

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Drake offered the following:

**Amendment to Amendment (535476) (with title amendment)**

Remove lines 6-760 and insert:

Section 6. Subsection (7) of section 400.506, Florida Statutes, is amended to read:

400.506 Licensure of nurse registries; requirements; penalties.—

(7) A person who is referred by a nurse registry for contract in private residences and who is not a nurse licensed under part I of chapter 464 may perform only those services or care to clients that the person has been certified to perform or trained to perform as required by law or rules of the Agency for

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14 Health Care Administration or the Department of Business and  
15 Professional Regulation. Providing services beyond the scope  
16 authorized under this subsection constitutes the unauthorized  
17 practice of medicine or a violation of the Nurse Practice Act  
18 and is punishable as provided under chapter 458, chapter 459, or  
19 part I of chapter 464. If a licensed nurse registry authorizes a  
20 registered nurse to delegate tasks, including medication  
21 administration, to a certified nursing assistant pursuant to  
22 chapter 464 or to a home health aide pursuant to s. 400.490, the  
23 licensed nurse registry must ensure that such delegation meets  
24 the requirements of this chapter and chapter 464 and the rules  
25 adopted thereunder.

26 Section 7. Subsections (3) and (4) of section 401.465,  
27 Florida Statutes, are renumbered as subsections (4) and (5),  
28 respectively, paragraphs (d) and (j) of subsection (2) of that  
29 section are amended, paragraph (d) is added to subsection (1),  
30 and a new subsection (3) is added to that section, to read:

31 401.465 911 public safety telecommunicator certification.-

32 (1) DEFINITIONS.-As used in this section, the term:

33 (d) "Telecommunicator cardiopulmonary resuscitation  
34 training" means specific training, including continuous  
35 education, that is evidence based and contains nationally  
36 accepted guidelines for high-quality telecommunicator  
37 cardiopulmonary resuscitation with the recognition of out-of-  
38 hospital cardiac arrest over the telephone and the delivery of

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39 telephonic instructions for treating cardiac arrest and  
40 performing compression-only cardiopulmonary resuscitation.

41 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—

42 (d) The department shall determine whether the applicant  
43 meets the requirements specified in this section and in rules of  
44 the department and shall issue a certificate to any person who  
45 meets such requirements. Such requirements must include the  
46 following:

47 1. Completion of an appropriate 911 public safety  
48 telecommunication training program;

49 2. Certification under oath that the applicant is not  
50 addicted to alcohol or any controlled substance;

51 3. Certification under oath that the applicant is free  
52 from any physical or mental defect or disease that might impair  
53 the applicant's ability to perform his or her duties;

54 4. Submission of the application fee prescribed in  
55 subsection (4) ~~(3)~~;

56 5. Submission of a completed application to the department  
57 which indicates compliance with subparagraphs 1., 2., and 3.;  
58 and

59 6. Effective October 1, 2012, passage of an examination  
60 approved by the department which measures the applicant's  
61 competency and proficiency in the subject material of the public  
62 safety telecommunication training program.

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63 (j)1. The requirement for certification as a 911 public  
64 safety telecommunicator is waived for a person employed as a  
65 sworn state-certified law enforcement officer, provided the  
66 officer:

67 a. Is selected by his or her chief executive to perform as  
68 a 911 public safety telecommunicator;

69 b. Performs as a 911 public safety telecommunicator on an  
70 occasional or limited basis; and

71 c. Passes the department-approved examination that  
72 measures the competency and proficiency of an applicant in the  
73 subject material comprising the public safety telecommunication  
74 program.

75 2. A sworn state-certified law enforcement officer who  
76 fails an examination taken under subparagraph 1. must take a  
77 department-approved public safety telecommunication training  
78 program prior to retaking the examination.

79 3. The testing required under this paragraph is exempt  
80 from the examination fee required under subsection (4) ~~(3)~~.

81 (3) TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION  
82 TRAINING.—In addition to the certification and recertification  
83 requirements contained in this section, 911 public safety  
84 telecommunicators who take telephone calls and provide dispatch  
85 functions for emergency medical conditions must complete  
86 telecommunicator cardiopulmonary resuscitation training every 2  
87 years.

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88 Section 8. Paragraph (h) is added to subsection (1) of  
89 section 408.033, Florida Statutes, to read:

90 408.033 Local and state health planning.—

91 (1) LOCAL HEALTH COUNCILS.—

92 (h) For the purpose of performing their duties under this  
93 section, local health councils may collect utilization data from  
94 each hospital licensed under chapter 395 which is located within  
95 their respective local health council districts.

96 Section 9. Paragraph (c) of subsection (2) of section  
97 456.47, Florida Statutes, is amended to read:

98 456.47 Use of telehealth to provide services.—

99 (2) PRACTICE STANDARDS.—

100 (c) A telehealth provider may not use telehealth to  
101 prescribe a controlled substance listed in Schedule II of s.  
102 893.03 unless the controlled substance is prescribed for the  
103 following:

104 1. The treatment of a psychiatric disorder;

105 2. Inpatient treatment at a hospital licensed under  
106 chapter 395;

107 3. The treatment of a patient receiving hospice services  
108 as defined in s. 400.601; or

109 4. The treatment of a resident of a nursing home facility  
110 as defined in s. 400.021.

111 Section 10. Subsection (1) of section 460.406, Florida  
112 Statutes, is amended to read:

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## 113 460.406 Licensure by examination.—

114 (1) Any person desiring to be licensed as a chiropractic  
115 physician must apply to the department to take the licensure  
116 examination. There shall be an application fee set by the board  
117 not to exceed \$100 which shall be nonrefundable. There shall  
118 also be an examination fee not to exceed \$500 plus the actual  
119 per applicant cost to the department for purchase of portions of  
120 the examination from the National Board of Chiropractic  
121 Examiners or a similar national organization, which may be  
122 refundable if the applicant is found ineligible to take the  
123 examination. The department shall examine each applicant who the  
124 board certifies has met all of the following criteria:

125 (a) Completed the application form and remitted the  
126 appropriate fee.

127 (b) Submitted proof satisfactory to the department that he  
128 or she is not less than 18 years of age.

129 (c) Submitted proof satisfactory to the department that he  
130 or she is a graduate of a chiropractic college which is  
131 accredited by or has status with the Council on Chiropractic  
132 Education or its predecessor agency. However, any applicant who  
133 is a graduate of a chiropractic college that was initially  
134 accredited by the Council on Chiropractic Education in 1995, who  
135 graduated from such college within the 4 years immediately  
136 preceding such accreditation, and who is otherwise qualified is  
137 ~~shall be~~ eligible to take the examination. An ~~No~~ application for

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138 a license to practice chiropractic medicine may not ~~shall~~ be  
139 denied solely because the applicant is a graduate of a  
140 chiropractic college that subscribes to one philosophy of  
141 chiropractic medicine as distinguished from another.

