degree in orthotics and prosthetics from a regionally accredited
 1371 college or university recognized by the Commission on

1372 Accreditation of Allied Health Education Programs or, at a
 1373 minimum, a bachelor's degree from a regionally accredited
 1374 college or university and a certificate in prosthetics from a
 1375 program recognized by the Commission on Accreditation of Allied
 1376 Health Education Programs, or its equivalent, as determined by
 1377 the board; and

1378 2. An approved prosthetics internship of 1 year of
 1379 qualified experience, as determined by the board, or a
 1380 prosthetic residency or dual residency program recognized by the
 1381 board.

1382 Section 36. Subsection (5) of section 480.033, Florida
 1383 Statutes, is amended to read:

1384 480.033 Definitions.—As used in this act:

1385 (5) "Apprentice" means a person approved by the board to
 1386 study colonic irrigation ~~massage~~ under the instruction of a
 1387 licensed massage therapist practicing colonic irrigation.

1388 Section 37. Subsections (1) and (2) of section 480.041,
 1389 Florida Statutes, are amended, and subsection (8) is added to
 1390 that section, to read:

1391 480.041 Massage therapists; qualifications; licensure;
 1392 endorsement.—

1393 (1) Any person is qualified for licensure as a massage
 1394 therapist under this act who:

1395 (a) Is at least 18 years of age or has received a high
 1396 school diploma or high school equivalency diploma;

1397 (b) Has completed a course of study at a board-approved
 1398 massage school ~~or has completed an apprenticeship program~~ that
 1399 meets standards adopted by the board; and

1400 (c) Has received a passing grade on a national an
 1401 examination designated ~~administered~~ by the board ~~department~~.

1402 (2) Every person desiring to be examined for licensure as
 1403 a massage therapist must ~~shall~~ apply to the department in
 1404 writing upon forms prepared and furnished by the department.
 1405 Such applicants are ~~shall be~~ subject to ~~the provisions of s.~~
 1406 480.046(1). ~~Applicants may take an examination administered by~~
 1407 ~~the department only upon meeting the requirements of this~~
 1408 ~~section as determined by the board.~~

1409 (8) A person issued a license as a massage apprentice
 1410 before July 1, 2020, may continue that apprenticeship and
 1411 perform massage therapy as authorized under that license until
 1412 it expires. Upon completion of the apprenticeship, which must
 1413 occur before July 1, 2023, a massage apprentice may apply to the
 1414 board for full licensure and be granted a license if all other
 1415 applicable licensure requirements are met.

1416 Section 38. Section 480.042, Florida Statutes, is
 1417 repealed.

1418 Section 39. Subsection (3) of section 490.003, Florida
 1419 Statutes, is amended to read:

1420 490.003 Definitions.—As used in this chapter:

1421 (3)(a) ~~Prior to July 1, 1999, "doctoral-level~~

1422 ~~psychological education" and "doctoral degree in psychology"~~
 1423 ~~mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology~~
 1424 ~~from:~~

1425 ~~1. An educational institution which, at the time the~~
 1426 ~~applicant was enrolled and graduated, had institutional~~
 1427 ~~accreditation from an agency recognized and approved by the~~
 1428 ~~United States Department of Education or was recognized as a~~
 1429 ~~member in good standing with the Association of Universities and~~
 1430 ~~Colleges of Canada; and~~

1431 ~~2. A psychology program within that educational~~
 1432 ~~institution which, at the time the applicant was enrolled and~~
 1433 ~~graduated, had programmatic accreditation from an accrediting~~
 1434 ~~agency recognized and approved by the United States Department~~
 1435 ~~of Education or was comparable to such programs.~~

1436 ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological
 1437 education" and "doctoral degree in psychology" mean a Psy.D., an
 1438 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
 1439 program at:

1440 ~~1.~~ an educational institution that ~~which~~, at the time the
 1441 applicant was enrolled and graduated:

1442 (a) ~~1.~~ Had institutional accreditation from an agency
 1443 recognized and approved by the United States Department of
 1444 Education or was recognized as a member in good standing with
 1445 the Association of Universities and Colleges of Canada; and

