Representative Leek offered the following:

**Amendment (with directory and title amendments)**

Remove lines 707-1406 and insert:

of Emergency Management's website.

(6) In addition to any other powers conferred upon the Governor by law, she or he may:

(c) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services. The transfer of the direction, personnel, or functions of state departments and agencies must be reported monthly on a cumulative basis to the President of the Senate and the Speaker of the House of
Representatives.

(12) During a declared state of emergency, the Governor, the Lieutenant Governor, the Surgeon General, the Director of the Division of Emergency Management, the President of the Senate, and the Speaker of the House of Representatives may disseminate public service announcements concerning the emergency and the provisions of ss. 112.3148 and 112.3215 do not apply.

Section 9. Section 252.3611, Florida Statutes, is created to read:

252.3611 Transparency; audits.—

(1) Each order, proclamation, or rule issued by the Governor, the division, or any agency must specify the statute or rule being amended or waived, if applicable, and the expiration date for the order, proclamation, or rule.

(2) When the duration of an emergency exceeds 90 days:

(a) Within 72 hours of executing a contract executed with moneys authorized for expenditure to support the response to the declared state of emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy of such contract to the Legislature. For contracts executed during the first 90 days of the emergency, the Executive Office of the Governor or the appropriate agency shall submit a copy to the Legislature within the first 120 days of the declared emergency.

(b) The Executive Office of the Governor or the
appropria\nte agency shall submit monthly reports to the
Legislature of all state expenditures, revenues received, and
funds transferred by an agency during the previous month to
support the declared state of emergency.

(3) Once an emergency exceeds 1 year, the Auditor General
shall conduct a financial audit of all associated expenditures
and a compliance audit of all associated contracts entered into
during the declared emergency. The Auditor General must update
the audit annually until the emergency is declared to be ended.

(4) Following the expiration or termination of a state of
emergency, the Auditor General shall conduct a financial audit
of all associated expenditures and a compliance audit of all
associated contracts entered into during the state of emergency.

Section 10. Subsection (3) of section 252.365, Florida
Statutes, is amended to read:

252.365  Emergency coordination officers; disaster-
preparation plans.—

(3) Emergency coordination officers shall ensure These
individuals shall be responsible for ensuring that each state
agency and facility, such as a prison, office building, or
university, has a disaster preparedness plan that is coordinated
with the applicable local emergency-management agency and
approved by the division.

(a) The disaster-preparedness plan must outline a
comprehensive and effective program to ensure continuity of

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essential state functions under all circumstances, including, but not limited to, a pandemic or other public health emergency. The plan must identify a baseline of preparedness for a full range of potential emergencies to establish a viable capability to perform essential functions during any emergency or other situation that disrupts normal operations. This baseline must consider and include preparedness for rapid and large-scale increases in the public's need to access government services through technology or other means during an emergency, including, but not limited to, a public health emergency.

(b) The plan must include, at a minimum, the following elements: identification of essential functions, programs, and personnel; procedures to implement the plan and personnel notification and accountability; delegations of authority and lines of succession; identification of alternative facilities and related infrastructure, including those for communications; identification and protection of vital records and databases; provisions regarding the availability of, and distribution plans for, personal protective equipment; and schedules and procedures for periodic tests, training, and exercises.

(c) The division shall develop and distribute guidelines for developing and implementing the plan. By December 31, 2022, each agency must update its plan to include provisions related to preparation for pandemics and other public health emergencies consistent with the plan developed pursuant to s. 381.00315.
Each agency plan must be updated as needed to remain consistent with the state public health emergency management plan.

Section 11. Subsections (7) and (8) are added to section 252.37, Florida Statutes, and subsection (2) of that section is amended, contingent upon SB 1892 or similar legislation creating the Emergency Preparedness and Response Fund taking effect, to read:

252.37  Financing.—
(2)(a) It is the legislative intent that the first recourse be made to funds specifically regularly appropriated to state and local agencies for disaster relief or response.

(b) If the Governor finds that the demands placed upon these funds in coping with a particular disaster declared by the Governor as a state of emergency are unreasonably great, she or he may make funds available by transferring and expending moneys appropriated for other purposes, from the Emergency Preparedness and Response Fund.