142 (d)1. For an applicant who has matriculated in a  
143 chiropractic college before ~~prior to~~ July 2, 1990, completed at  
144 least 2 years of residence college work, consisting of a minimum  
145 of one-half the work acceptable for a bachelor's degree granted  
146 on the basis of a 4-year period of study, in a college or  
147 university accredited by an institutional accrediting agency  
148 recognized and approved by the United States Department of  
149 Education. However, before ~~prior to~~ being certified by the board  
150 to sit for the examination, each applicant who has matriculated  
151 in a chiropractic college after July 1, 1990, must ~~shall~~ have  
152 been granted a bachelor's degree, based upon 4 academic years of  
153 study, by a college or university accredited by an institutional  
154 ~~a regional~~ accrediting agency which is a member of the  
155 Commission on Recognition of Postsecondary Accreditation.

156 2. Effective July 1, 2000, completed, before ~~prior to~~  
157 matriculation in a chiropractic college, at least 3 years of  
158 residence college work, consisting of a minimum of 90 semester  
159 hours leading to a bachelor's degree in a liberal arts college  
160 or university accredited by an institutional accrediting agency  
161 recognized and approved by the United States Department of  
162 Education. However, before ~~prior to~~ being certified by the board

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163 to sit for the examination, each applicant who has matriculated  
164 in a chiropractic college after July 1, 2000, must ~~shall~~ have  
165 been granted a bachelor's degree from an institution holding  
166 accreditation for that degree from an institutional ~~a regional~~  
167 accrediting agency which is recognized by the United States  
168 Department of Education. The applicant's chiropractic degree  
169 must consist of credits earned in the chiropractic program and  
170 may not include academic credit for courses from the bachelor's  
171 degree.

172 (e) Successfully completed the National Board of  
173 Chiropractic Examiners certification examination in parts I, II,  
174 III, and IV, and the physiotherapy examination of the National  
175 Board of Chiropractic Examiners, with a score approved by the  
176 board.

177 (f) Submitted to the department a set of fingerprints on a  
178 form and under procedures specified by the department, along  
179 with payment in an amount equal to the costs incurred by the  
180 Department of Health for the criminal background check of the  
181 applicant.

182  
183 The board may require an applicant who graduated from an  
184 institution accredited by the Council on Chiropractic Education  
185 more than 10 years before the date of application to the board  
186 to take the National Board of Chiropractic Examiners Special  
187 Purposes Examination for Chiropractic, or its equivalent, as

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188 determined by the board. The board shall establish by rule a  
189 passing score.

190 Section 11. Subsection (4) of section 464.008, Florida  
191 Statutes, is amended to read:

192 464.008 Licensure by examination.—

193 ~~(4) If an applicant who graduates from an approved program~~  
194 ~~does not take the licensure examination within 6 months after~~  
195 ~~graduation, he or she must enroll in and successfully complete a~~  
196 ~~board-approved licensure examination preparatory course. The~~  
197 ~~applicant is responsible for all costs associated with the~~  
198 ~~course and may not use state or federal financial aid for such~~  
199 ~~costs. The board shall by rule establish guidelines for~~  
200 ~~licensure examination preparatory courses.~~

201 Section 12. Subsection (2) of section 464.0156, Florida  
202 Statutes, is amended to read:

203 464.0156 Delegation of duties.—

204 (2) A registered nurse may delegate to a certified nursing  
205 assistant or a home health aide the administration of oral,  
206 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or  
207 topical prescription medications to a patient of a home health  
208 agency or nurse registry, if the certified nursing assistant or  
209 home health aide meets the requirements of s. 464.2035 or s.  
210 400.489, respectively. A registered nurse may not delegate the  
211 administration of any controlled substance listed in Schedule

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212 II, Schedule III, or Schedule IV of s. 893.03 or 21 U.S.C. s.  
213 812.

214 Section 13. Paragraph (e) of subsection (1) of section  
215 464.018, Florida Statutes, is amended to read:

216 464.018 Disciplinary actions.—

217 (1) The following acts constitute grounds for denial of a  
218 license or disciplinary action, as specified in ss. 456.072(2)  
219 and 464.0095:

220 (e) Having been found guilty of, ~~regardless of~~  
221 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,  
222 regardless of adjudication, any offense prohibited under s.  
223 435.04 or similar statute of another jurisdiction; or having  
224 committed an act which constitutes domestic violence as defined  
225 in s. 741.28.

226 Section 14. Subsections (1) and (3) of section 464.2035,  
227 Florida Statutes, are amended to read:

228 464.2035 Administration of medication.—

229 (1) A certified nursing assistant may administer oral,  
230 transdermal, ophthalmic, otic, rectal, inhaled, enteral, or  
231 topical prescription medication to a patient of a home health  
232 agency or nurse registry if the certified nursing assistant has  
233 been delegated such task by a registered nurse licensed under  
234 part I of this chapter, has satisfactorily completed an initial  
235 6-hour training course approved by the board, and has been found  
236 competent to administer medication to a patient in a safe and

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237 sanitary manner. The training, determination of competency, and  
238 initial and annual validation required under this section must  
239 be conducted by a registered nurse licensed under this chapter  
240 or a physician licensed under chapter 458 or chapter 459.

241 (3) The board, in consultation with the Agency for Health  
242 Care Administration, shall establish by rule standards and  
243 procedures that a certified nursing assistant must follow when  
244 administering medication to a patient of a home health agency or  
245 nurse registry. Such rules must, at a minimum, address  
246 qualification requirements for trainers, requirements for  
247 labeling medication, documentation and recordkeeping, the  
248 storage and disposal of medication, instructions concerning the  
249 safe administration of medication, informed-consent requirements  
250 and records, and the training curriculum and validation  
251 procedures.

252 Section 15. Paragraph (h) of subsection (1) of section  
253 466.028, Florida Statutes, is amended to read:

254 466.028 Grounds for disciplinary action; action by the  
255 board.—

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

258 (h) Being employed by any corporation, organization,  
259 group, or person other than a dentist, a hospital, or a  
260 professional corporation or limited liability company composed  
261 of dentists to practice dentistry.

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262 Section 16. Section 466.0285, Florida Statutes, is amended  
263 to read:

264 466.0285 Proprietorship by nondentists.—

265 (1) A person or an entity ~~No person~~ other than a dentist  
266 licensed under ~~pursuant to~~ this chapter, a specialty-licensed  
267 children's hospital licensed under chapter 395 as of January 1,  
268 2021, or nor any entity other than a professional corporation or  
269 limited liability company composed of dentists, may not:

270 (a) Employ a dentist or dental hygienist in the operation  
271 of a dental office.

272 (b) Control the use of any dental equipment or material  
273 while such equipment or material is being used for the provision  
274 of dental services, whether those services are provided by a  
275 dentist, a dental hygienist, or a dental assistant.