1446 (b)2. ~~A psychology program within that educational~~

1447 ~~institution which, at the time the applicant was enrolled and~~
1448 ~~graduated,~~ Had programmatic accreditation from the American
1449 Psychological Association ~~an agency recognized and approved by~~
1450 ~~the United States Department of Education.~~

1451 Section 40. Paragraph (b) of subsection (1) and paragraph
1452 (b) of subsection (2) of section 490.005, Florida Statutes, are
1453 amended to read:

1454 490.005 Licensure by examination.—

1455 (1) Any person desiring to be licensed as a psychologist
1456 shall apply to the department to take the licensure examination.
1457 The department shall license each applicant who the board
1458 certifies has:

1459 (b) Submitted proof satisfactory to the board that the
1460 applicant has received:

1461 1. ~~Received~~ Doctoral-level psychological education, ~~as~~
1462 ~~defined in s. 490.003(3);~~ or

1463 2. ~~Received~~ The equivalent of a doctoral-level
1464 psychological education, as defined in s. 490.003(3), from a
1465 program at a school or university located outside the United
1466 States of America ~~and Canada,~~ which was officially recognized by
1467 the government of the country in which it is located as an
1468 institution or program to train students to practice
1469 professional psychology. The applicant has the burden of
1470 establishing that this requirement has ~~the requirements of this~~
1471 ~~provision have~~ been met ~~shall be upon the applicant;~~

1472 ~~3. Received and submitted to the board, prior to July 1,~~
1473 ~~1999, certification of an augmented doctoral-level psychological~~
1474 ~~education from the program director of a doctoral-level~~
1475 ~~psychology program accredited by a programmatic agency~~
1476 ~~recognized and approved by the United States Department of~~
1477 ~~Education; or~~

1478 ~~4. Received and submitted to the board, prior to August~~
1479 ~~31, 2001, certification of a doctoral-level program that at the~~
1480 ~~time the applicant was enrolled and graduated maintained a~~
1481 ~~standard of education and training comparable to the standard of~~
1482 ~~training of programs accredited by a programmatic agency~~
1483 ~~recognized and approved by the United States Department of~~
1484 ~~Education. Such certification of comparability shall be provided~~
1485 ~~by the program director of a doctoral-level psychology program~~
1486 ~~accredited by a programmatic agency recognized and approved by~~
1487 ~~the United States Department of Education.~~

1488 (2) Any person desiring to be licensed as a school
1489 psychologist shall apply to the department to take the licensure
1490 examination. The department shall license each applicant who the
1491 department certifies has:

1492 (b) Submitted satisfactory proof to the department that
1493 the applicant:

1494 1. Has received a doctorate, specialist, or equivalent
1495 degree from a program primarily psychological in nature and has
1496 completed 60 semester hours or 90 quarter hours of graduate

1497 study, in areas related to school psychology as defined by rule
 1498 of the department, from a college or university which at the
 1499 time the applicant was enrolled and graduated was accredited by
 1500 an accrediting agency recognized and approved by the Council for
 1501 Higher Education Accreditation or its successor organization
 1502 ~~Commission on Recognition of Postsecondary Accreditation~~ or from
 1503 an institution that ~~which~~ is ~~publicly recognized as~~ a member in
 1504 good standing with the Association of Universities and Colleges
 1505 of Canada.

1506 2. Has had a minimum of 3 years of experience in school
 1507 psychology, 2 years of which must be supervised by an individual
 1508 who is a licensed school psychologist or who has otherwise
 1509 qualified as a school psychologist supervisor, by education and
 1510 experience, as set forth by rule of the department. A doctoral
 1511 internship may be applied toward the supervision requirement.

1512 3. Has passed an examination provided by the department.