(c) If additional funds are needed, the Governor may make funds available by transferring and expending moneys out of any unappropriated surplus funds, or from the Budget Stabilization Fund if the transfers and expenditures are directly related to the declared disaster or emergency. Notice of such action, as provided in s. 216.177, must be delivered at least 7 days before the effective date of the action, unless a shorter period is agreed to in writing by the President of the Senate and the
Speaker of the House of Representatives. If the President of the Senate and the Speaker of the House of Representatives timely advise in writing that the parties object to the transfer, the Governor must void such action.

(d) Following the expiration or termination of the state of emergency, the Governor may transfer moneys with a budget amendment, subject to approval by the Legislative Budget Commission, to satisfy the budget authority granted for such emergency. The transfers and expenditures supporting the amendment must be directly related to the declared disaster or emergency.

(7) An agency or political subdivision shall submit in advance a detailed spending plan for any grants, gifts, loans, funds, payments, services, equipment, supplies, or materials in aid of or for the purposes of emergency prevention, recovery, mitigation, preparedness, and management, other than emergency response, received under this section to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees. This paragraph does not apply to the receipt of any funds from an agency, department, or other affiliated entity of the Federal Government as part of an expedited project worksheet in anticipation of emergency response expenditures. If an emergency situation precludes the timely advanced submission of a detailed spending plan, the plan must be submitted as soon as
practicable, but not later than 30 days after initiation of any expenditures, and be resubmitted every 30 days as long as the emergency continues and funds continue to be disbursed.

(8) For emergency response activities, including an emergency response that includes emergency protective measures or debris removal, the agency or political subdivision is not required to provide a detailed spending plan in advance of expenditures, but must provide notice to the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees of all expenditures in aggregate categories incurred in the emergency response no later than 30 days after the expenditure is incurred, and a copy of any project worksheet submitted to the Federal Emergency Management Agency must be submitted to the same parties no later than 7 days after it is submitted to the Federal Emergency Management Agency.

Section 12. Subsection (4) is added to section 252.38, Florida Statutes, to read:

252.38 Emergency management powers of political subdivisions.—Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state.

(4) EXPIRATION AND EXTENSION OF EMERGENCY ORDERS.—

(a) As used in this subsection, the term "emergency order" means an order or ordinance issued or enacted by a political
subdivision in response to an emergency pursuant to this chapter or chapter 381 that limits the rights or liberties of individuals or businesses within the political subdivision. The term does not apply to orders issued in response to hurricanes or other weather-related emergencies.

(b) It is the intent of the Legislature to minimize the negative effects of an emergency order issued by a political subdivision. Notwithstanding any other law, an emergency order issued by a political subdivision must be narrowly tailored to serve a compelling public health or safety purpose. Any such emergency order must be limited in duration, applicability, and scope in order to reduce any infringement on individual rights or liberties to the greatest extent possible.

(c) An emergency order automatically expires 7 days after issuance but may be extended by a majority vote of the governing body of the political subdivision, as necessary, in 7-day increments for a total duration of not more than 42 days.

(d) The Governor may, at any time, invalidate an emergency order issued by a political subdivision if the Governor determines that such order unnecessarily restricts individual rights or liberties.

(e) Upon the expiration of an emergency order, a political subdivision may not issue a substantially similar order.

Section 13. Subsections (1), (2), and (3) of section 252.385, Florida Statutes, are amended to read:
252.385  Public shelter space.—

(1)  It is the intent of the Legislature that this state not have a deficit of safe public hurricane evacuation shelter space in any region of the state by 1998 and thereafter.

(2)(a)  The division shall administer a program to survey existing schools, universities, community colleges, and other state-owned, municipally owned, and county-owned public buildings and any private facility that the owner, in writing, agrees to provide for use as a public hurricane evacuation shelter to identify those that are appropriately designed and located to serve as such shelters. The owners of the facilities must be given the opportunity to participate in the surveys. The state university boards of trustees, district school boards, community college boards of trustees, and the Department of Education are responsible for coordinating and implementing the survey of public schools, universities, and community colleges with the division or the local emergency management agency.