276 (c) Direct, control, or interfere with a dentist's  
277 clinical judgment. To direct, control, or interfere with a  
278 dentist's clinical judgment does not mean ~~may not be interpreted~~  
279 ~~to mean~~ dental services contractually excluded, the application  
280 of alternative benefits that may be appropriate given the  
281 dentist's prescribed course of treatment, or the application of  
282 contractual provisions and scope of coverage determinations in  
283 comparison with a dentist's prescribed treatment on behalf of a  
284 covered person by an insurer, health maintenance organization,  
285 or a prepaid limited health service organization.  
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287 Any lease agreement, rental agreement, or other arrangement  
288 between a nondentist and a dentist whereby the nondentist  
289 provides the dentist with dental equipment or dental materials  
290 must ~~shall~~ contain a provision whereby the dentist expressly  
291 maintains complete care, custody, and control of the equipment  
292 or practice.

293 (2) The purpose of this section is to prevent a nondentist  
294 from influencing or otherwise interfering with the exercise of a  
295 dentist's independent professional judgment. In addition to the  
296 acts specified in subsection (1), a ~~no~~ person or an entity that  
297 who is not a dentist licensed under ~~pursuant to~~ this chapter, a  
298 specialty-licensed children's hospital licensed under chapter  
299 395 as of January 1, 2021, or ~~nor any entity that is not~~ a  
300 professional corporation or limited liability company composed  
301 of dentists may not ~~shall~~ enter into a relationship with a  
302 licensee pursuant to which such unlicensed person or such entity  
303 exercises control over any of the following:

304 (a) The selection of a course of treatment for a patient,  
305 the procedures or materials to be used as part of such course of  
306 treatment, and the manner in which such course of treatment is  
307 carried out by the licensee. ~~†~~

308 (b) The patient records of a dentist. ~~†~~

309 (c) Policies and decisions relating to pricing, credit,  
310 refunds, warranties, and advertising. ~~† and~~

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311 (d) Decisions relating to office personnel and hours of  
312 practice.

313 (3) Any person who violates this section commits a felony  
314 of the third degree, punishable as provided in s. 775.082, s.  
315 775.083, or s. 775.084.

316 (4) Any contract or arrangement entered into or undertaken  
317 in violation of this section is ~~shall be~~ void as contrary to  
318 public policy. This section applies to contracts entered into or  
319 renewed on or after October 1, 1997.

320 Section 17. Subsections (13) and (14) of section 467.003,  
321 Florida Statutes, are renumbered as subsections (14) and (15),  
322 respectively, subsections (1) and (12) are amended, and a new  
323 subsection (13) is added to that section, to read:

324 467.003 Definitions.—As used in this chapter, unless the  
325 context otherwise requires:

326 (1) "Approved midwifery program" means ~~a midwifery school~~  
327 ~~or~~ a midwifery training program that ~~which~~ is approved by the  
328 department pursuant to s. 467.205.

329 (12) "Preceptor" means a physician licensed under chapter  
330 458 or chapter 459, a ~~licensed~~ midwife licensed under this  
331 chapter, or a certified nurse midwife licensed under chapter  
332 464, who has a minimum of 3 years' professional experience, and  
333 who directs, teaches, supervises, and evaluates the learning  
334 experiences of a the student midwife as part of an approved  
335 midwifery program.

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336       (13) "Prelicensure course" means a course of study,  
337 offered by an approved midwifery program and approved by the  
338 department, which an applicant for licensure must complete  
339 before a license may be issued and which provides instruction in  
340 the laws and rules of this state and demonstrates the student's  
341 competency to practice midwifery under this chapter.

342       Section 18. Section 467.009, Florida Statutes, is amended  
343 to read:

344       467.009 Approved midwifery programs; education and  
345 training requirements.—

346       (1) The department shall adopt standards for approved  
347 midwifery programs which must include, but need not be limited  
348 to, standards for all of the following:

349       (a) .~~The standards shall encompass~~ Clinical and classroom  
350 instruction in all aspects of prenatal, intrapartal, and  
351 postpartal care, including all of the following:

- 352       1. Obstetrics.†
- 353       2. Neonatal pediatrics.†
- 354       3. Basic sciences.†
- 355       4. Female reproductive anatomy and physiology.†
- 356       5. Behavioral sciences.†
- 357       6. Childbirth education.†
- 358       7. Community care.†
- 359       8. Epidemiology.†
- 360       9. Genetics.†

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361 10. Embryology.†

362 11. Neonatology.†

363 12. Applied pharmacology.†

364 13. The medical and legal aspects of midwifery.†

365 14. Gynecology and women's health.†

366 15. Family planning.†

367 16. Nutrition during pregnancy and lactation.†

368 17. Breastfeeding.† and

369 18. Basic nursing skills; ~~and any other instruction~~  
370 ~~determined by the department and council to be necessary.~~

371 (b) ~~The standards shall incorporate the~~ Core competencies  
372 incorporating those established by the American College of Nurse  
373 Midwives and the Midwives Alliance of North America, including  
374 knowledge, skills, and professional behavior in all of the  
375 following areas:

376 1. Primary management, collaborative management, referral,  
377 and medical consultation.†

378 2. Antepartal, intrapartal, postpartal, and neonatal  
379 care.†

380 3. Family planning and gynecological care.†

381 4. Common complications.† and

382 5. Professional responsibilities.

383 (c) Noncurricular ~~The standards shall include~~  
384 ~~noncurriculum~~ matters under this section, including, but not  
385 limited to, staffing and teacher qualifications.

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386 (2) An approved midwifery program must offer ~~shall include~~  
387 a course of study ~~and clinical training~~ for a minimum of 3 years  
388 which incorporates all of the standards, curriculum guidelines,  
389 and educational objectives provided in this section and the  
390 rules adopted hereunder.

391 (3) An approved midwifery program may reduce ~~If the~~  
392 applicant is a registered nurse or a licensed practical nurse or  
393 has previous nursing or midwifery education, the required period  
394 of training ~~may be reduced~~ to the extent of the student's  
395 ~~applicant's~~ qualifications as a registered nurse or licensed  
396 practical nurse or based on prior completion of equivalent  
397 nursing or midwifery education, as determined under rules  
398 ~~adopted by the department rule. In no case shall the training be~~  
399 ~~reduced to a period of less than 2 years.~~

400 (4)~~(3)~~ An approved midwifery program may accept students  
401 ~~who To be accepted into an approved midwifery program, an~~  
402 applicant shall have completed all of the following:

403 (a) A high school diploma or its equivalent.

404 (b) ~~Taken~~ Three college-level credits each of math and  
405 English or demonstrated competencies in communication and  
406 computation.

407 (5)~~(4)~~ As part of its course of study, an approved  
408 midwifery program must require clinical training that includes  
409 all of the following:

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410 (a) ~~A student midwife, during training, shall undertake,~~  
411 ~~under the supervision of a preceptor,~~ The care of 50 women in  
412 each of the prenatal, intrapartal, and postpartal periods under  
413 the supervision of a preceptor. ~~but~~ The same women need not be  
414 seen through all three periods.