1513 Section 41. Subsection (1) of section 490.006, Florida
 1514 Statutes, is amended to read:

1515 490.006 Licensure by endorsement.—

1516 (1) The department shall license a person as a
 1517 psychologist or school psychologist who, upon applying to the
 1518 department and remitting the appropriate fee, demonstrates to
 1519 the department or, in the case of psychologists, to the board
 1520 that the applicant:

1521 ~~(a) Holds a valid license or certificate in another state~~

1522 ~~to practice psychology or school psychology, as applicable,~~
1523 ~~provided that, when the applicant secured such license or~~
1524 ~~certificate, the requirements were substantially equivalent to~~
1525 ~~or more stringent than those set forth in this chapter at that~~
1526 ~~time; and, if no Florida law existed at that time, then the~~
1527 ~~requirements in the other state must have been substantially~~
1528 ~~equivalent to or more stringent than those set forth in this~~
1529 ~~chapter at the present time;~~

1530 (a) ~~(b)~~ Is a diplomate in good standing with the American
1531 Board of Professional Psychology, Inc.; or

1532 (b) ~~(e)~~ Possesses a doctoral degree in psychology ~~as~~
1533 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of
1534 experience as a licensed psychologist in any jurisdiction or
1535 territory of the United States within the 25 years preceding the
1536 date of application.

1537 Section 42. Subsection (6) of section 491.0045, Florida
1538 Statutes, as created by chapter 2016-80 and chapter 2016-241,
1539 Laws of Florida, is amended to read:

1540 491.0045 Intern registration; requirements.—

1541 (6) A registration issued on or before March 31, 2017,
1542 expires March 31, 2022, and may not be renewed or reissued. Any
1543 registration issued after March 31, 2017, expires 60 months
1544 after the date it is issued. The board may make a one-time
1545 exception from the requirements of this subsection in emergency
1546 or hardship cases, as defined by board rule, if A subsequent

1547 ~~intern registration may not be issued unless~~ the candidate has
1548 passed the theory and practice examination described in s.
1549 491.005(1)(d), (3)(d), and (4)(d).

1550 Section 43. Subsections (3) and (4) of section 491.005,
1551 Florida Statutes, are amended to read:

1552 491.005 Licensure by examination.—

1553 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1554 documentation and payment of a fee not to exceed \$200, as set by
1555 board rule, plus the actual cost of ~~to the department for~~ the
1556 purchase of the examination from the Association of Marital and
1557 Family Therapy Regulatory Board, or similar national
1558 organization, the department shall issue a license as a marriage
1559 and family therapist to an applicant who the board certifies:

1560 (a) Has submitted an application and paid the appropriate
1561 fee.

1562 (b)1. Has a minimum of a master's degree with major
1563 emphasis in marriage and family therapy, ~~or~~ or a closely related
1564 field from a program accredited by the Commission on
1565 Accreditation for Marriage and Family Therapy Education or from
1566 a Florida university program accredited by the Council for
1567 Accreditation of Counseling and Related Educational Programs,
1568 and graduate courses approved by the Board of Clinical Social
1569 Work, Marriage and Family Therapy, and Mental Health Counseling
1570 ~~has completed all of the following requirements:~~

1571 ~~a. Thirty-six semester hours or 48 quarter hours of~~

1572 ~~graduate coursework, which must include a minimum of 3 semester~~
1573 ~~hours or 4 quarter hours of graduate-level course credits in~~
1574 ~~each of the following nine areas: dynamics of marriage and~~
1575 ~~family systems; marriage therapy and counseling theory and~~
1576 ~~techniques; family therapy and counseling theory and techniques;~~
1577 ~~individual human development theories throughout the life cycle;~~
1578 ~~personality theory or general counseling theory and techniques;~~
1579 ~~psychopathology; human sexuality theory and counseling~~
1580 ~~techniques; psychosocial theory; and substance abuse theory and~~
1581 ~~counseling techniques. Courses in research, evaluation,~~
1582 ~~appraisal, assessment, or testing theories and procedures;~~
1583 ~~thesis or dissertation work; or practicums, internships, or~~
1584 ~~fieldwork may not be applied toward this requirement.~~

1585 ~~b. A minimum of one graduate-level course of 3 semester~~
1586 ~~hours or 4 quarter hours in legal, ethical, and professional~~
1587 ~~standards issues in the practice of marriage and family therapy~~
1588 ~~or a course determined by the board to be equivalent.~~

1589 ~~e. A minimum of one graduate-level course of 3 semester~~
1590 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~
1591 ~~and testing for individual or interpersonal disorder or~~
1592 ~~dysfunction; and a minimum of one 3 semester-hour or 4 quarter-~~
1593 ~~hour graduate-level course in behavioral research which focuses~~
1594 ~~on the interpretation and application of research data as it~~
1595 ~~applies to clinical practice. Credit for thesis or dissertation~~
1596 ~~work, practicums, internships, or fieldwork may not be applied~~