(b)  By January 31 of each even-numbered year, the division shall prepare and submit a statewide emergency shelter plan to the Governor and Cabinet for approval, subject to the requirements for approval in s. 1013.37(2). The emergency shelter plan must project, for each of the next 5 years, the hurricane shelter needs of the state, including periods of time during which a concurrent public health emergency may necessitate more space for each individual to accommodate
physical distancing. In addition to information on the general shelter needs throughout this state, the plan must shall identify the general location and square footage of special needs shelters, by regional planning council region, during the next 5 years. The plan must shall also include information on the availability of shelters that accept pets. The Department of Health shall assist the division in determining the estimated need for special needs shelter space and the adequacy of facilities to meet the needs of persons with special needs based on information from the registries of persons with special needs and other information.

(3) The division shall annually provide to the President of the Senate, the Speaker of the House of Representatives, and the Governor a list of facilities recommended to be retrofitted using state funds. State funds should be maximized and targeted to regional planning council regions with hurricane evacuation shelter deficits. Retrofitting facilities in regions with public hurricane evacuation shelter deficits shall be given first priority and should be completed by 2003. All recommended facilities should be retrofitted by 2008. The owner or lessee of a public hurricane evacuation shelter that is included on the list of facilities recommended for retrofitting is not required to perform any recommended improvements.

Section 14. Subsection (1) of section 252.44, Florida Statutes, is amended to read:
239  252.44 Emergency mitigation.—
240  (1) In addition to prevention measures included in the
241  state and local comprehensive emergency management plans, the
242  Governor shall consider on a continuing basis steps that could
243  be taken to mitigate the harmful consequences of emergencies. At
244  the Governor's direction and pursuant to any other authority and
245  competence they have, state agencies, including, but not limited
to, those charged with responsibilities in connection with
246  protecting and maintaining the public health, flood plain
247  management, stream encroachment and flow regulation, weather
248  modification, fire prevention and control, air quality, public
249  works, land use and land use planning, and construction
250  standards, shall make studies of emergency-mitigation-related
251  matters. The Governor, from time to time, shall make such
252  recommendations to the Legislature, local governments, and other
253  appropriate public and private entities as may facilitate
254  measures for mitigation of the harmful consequences of
255  emergencies.
256  Section 15. Present subsection (3) of section 252.46,
257  Florida Statutes, is redesignated as subsection (5), a new
258  subsection (3) and subsection (4) are added to that section, and
259  subsection (2) of that section is amended, to read:
260  252.46 Orders and rules.—
261  (2) All orders and rules adopted by the division or any
262  political subdivision or other agency authorized by ss. 252.31-
252.90 to make orders and rules have full force and effect of law after adoption in accordance with the provisions of chapter 120 in the event of issuance by the division or any state agency or, if adopted promulgated by a political subdivision of the state or agency thereof, when filed in the office of the clerk or recorder of the political subdivision or agency adopting promulgating the same. Failure of a political subdivision to file any such order or rule with the office of the clerk or recorder within 3 days after issuance voids the order or rule. All existing laws, ordinances, and rules inconsistent with the provisions of ss. 252.31-252.90, or any order or rule issued under the authority of ss. 252.31-252.90, must shall be suspended during the period of time and to the extent that such conflict exists.

(3) Emergency ordinances, declarations, and orders adopted by a political subdivision under the authority of ss. 252.31-252.90, including those enacted by a municipality pursuant to s. 166.041(3)(b), must be available on a dedicated webpage accessible through a conspicuous link on the political subdivision's homepage. The dedicated webpage must identify the emergency ordinances, declarations, and orders currently in effect. Each political subdivision adopting emergency ordinances, declarations, or orders must provide the division with the link to the political subdivision's dedicated webpage. The division must include these links in an easily identifiable
format on its website.

(4) An order issued by a political subdivision pursuant to this section which imposes a curfew restricting the travel or movement of persons during designated times must nonetheless allow persons to travel during the curfew to their places of employment to report for work and to return to their residences after their work has concluded.