415 (b) (5) Observation of ~~The student midwife shall observe~~ an  
416 additional 25 women in the intrapartal period ~~before qualifying~~  
417 ~~for a license.~~

418 (6) Clinical ~~The~~ training required under this section must  
419 include all of the following:

420 (a) ~~shall include~~ Training in ~~either~~ hospitals, ~~or~~  
421 alternative birth settings, or both.

422 (b) A requirement that students demonstrate competency in  
423 the assessment of and differentiation, ~~with particular emphasis~~  
424 ~~on learning the ability to differentiate~~ between low-risk  
425 pregnancies and high-risk pregnancies.

426 (7) A hospital or birthing center receiving public funds  
427 shall be required to provide student midwives access to observe  
428 labor, delivery, and postpartal procedures, provided the woman  
429 in labor has given informed consent. The Department of Health  
430 shall assist in facilitating access to hospital training for  
431 approved midwifery programs.

432 (8) (7) The Department of Education shall adopt curricular  
433 frameworks for midwifery programs conducted within public  
434 educational institutions under ~~pursuant to~~ this section.

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435 ~~(8) Nonpublic educational institutions that conduct~~  
436 ~~approved midwifery programs shall be accredited by a member of~~  
437 ~~the Commission on Recognition of Postsecondary Accreditation and~~  
438 ~~shall be licensed by the Commission for Independent Education.~~

439 Section 19. Section 467.011, Florida Statutes, is amended  
440 to read:

441 467.011 Licensed midwives; qualifications; examination  
442 ~~Licensure by examination.~~

443 ~~(1) The department shall administer an examination to test~~  
444 ~~the proficiency of applicants in the core competencies required~~  
445 ~~to practice midwifery as specified in s. 467.009.~~

446 ~~(2) The department shall develop, publish, and make~~  
447 ~~available to interested parties at a reasonable cost a~~  
448 ~~bibliography and guide for the examination.~~

449 ~~(3)~~ The department shall issue a license to practice  
450 midwifery to an applicant who meets all of the following  
451 criteria:

452 (1) Demonstrates that he or she has graduated from one of  
453 the following:

454 (a) An approved midwifery program.

455 (b) A medical or midwifery program offered in another  
456 state, jurisdiction, territory, or country whose graduation  
457 requirements were equivalent to or exceeded those required by s.  
458 467.009 and the rules adopted thereunder at the time of  
459 graduation.

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460           (2) Demonstrates that he or she has and successfully  
461 completed a prelicensure course offered by an approved midwifery  
462 program. Students graduating from an approved midwifery program  
463 may meet this requirement by showing that the content  
464 requirements for the prelicensure course were covered as part of  
465 their course of study.

466           (3) Submits an application for licensure on a form  
467 approved by the department and pays the appropriate fee.

468           (4) Demonstrates that he or she has received a passing  
469 score on an the examination specified by the department, upon  
470 payment of the required licensure fee.

471           Section 20. Section 467.0125, Florida Statutes, is amended  
472 to read:

473           467.0125 Licensed midwives; qualifications; Licensure by  
474 endorsement; temporary certificates.-

475           (1) The department shall issue a license by endorsement to  
476 practice midwifery to an applicant who, upon applying to the  
477 department, demonstrates to the department that she or he meets  
478 all of the following criteria:

479           ~~(a)1. Holds a valid certificate or diploma from a foreign~~  
480 ~~institution of medicine or midwifery or from a midwifery program~~  
481 ~~offered in another state, bearing the seal of the institution or~~  
482 ~~otherwise authenticated, which renders the individual eligible~~  
483 ~~to practice midwifery in the country or state in which it was~~  
484 ~~issued, provided the requirements therefor are deemed by the~~

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485 ~~department to be substantially equivalent to, or to exceed,~~  
486 ~~those established under this chapter and rules adopted under~~  
487 ~~this chapter, and submits therewith a certified translation of~~  
488 ~~the foreign certificate or diploma; or~~

489       2. Holds an active, unencumbered ~~a valid certificate or~~  
490 ~~license to practice midwifery in another state, jurisdiction, or~~  
491 ~~territory issued by that state, provided the licensing~~  
492 ~~requirements of that state, jurisdiction, or territory at the~~  
493 ~~time the license was issued were ~~therefor are deemed by the~~~~  
494 ~~department to be substantially equivalent to, or exceeded ~~to~~~~  
495 ~~exceed, those established under this chapter and the rules~~  
496 ~~adopted thereunder ~~under this chapter.~~~~

497       (b) Has successfully completed a ~~4-month~~ prelicensure  
498 course conducted by an approved midwifery program ~~and has~~  
499 ~~submitted documentation to the department of successful~~  
500 ~~completion.~~

501       (c) Submits an application for licensure on a form  
502 approved by the department and pays the appropriate fee ~~Has~~  
503 ~~successfully passed the licensed midwifery examination.~~

504       (2) The department may issue a temporary certificate to  
505 practice in areas of critical need to an applicant ~~any midwife~~  
506 who is qualifying for a midwifery license ~~licensure by~~  
507 ~~endorsement~~ under subsection (1) who meets all of the following  
508 criteria, with the following restrictions:

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509           (a) Submits an application for a temporary certificate on  
510 a form approved by the department and pays the appropriate fee,  
511 which may not exceed \$50 and is in addition to the fee required  
512 for licensure by endorsement under subsection (1);

513           (b) Specifies on the application that he or she will ~~The~~  
514 ~~Department of Health shall determine the areas of critical need,~~  
515 ~~and the midwife so certified shall practice only in~~ one or more  
516 of the following locations:

517           1. A county health department;

518           2. A correctional facility;

519           3. A Department of Veterans' Affairs clinic;

520           4. A community health center funded by s. 329, s. 330, or  
521 s. 340 of the United States Public Health Service Act; or

522           5. Any other agency or institution that is approved by the  
523 State Surgeon General and provides health care to meet the needs  
524 of an underserved population in this state; and ~~those specific~~  
525 ~~areas,~~

526           (c) Will practice only under the supervision auspices of a  
527 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,  
528 a certified nurse midwife licensed under ~~pursuant to~~ part I of  
529 chapter 464, or a midwife licensed under this chapter, who has a  
530 minimum of 3 years' professional experience.

531           (3) The department may issue a temporary certificate under  
532 this section with the following restrictions:

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533 (a) A requirement that a temporary certificateholder  
534 practice only in areas of critical need. The State Surgeon  
535 General shall determine the areas of critical need, which ~~Such~~  
536 areas ~~shall~~ include, but are not ~~be~~ limited to, health  
537 professional shortage areas designated by the United States  
538 Department of Health and Human Services.