1597 ~~toward this requirement.~~

1598 ~~d. A minimum of one supervised clinical practicum,~~
1599 ~~internship, or field experience in a marriage and family~~
1600 ~~counseling setting, during which the student provided 180 direct~~
1601 ~~client contact hours of marriage and family therapy services~~
1602 ~~under the supervision of an individual who met the requirements~~
1603 ~~for supervision under paragraph (c). This requirement may be met~~
1604 ~~by a supervised practice experience which took place outside the~~
1605 ~~academic arena, but which is certified as equivalent to a~~
1606 ~~graduate-level practicum or internship program which required a~~
1607 ~~minimum of 180 direct client contact hours of marriage and~~
1608 ~~family therapy services currently offered within an academic~~
1609 ~~program of a college or university accredited by an accrediting~~
1610 ~~agency approved by the United States Department of Education, or~~
1611 ~~an institution which is publicly recognized as a member in good~~
1612 ~~standing with the Association of Universities and Colleges of~~
1613 ~~Canada or a training institution accredited by the Commission on~~
1614 ~~Accreditation for Marriage and Family Therapy Education~~
1615 ~~recognized by the United States Department of Education.~~
1616 ~~Certification shall be required from an official of such~~
1617 ~~college, university, or training institution.~~

1618 ~~2. If the course title that ~~which~~ appears on the~~
1619 ~~applicant's transcript does not clearly identify the content of~~
1620 ~~the coursework, the applicant shall ~~be required to~~ provide~~
1621 ~~additional documentation, including, but not limited to, a~~

1622 syllabus or catalog description published for the course.
1623
1624 The required master's degree must have been received in an
1625 institution of higher education that, ~~which~~ at the time the
1626 applicant graduated, was ~~+~~ fully accredited by a regional
1627 accrediting body recognized by the Commission on Recognition of
1628 Postsecondary Accreditation or ~~+~~ publicly recognized as a member
1629 in good standing with the Association of Universities and
1630 Colleges of Canada, + or an institution of higher education
1631 located outside the United States and Canada, + which, + at the time
1632 the applicant was enrolled and at the time the applicant
1633 graduated, + maintained a standard of training substantially
1634 equivalent to the standards of training of those institutions in
1635 the United States which are accredited by a regional accrediting
1636 body recognized by the Commission on Recognition of
1637 Postsecondary Accreditation. Such foreign education and training
1638 must have been received in an institution or program of higher
1639 education officially recognized by the government of the country
1640 in which it is located as an institution or program to train
1641 students to practice as professional marriage and family
1642 therapists or psychotherapists. The applicant has the burden of
1643 establishing that the requirements of this provision have been
1644 met ~~shall be upon the applicant,~~ and the board shall require
1645 documentation, such as, ~~but not limited to,~~ an evaluation by a
1646 foreign equivalency determination service, as evidence that the

1647 applicant's graduate degree program and education were
1648 equivalent to an accredited program in this country. An
1649 applicant with a master's degree from a program that ~~which~~ did
1650 not emphasize marriage and family therapy may complete the
1651 coursework requirement in a training institution fully
1652 accredited by the Commission on Accreditation for Marriage and
1653 Family Therapy Education recognized by the United States
1654 Department of Education.

1655 (c) Has had at least 2 years of clinical experience during
1656 which 50 percent of the applicant's clients were receiving
1657 marriage and family therapy services, which must be at the post-
1658 master's level under the supervision of a licensed marriage and
1659 family therapist with at least 5 years of experience, or the
1660 equivalent, who is a qualified supervisor as determined by the
1661 board. An individual who intends to practice in Florida to
1662 satisfy the clinical experience requirements must register
1663 pursuant to s. 491.0045 before commencing practice. If a
1664 graduate has a master's degree with a major emphasis in marriage
1665 and family therapy or a closely related field which ~~that~~ did not
1666 include all of the coursework required by subparagraph (b)1.
1667 ~~under sub-subparagraphs (b)1.a.-e.~~, credit for the post-master's
1668 level clinical experience may ~~shall~~ not commence until the
1669 applicant has completed a minimum of 10 of the courses required
1670 by subparagraph (b)1. ~~under sub-subparagraphs (b)1.a.-e.~~, as
1671 determined by the board, and at least 6 semester hours or 9