Section 16. Paragraph (a) of subsection (2) of section 377.703, Florida Statutes, is amended to read:

377.703 Additional functions of the Department of Agriculture and Consumer Services.—

(2) DUTIES.—The department shall perform the following functions, unless as otherwise provided, consistent with the development of a state energy policy:

(a) The Division of Emergency Management is responsible for the development of an energy emergency contingency plan to respond to serious shortages of primary and secondary energy sources. Upon a finding by the Governor, implementation of any emergency program shall be upon order of the Governor that a particular kind or type of fuel is, or that the occurrence of an event which is reasonably expected within 30 days will make the fuel, in short supply. The Division of Emergency Management shall then respond by instituting the appropriate measures of the contingency plan to meet the given emergency or energy shortage. The Governor may utilize the provisions of s.
252.36(6) and 252.36(5) to carry out any emergency actions required by a serious shortage of energy sources.

Section 17. Paragraph (c) of subsection (1) and subsection (2) of section 381.00315, Florida Statutes, are amended to read:

381.00315 Public health advisories; public health emergencies; isolation and quarantines.—The State Health Officer is responsible for declaring public health emergencies, issuing public health advisories, and ordering isolation or quarantines.

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

(c) "Public health emergency" means any occurrence, or threat thereof, whether natural or manmade, which results or may result in substantial injury or harm to the public health from infectious disease, chemical agents, nuclear agents, biological toxins, or situations involving mass casualties or natural disasters.

(2)(a) The department shall prepare and maintain a state public health emergency management plan to serve as a comprehensive guide to public health emergency response in this state. The department shall develop the plan in collaboration with the Division of Emergency Management, other executive agencies with functions relevant to public health emergencies, district medical examiners, and national and state public health experts and ensure that it integrates and coordinates with the public health emergency management plans and programs of the Federal Government. The plan must address each element of public
health emergency planning and incorporate public health and epidemiological best practices to ensure that the state is prepared for every foreseeable public health emergency. The plan must include an assessment of state and local public health infrastructure, including information systems, physical plant, commodities, and human resources, and an analysis of the infrastructure necessary to achieve the level of readiness proposed by the plan for short-term and long-term public emergencies. Beginning July 1, 2022, the department shall submit the plan to the Division of Emergency Management for inclusion in the state comprehensive emergency management plan pursuant to s. 252.35. The department shall review the plan after the declared end of each public health emergency, and, in any event, at least every 5 years, and update its terms as necessary to ensure continuous planning.

(b) Before declaring a public health emergency, the State Health Officer shall, to the extent possible, consult with the Governor and shall notify the Chief of Domestic Security. The declaration of a public health emergency shall continue until the State Health Officer finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and he or she terminates the declaration. However, a declaration of a public health emergency may not continue for longer than 60 days unless the Governor concurs in the renewal of the declaration.
(c) The State Health Officer, upon declaration of a public health emergency, shall establish by order the method and procedure for identifying and reporting cases and deaths involving the infectious disease or other occurrence identified as the basis for the declared public health emergency. The method and procedure must be consistent with any standards developed by the Federal Government specific to the declared emergency or, if federal standards do not exist, must be consistent with public health best practices as identified by the State Health Officer. During the pendency of a public health emergency, the department is the sole entity responsible for the collection and official reporting and publication of cases and deaths. The State Health Officer, by order or emergency rule, may ensure necessary assistance from licensed health care providers in carrying out this function and may request the assistance of district medical examiners in performing this function.

(d) The State Health Officer, upon declaration of a public health emergency, may take actions that are necessary to protect the public health. Such actions include, but are not limited to:

1. Directing manufacturers of prescription drugs or over-the-counter drugs who are permitted under chapter 499 and wholesalers of prescription drugs located in this state who are permitted under chapter 499 to give priority to the shipping of specified drugs to pharmacies and health care providers within
geographic areas that have been identified by the State Health Officer. The State Health Officer must identify the drugs to be shipped. Manufacturers and wholesalers located in the state must respond to the State Health Officer's priority shipping directive before shipping the specified drugs.

2. Notwithstanding chapters 465 and 499 and rules adopted thereunder, directing pharmacists employed by the department to compound bulk prescription drugs and provide these bulk prescription drugs to physicians and nurses of county health departments or any qualified person authorized by the State Health Officer for administration to persons as part of a prophylactic or treatment regimen.