539 (b) A requirement that if a temporary certificateholder's  
540 practice area ceases to be an area of critical need, within 30  
541 days after such change the certificateholder must either:

542 1. Report a new practice area of critical need to the  
543 department; or

544 2. Voluntarily relinquish the temporary certificate.

545 (4) The department shall review a temporary  
546 certificateholder's practice at least annually to determine  
547 whether the certificateholder is meeting the requirements of  
548 subsections (2) and (3) and the rules adopted thereunder. If the  
549 department determines that a certificateholder is not meeting  
550 these requirements, the department must revoke the temporary  
551 certificate.

552 (5) A temporary certificate issued under this section is  
553 ~~shall be valid only as long as an area for which it is issued~~  
554 ~~remains an area of critical need, but no longer than 2 years,~~  
555 and is ~~shall~~ not ~~be~~ renewable.

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556 ~~(c) The department may administer an abbreviated oral~~  
557 ~~examination to determine the midwife's competency, but no~~  
558 ~~written regular examination shall be necessary.~~

559 ~~(d) The department shall not issue a temporary certificate~~  
560 ~~to any midwife who is under investigation in another state for~~  
561 ~~an act which would constitute a violation of this chapter until~~  
562 ~~such time as the investigation is complete, at which time the~~  
563 ~~provisions of this section shall apply.~~

564 ~~(e) The department shall review the practice under a~~  
565 ~~temporary certificate at least annually to ascertain that the~~  
566 ~~minimum requirements of the midwifery rules promulgated under~~  
567 ~~this chapter are being met. If it is determined that the minimum~~  
568 ~~requirements are not being met, the department shall immediately~~  
569 ~~revoke the temporary certificate.~~

570 ~~(f) The fee for a temporary certificate shall not exceed~~  
571 ~~\$50 and shall be in addition to the fee required for licensure.~~

572 Section 21. Section 467.205, Florida Statutes, is amended  
573 to read:

574 467.205 Approval of midwifery programs.—

575 (1) The department shall approve an accredited or state-  
576 licensed public or private institution seeking to provide  
577 midwifery education and training as an approved midwifery  
578 program in this state if the institution meets all of the  
579 following criteria:

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580        (a) Submits an application for approval on a form approved  
581 by the department.

582        (b) Demonstrates to the department's satisfaction that the  
583 proposed midwifery program complies with s. 467.009 and the  
584 rules adopted thereunder.

585        (c) For a private institution, demonstrates its  
586 accreditation by a member of the Council for Higher Education  
587 Accreditation or an accrediting agency approved by the United  
588 States Department of Education and its licensing or provisional  
589 licensing by the Commission for Independent Education ~~An~~  
590 ~~organization desiring to conduct an approved program for the~~  
591 ~~education of midwives shall apply to the department and submit~~  
592 ~~such evidence as may be required to show that it complies with~~  
593 ~~s. 467.009 and with the rules of the department. Any accredited~~  
594 ~~or state-licensed institution of higher learning, public or~~  
595 ~~private, may provide midwifery education and training.~~

596        ~~(2) The department shall adopt rules regarding educational~~  
597 ~~objectives, faculty qualifications, curriculum guidelines,~~  
598 ~~administrative procedures, and other training requirements as~~  
599 ~~are necessary to ensure that approved programs graduate midwives~~  
600 ~~competent to practice under this chapter.~~

601        ~~(3) The department shall survey each organization applying~~  
602 ~~for approval. If the department is satisfied that the program~~  
603 ~~meets the requirements of s. 467.009 and rules adopted pursuant~~  
604 ~~to that section, it shall approve the program.~~

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605        ~~(2)-(4)~~ The department shall, at least once every 3 years,  
606 certify whether each approved midwifery program is currently  
607 compliant, and has maintained compliance, ~~complies~~ with the  
608 requirements of standards developed under s. 467.009 and the  
609 rules adopted thereunder.

610        ~~(3)-(5)~~ If the department finds that an approved midwifery  
611 program is not in compliance with the requirements of s. 467.009  
612 or the rules adopted thereunder, or has lost its accreditation  
613 status, the department must provide its finding to the program  
614 in writing and no longer meets the required standards, it may  
615 place the program on probationary status for a specified period  
616 of time, which may not exceed 3 years until such time as the  
617 standards are restored.

618        (4) If a program on probationary status does not come into  
619 compliance with the requirements of s. 467.009 or the rules  
620 adopted thereunder, or regain its accreditation status, as  
621 applicable, within the period specified by the department fails  
622 to correct these conditions within a specified period of time,  
623 the department may rescind the program's approval.

624        (5) ~~A~~ Any program that has ~~having~~ its approval rescinded  
625 has shall have the right to reapply for approval.

626        (6) The department may grant provisional approval of a new  
627 program seeking accreditation status, for a period not to exceed  
628 5 years, provided that all other requirements of this section  
629 are met.

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630       (7) The department may rescind provisional approval of a  
631 program that fails to meet the requirements of s. 467.009,  
632 this section, or the rules adopted thereunder, in accordance  
633 with procedures provided in subsections (3) and (4) may be  
634 granted pending the licensure results of the first graduating  
635 class.

636       Section 22. Subsection (4) of section 468.203, Florida  
637 Statutes, is amended to read:

638       468.203 Definitions.—As used in this act, the term:

639       (4) "Occupational therapy" means the therapeutic use of  
640 occupations through habilitation, rehabilitation, and the  
641 promotion of health and wellness with individuals, groups, or  
642 populations, along with their families or organizations to  
643 support participation, performance, and function in the home,  
644 school, workplace, community, and other settings for clients who  
645 have or are at risk of developing an illness, injury, disease,  
646 disorder, condition, impairment, disability, activity  
647 limitation, or participation restriction ~~purposeful activity or~~  
648 ~~interventions to achieve functional outcomes.~~

649       (a) For the purposes of this subsection:

650       1. "Activities of daily living" means functions and tasks  
651 for self-care which are performed on a daily or routine basis,  
652 including functional mobility, bathing, dressing, eating and  
653 swallowing, personal hygiene and grooming, toileting, and other  
654 similar tasks. ~~"Achieving functional outcomes" means to maximize~~

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655 ~~the independence and the maintenance of health of any individual~~  
656 ~~who is limited by a physical injury or illness, a cognitive~~  
657 ~~impairment, a psychosocial dysfunction, a mental illness, a~~  
658 ~~developmental or a learning disability, or an adverse~~  
659 ~~environmental condition.~~

660 2. "Assessment" means the use of skilled observation or  
661 the administration and interpretation of standardized or  
662 nonstandardized tests and measurements to identify areas for  
663 occupational therapy services.

664 3. "Behavioral health services" means the promotion of  
665 occupational performance through services to support positive  
666 mental health by providing direct individual and group  
667 interventions to improve the client's participation in daily  
668 occupations.

669 4. "Health management" means activities related to  
670 developing, managing, and maintaining health and wellness,  
671 including self-management, with the goal of improving or  
672 maintaining health to support participation in occupations.