1672 quarter hours of the course credits must have been completed in
1673 the area of marriage and family systems, theories, or
1674 techniques. Within the 2 ~~3~~ years of required experience, the
1675 applicant shall provide direct individual, group, or family
1676 therapy and counseling, ~~to include the following categories of~~
1677 cases including those involving unmarried dyads, married
1678 couples, separating and divorcing couples, and family groups
1679 that include ~~including~~ children. A doctoral internship may be
1680 applied toward the clinical experience requirement. A licensed
1681 mental health professional must be on the premises when clinical
1682 services are provided by a registered intern in a private
1683 practice setting.

1684 (d) Has passed a theory and practice examination provided
1685 by the department ~~for this purpose~~.

1686 (e) Has demonstrated, in a manner designated by board rule
1687 ~~of the board~~, knowledge of the laws and rules governing the
1688 practice of clinical social work, marriage and family therapy,
1689 and mental health counseling.

1690 ~~(f)~~

1691
1692 For the purposes of dual licensure, the department shall license
1693 as a marriage and family therapist any person who meets the
1694 requirements of s. 491.0057. Fees for dual licensure may ~~shall~~
1695 not exceed those stated in this subsection.

1696 (4) MENTAL HEALTH COUNSELING.—Upon verification of

1697 documentation and payment of a fee not to exceed \$200, as set by
1698 board rule, plus the actual per applicant cost of ~~to the~~
1699 ~~department for~~ purchase of the examination from the National
1700 Board for Certified Counselors or its successor ~~Professional~~
1701 ~~Examination Service for the National Academy of Certified~~
1702 ~~Clinical Mental Health Counselors or a similar national~~
1703 organization, the department shall issue a license as a mental
1704 health counselor to an applicant who the board certifies:

1705 (a) Has submitted an application and paid the appropriate
1706 fee.

1707 (b)1. Has a minimum of an earned master's degree from a
1708 mental health counseling program accredited by the Council for
1709 the Accreditation of Counseling and Related Educational Programs
1710 which ~~that~~ consists of at least 60 semester hours or 80 quarter
1711 hours of clinical and didactic instruction, including a course
1712 in human sexuality and a course in substance abuse. If the
1713 master's degree is earned from a program related to the practice
1714 of mental health counseling which ~~that~~ is not accredited by the
1715 Council for the Accreditation of Counseling and Related
1716 Educational Programs, then the coursework and practicum,
1717 internship, or fieldwork must consist of at least 60 semester
1718 hours or 80 quarter hours and meet all of the following
1719 requirements:

1720 a. Thirty-three semester hours or 44 quarter hours of
1721 graduate coursework, which must include a minimum of 3 semester

1722 hours or 4 quarter hours of graduate-level coursework in each of
1723 the following 11 content areas: counseling theories and
1724 practice; human growth and development; diagnosis and treatment
1725 of psychopathology; human sexuality; group theories and
1726 practice; individual evaluation and assessment; career and
1727 lifestyle assessment; research and program evaluation; social
1728 and cultural foundations; substance abuse; and legal, ethical,
1729 and professional standards issues in the practice of mental
1730 health counseling in community settings; and substance abuse.
1731 Courses in research, thesis or dissertation work, practicums,
1732 internships, or fieldwork may not be applied toward this
1733 requirement.

1734 b. A minimum of 3 semester hours or 4 quarter hours of
1735 graduate-level coursework addressing diagnostic processes,
1736 including differential diagnosis and the use of the current
1737 diagnostic tools, such as the current edition of the American
1738 Psychiatric Association's Diagnostic and Statistical Manual of
1739 Mental Disorders. The graduate program must have emphasized the
1740 common core curricular experience ~~in legal, ethical, and~~
1741 ~~professional standards issues in the practice of mental health~~
1742 ~~counseling, which includes goals, objectives, and practices of~~
1743 ~~professional counseling organizations, codes of ethics, legal~~
1744 ~~considerations, standards of preparation, certifications and~~
1745 ~~licensing, and the role identity and professional obligations of~~
1746 ~~mental health counselors. Courses in research, thesis or~~

1747 ~~dissertation work, practicums, internships, or fieldwork may not~~
1748 ~~be applied toward this requirement.~~

1749 c. The equivalent, as determined by the board, of at least
1750 700 ~~1,000~~ hours of university-sponsored supervised clinical
1751 practicum, internship, or field experience that includes at
1752 least 280 hours of direct client services, as required in the
1753 accrediting standards of the Council for Accreditation of
1754 Counseling and Related Educational Programs for mental health
1755 counseling programs. This experience may not be used to satisfy
1756 the post-master's clinical experience requirement.