3. Notwithstanding s. 456.036, temporarily reactivating the inactive license of the following health care practitioners, when such practitioners are needed to respond to the public health emergency: physicians licensed under chapter 458 or chapter 459; physician assistants licensed under chapter 458 or chapter 459; licensed practical nurses, registered nurses, and advanced practice registered nurses licensed under part I of chapter 464; respiratory therapists licensed under part V of chapter 468; and emergency medical technicians and paramedics certified under part III of chapter 401. Only those health care practitioners specified in this paragraph who possess an unencumbered inactive license and who request that such license be reactivated are eligible for reactivation. An inactive
license that is reactivated under this paragraph shall return to inactive status when the public health emergency ends or before the end of the public health emergency if the State Health Officer determines that the health care practitioner is no longer needed to provide services during the public health emergency. Such licenses may only be reactivated for a period not to exceed 90 days without meeting the requirements of s. 456.036 or chapter 401, as applicable.

4. Ordering an individual to be examined, tested, vaccinated, treated, isolated, or quarantined for communicable diseases that have significant morbidity or mortality and present a severe danger to public health. Individuals who are unable or unwilling to be examined, tested, vaccinated, or treated for reasons of health, religion, or conscience may be subjected to isolation or quarantine.
   a. Examination, testing, vaccination, or treatment may be performed by any qualified person authorized by the State Health Officer.
   b. If the individual poses a danger to the public health, the State Health Officer may subject the individual to isolation or quarantine. If there is no practical method to isolate or quarantine the individual, the State Health Officer may use any means necessary to vaccinate or treat the individual.
   c. Any order of the State Health Officer given to effectuate this paragraph shall be immediately enforceable by
a law enforcement officer under s. 381.0012.

 (e)(2) Individuals who assist the State Health Officer at

 his or her request on a volunteer basis during a public health

 emergency are entitled to the benefits specified in s.

 110.504(2), (3), (4), and (5).

Section 18. Section 381.00316, Florida Statutes, is

 created to read:

 381.00316 COVID-19 vaccine documentation.—

 (1) A business entity, as defined in s. 768.38 to include

 any business operating in this state, may not require patrons or

 customers to provide any documentation certifying COVID-19

 vaccination or post-infection recovery to gain access to, entry

 upon, or service from the business operations in this state.

 This subsection does not otherwise restrict businesses from

 instituting screening protocols consistent with authoritative or

 controlling government-issued guidance to protect public health.

 (2) A governmental entity as defined in s. 768.38 may not

 require persons to provide any documentation certifying COVID-19

 vaccination or post-infection recovery to gain access to, entry

 upon, or service from the governmental entity's operations in

 this state. This subsection does not otherwise restrict

 governmental entities from instituting screening protocols

 consistent with authoritative or controlling government-issued

 guidance to protect public health.

 (3) An educational institution as defined in s. 768.38 may
not require students or residents to provide any documentation certifying COVID-19 vaccination or post-infection recovery for attendance or enrollment, or to gain access to, entry upon, or service from such educational institution in this state. This subsection does not otherwise restrict educational institutions from instituting screening protocols consistent with authoritative or controlling government-issued guidance to protect public health.

(4) The department may impose a fine not to exceed $5,000 per violation.

(5) This section does not apply to a health care provider as defined in s. 768.38; a service provider licensed or certified under s. 393.17, part III of chapter 401, or part IV of chapter 468; or a provider with an active health care clinic exemption under s. 400.9935.

(6) The department may adopt rules pursuant to ss. 120.536 and 120.54 to implement this section.

Section 19. Subsection (1) of section 406.11, Florida Statutes, is amended, and paragraph (c) is added to subsection (2) of that section, to read:

406.11 Examinations, investigations, and autopsies.—

(1) In any of the following circumstances involving the death of a human being, the medical examiner of the district in which the death occurred or the body was found shall determine the cause of death and certify the death and shall, for that
purpose, make or perform have performed such examinations, investigations, and autopsies as he or she deems shall deem necessary or as shall be requested by the state attorney:

(a) When any person dies in this the state:

1. Of criminal violence.

2. By accident.


4. Suddenly, when in apparent good health.

5. Unattended by a practicing physician or other recognized practitioner.

6. In any prison or penal institution.

7. In police custody.

8. In any suspicious or unusual circumstance.

9. By criminal abortion.

10. By poison.

11. By disease constituting a threat to public health.

12. By disease, injury, or toxic agent resulting from employment.

(b) When a dead body is brought into this the state without proper medical certification.