673 5. "Instrumental activities of daily living" means daily  
674 or routine activities a person must perform to live  
675 independently within the home and community.

676 6. "Mental health services" means the promotion of  
677 occupational performance related to mental health, coping,  
678 resilience, and well-being by providing individual, group, and  
679 population level supports and services to improve the client's

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680 participation in daily occupations for those who are at risk of,  
681 experiencing, or in recovery from these conditions, along with  
682 their families and communities.

683 7. "Occupations" means meaningful and purposeful everyday  
684 activities performed and engaged in by individuals, groups,  
685 populations, families, or communities which occur in contexts  
686 and over time, such as activities of daily living, instrumental  
687 activities of daily living, health management, rest and sleep,  
688 education, work, play, leisure, and social participation. The  
689 term includes more specific occupations and execution of  
690 multiple activities that are influenced by performance patterns,  
691 performance skills, and client factors, resulting in varied  
692 outcomes.

693 8. "Occupational performance" means the ability to  
694 perceive, desire, recall, plan, and carry out roles, routines,  
695 tasks, and subtasks for the purpose of self-maintenance, self-  
696 preservation, productivity, leisure, and rest, for oneself or  
697 others, in response to internal or external demands of  
698 occupations and contexts.

699 (b) The practice of occupational therapy includes services  
700 include, but is are not limited to:

701 1. Assessment, treatment, education of, and consultation  
702 with, individuals, groups, and populations whose abilities to  
703 participate safely in occupations, including activities of daily  
704 living, instrumental activities of daily living, rest and sleep,

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705 education, work, play, leisure, and social participation are  
706 impaired or at risk for impairment due to issues related, but  
707 not limited, to developmental deficiencies, the aging process,  
708 learning disabilities, physical environment and sociocultural  
709 context, physical injury or disease, cognitive impairments, and  
710 psychological and social disabilities ~~The assessment, treatment,~~  
711 ~~and education of or consultation with the individual, family, or~~  
712 ~~other persons.~~

713 2. Methods or approaches to determine abilities and  
714 limitations related to performance of occupations, including,  
715 but not limited to, the identification of physical, sensory,  
716 cognitive, emotional, or social deficiencies ~~Interventions~~  
717 ~~directed toward developing daily living skills, work readiness~~  
718 ~~or work performance, play skills or leisure capacities, or~~  
719 ~~enhancing educational performance skills.~~

720 3. Specific occupational therapy techniques used for  
721 treatment that involve, but are not limited to, training in  
722 activities of daily living; environmental modification;  
723 assessment of the need for the use of interventions such as the  
724 design, fabrication, and application of orthotics or orthotic  
725 devices; selecting, applying, and training in the use of  
726 assistive technology and adaptive devices; sensory, motor, and  
727 cognitive activities; therapeutic exercises; manual techniques;  
728 physical agent modalities; behavioral health services; and  
729 mental health services ~~Providing for the development of:~~

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730 ~~sensory-motor, perceptual, or neuromuscular functioning; range~~  
731 ~~of motion; or emotional, motivational, cognitive, or~~  
732 ~~psychosocial components of performance.~~

733  
734 ~~These services may require assessment of the need for use of~~  
735 ~~interventions such as the design, development, adaptation,~~  
736 ~~application, or training in the use of assistive technology~~  
737 ~~devices; the design, fabrication, or application of~~  
738 ~~rehabilitative technology such as selected orthotic devices;~~  
739 ~~training in the use of assistive technology; orthotic or~~  
740 ~~prosthetic devices; the application of physical agent modalities~~  
741 ~~as an adjunct to or in preparation for purposeful activity; the~~  
742 ~~use of ergonomic principles; the adaptation of environments and~~  
743 ~~processes to enhance functional performance; or the promotion of~~  
744 ~~health and wellness.~~

745 (c) The use of devices subject to 21 C.F.R. s. 801.109 and  
746 identified by the board is expressly prohibited except by an  
747 occupational therapist or occupational therapy assistant who has  
748 received training as specified by the board. The board shall  
749 adopt rules to carry out the purpose of this provision.

750 Section 23. Subsection (2) of section 468.209, Florida  
751 Statutes, is amended to read:

752 468.209 Requirements for licensure.—

753 (2) An applicant who has practiced as a state-licensed or  
754 American Occupational Therapy Association-certified occupational

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755 therapy assistant for 4 years and who, before ~~prior to~~ January  
756 24, 1988, completed a minimum of 24 weeks ~~6 months~~ of supervised  
757 occupational-therapist-level fieldwork experience may take the  
758 examination to be licensed as an occupational therapist without  
759 meeting the educational requirements for occupational therapists  
760 made otherwise applicable under paragraph (1)(b).

761 Section 24. Subsection (2) of section 468.215, Florida  
762 Statutes, is amended to read:

763 468.215 Issuance of license.—

764 (2) Any person who is issued a license as an occupational  
765 therapist under the terms of this act may use the words  
766 "occupational therapist," "licensed occupational therapist,"  
767 "occupational therapist doctorate," or "occupational therapist  
768 registered," or he or she may use the letters "O.T.," "L.O.T.,"  
769 "O.T.D.," or "O.T.R.," in connection with his or her name or  
770 place of business to denote his or her registration hereunder.

771 Section 25. Section 468.223, Florida Statutes, is amended  
772 to read:

773 468.223 Prohibitions; penalties.—

774 (1) A person may not:

775 (a) Practice occupational therapy unless such person is  
776 licensed pursuant to ss. 468.201-468.225;

777 (b) Use, in connection with his or her name or place of  
778 business, the words "occupational therapist," "licensed  
779 occupational therapist," "occupational therapist doctorate,"

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780 "occupational therapist registered," "occupational therapy  
781 assistant," "licensed occupational therapy assistant,"  
782 "certified occupational therapy assistant"; the letters "O.T.,"  
783 "L.O.T.," "O.T.D.," "O.T.R.," "O.T.A.," "L.O.T.A.," or  
784 "C.O.T.A."; or any other words, letters, abbreviations, or  
785 insignia indicating or implying that he or she is an  
786 occupational therapist or an occupational therapy assistant or,  
787 in any way, orally or in writing, in print or by sign, directly  
788 or by implication, to represent himself or herself as an  
789 occupational therapist or an occupational therapy assistant  
790 unless the person is a holder of a valid license issued pursuant  
791 to ss. 468.201-468.225;

792 (c) Present as his or her own the license of another;

793 (d) Knowingly give false or forged evidence to the board  
794 or a member thereof;

795 (e) Use or attempt to use a license that ~~which~~ has been  
796 suspended, revoked, or placed on inactive or delinquent status;

797 (f) Employ unlicensed persons to engage in the practice of  
798 occupational therapy; or

799 (g) Conceal information relative to any violation of ss.  
800 468.201-468.225.

801 (2) Any person who violates any provision of this section  
802 commits a misdemeanor of the second degree, punishable as  
803 provided in s. 775.082 or s. 775.083.