1757 2. Has provided additional documentation if a ~~the~~ course
1758 title that ~~which~~ appears on the applicant's transcript does not
1759 clearly identify the content of the coursework. The applicant
1760 ~~shall be required to provide additional~~ documentation must
1761 include, including, but is not limited to, a syllabus or catalog
1762 description published for the course.

1763
1764 Education and training in mental health counseling must have
1765 been received in an institution of higher education that, which
1766 at the time the applicant graduated, was ~~+~~ fully accredited by a
1767 regional accrediting body recognized by the Council for Higher
1768 Education Accreditation or its successor organization or
1769 ~~Commission on Recognition of Postsecondary Accreditation;~~
1770 publicly recognized as a member in good standing with the
1771 Association of Universities and Colleges of Canada, + or an

1772 institution of higher education located outside the United
1773 States and Canada, which, at the time the applicant was enrolled
1774 and at the time the applicant graduated, maintained a standard
1775 of training substantially equivalent to the standards of
1776 training of those institutions in the United States which are
1777 accredited by a regional accrediting body recognized by the
1778 Council for Higher Education Accreditation or its successor
1779 organization ~~Commission on Recognition of Postsecondary~~
1780 ~~Accreditation~~. Such foreign education and training must have
1781 been received in an institution or program of higher education
1782 officially recognized by the government of the country in which
1783 it is located as an institution or program to train students to
1784 practice as mental health counselors. The applicant has the
1785 burden of establishing that the requirements of this provision
1786 have been met ~~shall be upon the applicant,~~ and the board shall
1787 require documentation, such as, ~~but not limited to,~~ an
1788 evaluation by a foreign equivalency determination service, as
1789 evidence that the applicant's graduate degree program and
1790 education were equivalent to an accredited program in this
1791 country. Beginning July 1, 2025, an applicant must have a
1792 master's degree from a program that is accredited by the Council
1793 for Accreditation of Counseling and Related Educational Programs
1794 which consists of at least 60 semester hours or 80 quarter hours
1795 to apply for licensure under this paragraph.

1796 (c) Has had at least 2 years of clinical experience in

1797 mental health counseling, which must be at the post-master's
1798 level under the supervision of a licensed mental health
1799 counselor or the equivalent who is a qualified supervisor as
1800 determined by the board. An individual who intends to practice
1801 in Florida to satisfy the clinical experience requirements must
1802 register pursuant to s. 491.0045 before commencing practice. If
1803 a graduate has a master's degree with a major related to the
1804 practice of mental health counseling which ~~that~~ did not include
1805 all the coursework required under sub-subparagraphs (b)1.a. and
1806 b. ~~(b)1.a. b.~~, credit for the post-master's level clinical
1807 experience may ~~shall~~ not commence until the applicant has
1808 completed a minimum of seven of the courses required under sub-
1809 subparagraphs (b)1.a. and b. ~~(b)1.a. b.~~, as determined by the
1810 board, one of which must be a course in psychopathology or
1811 abnormal psychology. A doctoral internship may be applied toward
1812 the clinical experience requirement. A licensed mental health
1813 professional must be on the premises when clinical services are
1814 provided by a registered intern in a private practice setting.

1815 (d) Has passed a theory and practice examination provided
1816 by the department for this purpose.

1817 (e) Has demonstrated, in a manner designated by board rule
1818 ~~of the board~~, knowledge of the laws and rules governing the
1819 practice of clinical social work, marriage and family therapy,
1820 and mental health counseling.