(c) When a body is to be cremated, dissected, or buried at sea.

(2)

(c) A district medical examiner shall assist the State Health Officer in identifying and reporting deaths upon a
Section 20. Except as otherwise expressly provided in this
request by the State Health Officer under s. 381.00315.

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**DIRECTORY AMENDMENT**

Remove line 615 and insert:
through (11), respectively, a new subsection (3) and subsection (12) are added to

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**TITLE AMENDMENT**

Remove lines 67-176 and insert:
index on its website; directing the Governor to report certain department and agency activities to the Legislature during a state of emergency; authorizing public service announcements by the Governor, Lieutenant Governor, Surgeon General, Director of the Division of Emergency Management, President of the Senate, and Speaker of the House of Representatives during a declared state of emergency; creating s. 252.3611, F.S.; requiring specified information to be included in orders, proclamations, and rules issued by the Governor, the division, or an agency; directing specified entities to submit specified contracts and reports to the Legislature; directing the Auditor
General to conduct specified financial audits;
amending s. 252.365, F.S.; requiring that disaster-
preparedness plans of specified agencies address
pandemics and other public health emergencies and
include certain increases in public access of
government services and availability and distribution
of personal protective equipment during an emergency;
directing agencies to update disaster preparedness
plans by a specified date; amending s. 252.37, F.S.;
revising legislative intent; authorizing the Governor
to transfer and expend moneys from the Emergency
Preparedness and Response Fund, surplus funds, or the
Budget Stabilization Fund under specified conditions;
requiring notice of certain actions within a specified
timeframe unless specific conditions exist; requiring
the Governor to void such action if the Legislature
timely objects to such transfer in writing;
authorizing the Governor to transfer additional
moneys, subject to approval by the Legislative Budget
Commission, if specified conditions exist; requiring
an agency or political subdivision to submit in
advance a detailed spending plan for certain emergency
funds to the Legislature; providing an exception;
requiring an agency or political subdivision to submit
a certain notice and a project worksheet to the
Legislature under specified conditions within a specified timeframe; amending s. 252.38, F.S.; providing a definition; providing legislative intent; specifying requirements for the purpose and scope of emergency orders; providing for the automatic expiration of emergency orders; authorizing the extension of emergency orders by a majority vote of the governing body for a specified duration; authorizing the Governor to invalidate certain emergency orders; prohibiting the issuance of certain emergency orders; amending s. 252.385, F.S.; requiring the division's hurricane shelter plan to address projected hurricane shelter needs during public health emergencies; amending s. 252.44, F.S.; requiring emergency mitigation planning by state agencies to include agencies with jurisdiction over public health; amending s. 252.46, F.S.; providing that a failure by a political subdivision to file certain orders and rules with specified entities within a specified timeframe voids the issued orders or rules; requiring that certain orders be available on a dedicated webpage; requiring the division to provide links to such webpage on its website in a specified format; requiring that orders issued by a political subdivision which impose a curfew restricting travel
or movement allow persons to travel during the curfew
to and from their places of employment; amending s.
377.703, F.S.; conforming a cross-reference; amending
s. 381.00315, F.S.; revising a definition; directing
the Department of Health, in collaboration with
specified entities, to develop a specified public
health emergency plan; requiring the department to
submit the plan to the division; requiring the
department to review and update the plan as necessary;
directing the State Health Officer to establish
methods of reporting certain data; authorizing the
State Health Officer to order and request assistance
with specified duties; revising the duties of the
State Health Officer during a declared public health
emergency; creating s. 381.00316, F.S.; prohibiting a
business entity from requiring patrons or customers to
provide documentation certifying vaccination against
or recovery from COVID-19; prohibiting governmental
entities from requiring persons to provide
documentation certifying vaccination against or
recovery from COVID-19; prohibiting educational
institutions from requiring students or residents to
provide documentation certifying vaccination against
or recovery from COVID-19; authorizing specified
screening protocols; providing application; providing
noncriminal penalties; authorizing the department to adopt rules; amending s. 406.11, F.S.; requiring district medical examiners to certify deaths and to assist the State Health Officer with certain functions upon request; providing