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804 Section 26. Paragraph (e) is added to subsection (1) of  
805 section 468.225, Florida Statutes, to read:

806 468.225 Exemptions.—

807 (1) Nothing in this act shall be construed as preventing  
808 or restricting the practice, services, or activities of:

809 (e) Any person fulfilling an occupational therapy doctoral  
810 capstone experience that involves clinical practice or projects.

811 Section 27. Subsections (2), (3), and (4) and paragraphs  
812 (a) and (b) of subsection (5) of section 468.803, Florida  
813 Statutes, are amended to read:

814 468.803 License, registration, and examination  
815 requirements.—

816 (2) An applicant for registration, examination, or  
817 licensure must apply to the department on a form prescribed by  
818 the board for consideration of board approval. Each initial  
819 applicant shall submit ~~a set of~~ fingerprints to the department  
820 ~~on a form and~~ under procedures specified by the department,  
821 ~~along with payment in an amount equal to the costs incurred by~~  
822 ~~the department~~ for state and national criminal history checks of  
823 the applicant. ~~The department shall submit the fingerprints~~  
824 ~~provided by an applicant to the Department of Law Enforcement~~  
825 ~~for a statewide criminal history check, and the Department of~~  
826 ~~Law Enforcement shall forward the fingerprints to the Federal~~  
827 ~~Bureau of Investigation for a national criminal history check of~~  
828 ~~the applicant.~~ The board shall screen the results to determine

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829 if an applicant meets licensure requirements. The board shall  
830 consider for examination, registration, or licensure each  
831 applicant who the board verifies:

832 (a) Has submitted the completed application and completed  
833 the fingerprinting requirements ~~fingerprint forms~~ and has paid  
834 the applicable application fee, not to exceed \$500, ~~and the cost~~  
835 ~~of the state and national criminal history checks~~. The  
836 application fee is ~~and cost of the criminal history checks shall~~  
837 ~~be~~ nonrefundable;

838 (b) Is of good moral character;

839 (c) Is 18 years of age or older; and

840 (d) Has completed the appropriate educational preparation.

841 (3) A person seeking to attain the orthotics or  
842 prosthetics experience required for licensure in this state must  
843 be approved by the board and registered as a resident by the  
844 department. Although a registration may be held in both  
845 disciplines, for independent registrations the board may not  
846 approve a second registration until at least 1 year after the  
847 issuance of the first registration. Notwithstanding subsection  
848 (2), a person who has been approved by the board and registered  
849 by the department in one discipline may apply for registration  
850 in the second discipline without an additional state or national  
851 criminal history check during the period in which the first  
852 registration is valid. Each independent registration or dual  
853 registration is valid for 2 years after the date of issuance

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854 unless otherwise revoked by the department upon recommendation  
855 of the board. The board shall set a registration fee not to  
856 exceed \$500 to be paid by the applicant. A registration may be  
857 renewed once by the department upon recommendation of the board  
858 for a period no longer than 1 year, as such renewal is defined  
859 by the board by rule. The renewal fee may not exceed one-half  
860 the current registration fee. To be considered by the board for  
861 approval of registration as a resident, the applicant must have  
862 one of the following:

863 (a) A Bachelor of Science or higher-level postgraduate  
864 degree in orthotics and prosthetics from an ~~a regionally~~  
865 accredited college or university recognized by the Commission on  
866 Accreditation of Allied Health Education Programs.

867 (b) A minimum of a bachelor's degree from an  
868 institutionally ~~a regionally~~ accredited college or university  
869 and a certificate in orthotics or prosthetics from a program  
870 recognized by the Commission on Accreditation of Allied Health  
871 Education Programs, or its equivalent, as determined by the  
872 board.

873 (c) A minimum of a bachelor's degree from an  
874 institutionally ~~a regionally~~ accredited college or university  
875 and a dual certificate in both orthotics and prosthetics from  
876 programs recognized by the Commission on Accreditation of Allied  
877 Health Education Programs, or its equivalent, as determined by  
878 the board.

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879 (4) The department may develop and administer a state  
880 examination for an orthotist or a prosthetist license, or the  
881 board may approve the existing examination of a national  
882 standards organization. The examination must be predicated on a  
883 minimum of a baccalaureate-level education and formalized  
884 specialized training in the appropriate field. Each examination  
885 must demonstrate a minimum level of competence in basic  
886 scientific knowledge, written problem solving, and practical  
887 clinical patient management. The board shall require an  
888 examination fee not to exceed the actual cost to the board in  
889 developing, administering, and approving the examination, which  
890 fee must be paid by the applicant. To be considered by the board  
891 for examination, the applicant must have:

892 (a) For an examination in orthotics:

893 1. A Bachelor of Science or higher-level postgraduate  
894 degree in orthotics and prosthetics from an institutionally a  
895 ~~regionally~~ accredited college or university recognized by the  
896 Commission on Accreditation of Allied Health Education Programs  
897 or, at a minimum, a bachelor's degree from an institutionally a  
898 ~~regionally~~ accredited college or university and a certificate in  
899 orthotics from a program recognized by the Commission on  
900 Accreditation of Allied Health Education Programs, or its  
901 equivalent, as determined by the board; and

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

905 (b) For an examination in prosthetics:

906 1. A Bachelor of Science or higher-level postgraduate  
907 degree in orthotics and prosthetics from an institutionally a  
908 ~~regionally~~ accredited college or university recognized by the  
909 Commission on Accreditation of Allied Health Education Programs  
910 or, at a minimum, a bachelor's degree from an institutionally a  
911 ~~regionally~~ accredited college or university and a certificate in  
912 prosthetics from a program recognized by the Commission on  
913 Accreditation of Allied Health Education Programs, or its  
914 equivalent, as determined by the board; and

915 2. An approved prosthetics internship of 1 year of  
916 qualified experience, as determined by the board, or a  
917 prosthetic residency or dual residency program recognized by the  
918 board.

919 (5) In addition to the requirements in subsection (2), to  
920 be licensed as:

921 (a) An orthotist, the applicant must pay a license fee not  
922 to exceed \$500 and must have:

923 1. A Bachelor of Science or higher-level postgraduate  
924 degree in Orthotics and Prosthetics from an institutionally a  
925 ~~regionally~~ accredited college or university recognized by the  
926 Commission on Accreditation of Allied Health Education Programs,

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927 or a bachelor's degree from an institutionally accredited  
928 college or university and ~~with~~ a certificate in orthotics from a  
929 program recognized by the Commission on Accreditation of Allied  
930 Health Education Programs, or its equivalent, as determined by  
931 the board;

932 2. An approved ~~appropriate~~ internship of 1 year of  
933 qualified experience, as determined by the board, or a residency  
934 program recognized by the board;

935 3. Completed the mandatory courses; and

936 4. Passed the state orthotics examination or the board-  
937 approved orthotics examination.