1821 Section 44. Paragraph (b) of subsection (1) of section

1822 491.006, Florida Statutes, is amended to read:

1823 491.006 Licensure or certification by endorsement.—

1824 (1) The department shall license or grant a certificate to
 1825 a person in a profession regulated by this chapter who, upon
 1826 applying to the department and remitting the appropriate fee,
 1827 demonstrates to the board that he or she:

1828 (b)1. Holds an active valid license to practice and has
 1829 actively practiced the licensed profession ~~for which licensure~~
 1830 ~~is applied~~ in another state for 3 of the last 5 years
 1831 immediately preceding licensure;—

1832 ~~2. Meets the education requirements of this chapter for~~
 1833 ~~the profession for which licensure is applied.~~

1834 ~~2.3.~~ Has passed a substantially equivalent licensing
 1835 examination in another state or has passed the licensure
 1836 examination in this state in the profession for which the
 1837 applicant seeks licensure; and—

1838 ~~3.4.~~ Holds a license in good standing, is not under
 1839 investigation for an act that would constitute a violation of
 1840 this chapter, and has not been found to have committed any act
 1841 that would constitute a violation of this chapter.

1842
 1843 The fees paid by any applicant for certification as a master
 1844 social worker under this section are nonrefundable.

1845 Section 45. Subsection (3) of section 491.007, Florida
 1846 Statutes, is amended to read:

1847 491.007 Renewal of license, registration, or certificate.—
 1848 ~~(3) The board or department shall prescribe by rule a~~
 1849 ~~method for the biennial renewal of an intern registration at a~~
 1850 ~~fee set by rule, not to exceed \$100.~~

1851 Section 46. Subsection (2) of section 491.009, Florida
 1852 Statutes, is amended to read:

1853 491.009 Discipline.—

1854 (2) The board ~~department,~~ or, in the case of certified
 1855 master social workers ~~psychologists,~~ the department ~~board,~~ may
 1856 enter an order denying licensure or imposing any of the
 1857 penalties authorized in s. 456.072(2) against any applicant for
 1858 licensure or any licensee who violates ~~is found guilty of~~
 1859 ~~violating any provision of subsection (1) of this section or who~~
 1860 ~~is found guilty of violating any provision of s. 456.072(1).~~

1861 Section 47. Subsection (2) of section 491.0046, Florida
 1862 Statutes, is amended to read:

1863 491.0046 Provisional license; requirements.—

1864 (2) The department shall issue a provisional clinical
 1865 social worker license, provisional marriage and family therapist
 1866 license, or provisional mental health counselor license to each
 1867 applicant who the board certifies has:

1868 (a) Completed the application form and remitted a
 1869 nonrefundable application fee not to exceed \$100, as set by
 1870 board rule; and

1871 (b) Earned a graduate degree in social work, a graduate

1872 degree with a major emphasis in marriage and family therapy or a
 1873 closely related field, or a graduate degree in a major related
 1874 to the practice of mental health counseling; and

1875 (c) ~~Has~~ Met the following minimum coursework requirements:

1876 1. For clinical social work, a minimum of 15 semester
 1877 hours or 22 quarter hours of the coursework required by s.
 1878 491.005(1)(b)2.b.

1879 2. For marriage and family therapy, 10 of the courses
 1880 required by s. 491.005(3)(b)1. ~~s. 491.005(3)(b)1.a.-c.~~, as
 1881 determined by the board, and at least 6 semester hours or 9
 1882 quarter hours of the course credits must have been completed in
 1883 the area of marriage and family systems, theories, or
 1884 techniques.

1885 3. For mental health counseling, a minimum of seven of the
 1886 courses required under s. 491.005(4)(b)1.a.-c.

1887 Section 48. Subsection (11) of section 945.42, Florida
 1888 Statutes, is amended to read:

1889 945.42 Definitions; ss. 945.40-945.49.—As used in ss.
 1890 945.40-945.49, the following terms shall have the meanings
 1891 ascribed to them, unless the context shall clearly indicate
 1892 otherwise:

1893 (11) "Psychological professional" means a behavioral
 1894 practitioner who has an approved doctoral degree in psychology
 1895 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by
 1896 the department or who is licensed as a psychologist pursuant to

CS/CS/CS/HB 713

2020

1897 | chapter 490.

1898 | Section 49. This act shall take effect July 1, 2020.