938 (b) A prosthetist, the applicant must pay a license fee  
939 not to exceed \$500 and must have:

940 1. A Bachelor of Science or higher-level postgraduate  
941 degree in Orthotics and Prosthetics from an institutionally ~~a~~  
942 ~~regionally~~ accredited college or university recognized by the  
943 Commission on Accreditation of Allied Health Education Programs,  
944 or a bachelor's degree from an institutionally accredited  
945 college or university and ~~with~~ a certificate in prosthetics from  
946 a program recognized by the Commission on Accreditation of  
947 Allied Health Education Programs, or its equivalent, as  
948 determined by the board;

949 2. An internship of 1 year of qualified experience, as  
950 determined by the board, or a residency program recognized by  
951 the board;

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952 3. Completed the mandatory courses; and

953 4. Passed the state prosthetics examination or the board-  
954 approved prosthetics examination.

955 Section 28. For the purpose of incorporating the amendment  
956 made by this act to section 468.203, Florida Statutes, in a  
957 reference thereto, paragraph (c) of subsection (5) of section  
958 1002.385, Florida Statutes, is reenacted to read:

959 1002.385 The Gardiner Scholarship.—

960 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must  
961 be used to meet the individual educational needs of an eligible  
962 student and may be spent for the following purposes:

963 (c) Specialized services by approved providers or by a  
964 hospital in this state which are selected by the parent. These  
965 specialized services may include, but are not limited to:

966 1. Applied behavior analysis services as provided in ss.  
967 627.6686 and 641.31098.

968 2. Services provided by speech-language pathologists as  
969 defined in s. 468.1125.

970 3. Occupational therapy services as defined in s. 468.203.

971 4. Services provided by physical therapists as defined in  
972 s. 486.021.

973 5. Services provided by listening and spoken language  
974 specialists and an appropriate acoustical environment for a  
975 child who is deaf or hard of hearing and who has received an  
976 implant or assistive hearing device.

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977  
978 A provider of any services receiving payments pursuant to this  
979 subsection may not share, refund, or rebate any moneys from the  
980 Gardiner Scholarship with the parent or participating student in  
981 any manner. A parent, student, or provider of any services may  
982 not bill an insurance company, Medicaid, or any other agency for  
983 the same services that are paid for using Gardiner Scholarship  
984 funds.

985 Section 29. For the purpose of incorporating the amendment  
986 made by this act to section 468.203, Florida Statutes, in a  
987 reference thereto, paragraph (c) of subsection (2) of section  
988 1002.66, Florida Statutes, is reenacted to read:

989 1002.66 Specialized instructional services for children  
990 with disabilities.—

991 (2) The parent of a child who is eligible for the  
992 prekindergarten program for children with disabilities may  
993 select one or more specialized instructional services that are  
994 consistent with the child's individual educational plan. These  
995 specialized instructional services may include, but are not  
996 limited to:

997 (c) Occupational therapy as defined in s. 468.203.  
998  
999

1000 -----  
1001 **T I T L E A M E N D M E N T**

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Amendment No.

1002 Remove lines 775-821 and insert:  
1003 medical services providers; amending s. 400.506, F.S.;  
1004 requiring a licensed nurse registry that authorizes a  
1005 registered nurse to delegate tasks to a certified  
1006 nursing assistant or a home health aide to ensure that  
1007 certain requirements are met; amending s. 401.465,  
1008 F.S.; defining the term "telecommunicator  
1009 cardiopulmonary resuscitation training"; conforming  
1010 cross-references; requiring certain 911 public safety  
1011 telecommunicators to complete biennial  
1012 telecommunicator cardiopulmonary resuscitation  
1013 training; amending s. 408.033, F.S.; authorizing local  
1014 health councils to collect utilization data from  
1015 licensed hospitals within their respective local  
1016 health council districts for a specified purpose;  
1017 amending s. 456.47, F.S.; revising the prohibition on  
1018 prescribing controlled substances through the use of  
1019 telehealth to include only specified controlled  
1020 substances; amending s. 460.406, F.S.; revising  
1021 provisions related to chiropractic physician  
1022 licensing; amending s. 464.008, F.S.; deleting a  
1023 requirement that certain nursing program graduates  
1024 complete a specified preparatory course; amending s.  
1025 464.0156, F.S.; authorizing a registered nurse to  
1026 delegate the administration of certain duties for the

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Amendment No.

1027 care of a patient of a nurse registry; amending s.  
1028 464.018, F.S.; revising grounds for disciplinary  
1029 action against licensed nurses; amending s. 464.2035,  
1030 F.S.; authorizing certified nursing assistants to  
1031 administer certain medication to patients of nurse  
1032 registries under certain circumstances; conforming a  
1033 provision to changes made by the act; amending s.  
1034 466.028, F.S.; revising grounds for disciplinary  
1035 action by the Board of Dentistry; amending s.  
1036 466.0285, F.S.; exempting certain specialty hospitals  
1037 from prohibitions relating to the employment of  
1038 dentists and dental hygienists and the control of  
1039 dental equipment and materials by nondentists;  
1040 exempting such hospitals from a prohibition on  
1041 nondentists entering into certain agreements with  
1042 dentists or dental hygienists; making technical  
1043 changes; amending s. 467.003, F.S.; revising and  
1044 defining terms; amending s. 467.009, F.S.; revising  
1045 provisions related to approved midwifery programs;  
1046 amending s. 467.011, F.S.; revising provisions  
1047 relating to licensure of midwives; amending s.  
1048 467.0125, F.S.; revising provisions relating to  
1049 licensure by endorsement of midwives; revising  
1050 requirements for temporary certificates to practice  
1051 midwifery in this state; amending s. 467.205, F.S.;

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Amendment No.

1052 revising provisions relating to approval, continued  
1053 monitoring, probationary status, provisional approval,  
1054 and approval rescission of midwifery programs;  
1055 amending s. 468.203, F.S.; revising and providing  
1056 definitions; amending s. 468.209, F.S.; revising the  
1057 fieldwork experience requirement for certain persons  
1058 to take the examination for licensure as an  
1059 occupational therapist; amending s. 468.215, F.S.;  
1060 authorizing licensed occupational therapists to use a  
1061 specified title and initials in accordance with the  
1062 rules of a national certifying organization; amending  
1063 s. 468.223, F.S.; prohibiting certain persons from  
1064 using a specified title and initials; providing  
1065 criminal penalties; amending s. 468.225, F.S.;  
1066 providing construction; amending s. 468.803, F.S.;  
1067 revising provisions related to orthotist and  
1068 prosthetist registration, examination, and licensing;  
1069 reenacting ss. 1002.385(5)(c) and 1002.66(2)(c), F.S.,  
1070 relating to the Gardiner Scholarship and specialized  
1071 instructional services for children with disabilities,  
1072 respectively, to incorporate the amendments made by  
1073 the act; amending 483.801, F.S.;

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