

1                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 381.0045, F.S.; revising the purpose of the  
4           department's targeted outreach program for certain  
5           pregnant women; requiring the department to encourage  
6           high-risk pregnant women of unknown status to be  
7           tested for sexually transmissible diseases; requiring  
8           the department to provide specified information to  
9           pregnant women who have human immunodeficiency virus  
10          (HIV); requiring the department to link women with  
11          mental health services when available; requiring the  
12          department to educate pregnant women who have HIV on  
13          certain information; requiring the department to  
14          provide, for a specified purpose, continued oversight  
15          of newborns exposed to HIV; amending s. 381.0303,  
16          F.S.; removing the Children's Medical Services office  
17          from parties required to coordinate in the development  
18          of local emergency management plans for special needs  
19          shelters; amending s. 381.986, F.S.; authorizing the  
20          department to select samples of marijuana from medical  
21          marijuana treatment center facilities for certain  
22          testing; authorizing the department to select samples  
23          of marijuana delivery devices from medical marijuana  
24          treatment centers to determine whether the device is  
25          safe for use; requiring medical marijuana treatment

26 centers to recall marijuana and marijuana delivery  
27 devices, instead of just edibles, under certain  
28 circumstances; exempting the department and its  
29 employees from criminal provisions if the employees  
30 acquire, possess, test, transport, or lawfully dispose  
31 of marijuana and marijuana delivery devices under  
32 certain circumstances; amending s. 456.039, F.S.;  
33 requiring applicants to provide certain proof of  
34 payment; amending s. 460.406, F.S.; revising  
35 provisions related to chiropractic physician  
36 licensing; amending s. 464.008, F.S.; deleting a  
37 requirement that certain nursing program graduates  
38 complete a specified preparatory course; amending s.  
39 464.018, F.S.; revising grounds for disciplinary  
40 action against licensed nurses; amending s. 467.003,  
41 F.S.; revising and providing definitions; amending s.  
42 467.009, F.S.; revising education and training  
43 requirements for accredited and approved midwifery  
44 programs; amending s. 467.011, F.S.; revising  
45 qualification and examination requirements for the  
46 licensure of midwives; amending s. 467.0125, F.S.;  
47 revising requirements for licensure by endorsement of  
48 midwives; revising requirements for temporary  
49 certificates to practice midwifery in the state;  
50 amending s. 467.205, F.S.; revising provisions

51 relating to approval, continued monitoring,  
52 probationary status, provisional approval, and  
53 approval rescission of midwifery programs; amending s.  
54 468.803, F.S.; revising provisions relating to  
55 orthotist and prosthetist registration, examination,  
56 and licensing; amending s. 483.824, F.S.; revising  
57 educational requirements for clinical laboratory  
58 directors; amending s. 490.003, F.S.; defining the  
59 terms "doctoral degree from an American Psychological  
60 Association accredited program" and "doctoral degree  
61 in psychology"; amending ss. 490.005 and 490.0051,  
62 F.S.; revising education requirements for psychologist  
63 licensure and provisional licensure, respectively;  
64 amending s. 491.005, F.S.; revising requirements for  
65 licensure of clinical social workers, marriage and  
66 family therapists, and mental health counselors;  
67 amending s. 766.314, F.S.; deleting obsolete language  
68 and updating provisions to conform to current law;  
69 revising the frequency with which the department must  
70 submit certain reports to the Florida Birth-Related  
71 Neurological Injury Compensation Association; revising  
72 the content of such reports; requiring the Florida  
73 Birth-Related Neurological Injury Compensation  
74 Association to notify the Department of Health and the  
75 applicable board of any unpaid final judgements

76 |           against a physician within a specified time frame;  
 77 |           removing a provision prohibiting the Department of  
 78 |           Business and Professional Regulation from renewing a  
 79 |           license to practice for certain physicians under  
 80 |           certain circumstances; providing an effective date.

81 |

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

83 |

84 |           Section 1. Subsections (2) and (3) of section 381.0045,  
 85 | Florida Statutes, are amended to read:

86 |           381.0045 Targeted outreach for pregnant women.—

87 |           (2) It is the purpose of this section to establish a  
 88 | targeted outreach program for high-risk pregnant women who may  
 89 | not seek proper prenatal care, who suffer from substance abuse  
 90 | or mental health problems, or who have acquired ~~are infected~~  
 91 | ~~with~~ human immunodeficiency virus (HIV), and to provide these  
 92 | women with links to much-needed ~~much-needed~~ services and  
 93 | information.

94 |           (3) The department shall:

95 |           (a) Conduct outreach programs through contracts with,  
 96 | grants to, or other working relationships with persons or  
 97 | entities where the target population is likely to be found.

98 |           (b) Provide outreach that is peer-based, culturally  
 99 | sensitive, and performed in a nonjudgmental manner.

100 |           (c) Encourage high-risk pregnant women of unknown status

101 to be tested for HIV and other sexually transmissible diseases  
 102 as specified by department rule.

103 (d) Educate women not receiving prenatal care as to the  
 104 benefits of such care.

105 (e) Provide ~~HIV-infected~~ pregnant women who have HIV with  
 106 information on the need for antiretroviral medication for their  
 107 newborn, their medication options, and how they can access the  
 108 medication after their discharge from the hospital ~~so they can~~  
 109 ~~make an informed decision about the use of Zidovudine (AZT).~~

110 (f) Link women with substance abuse treatment and mental  
 111 health services, when available, and act as a liaison with  
 112 Healthy Start coalitions, children's medical services, Ryan  
 113 White-funded providers, and other services of the Department of  
 114 Health.

115 (g) Educate pregnant women who have HIV on the importance  
 116 of engaging in and continuing HIV care.

117 (h) ~~(g)~~ Provide continued oversight of any newborn exposed  
 118 to HIV to determine the newborn's final HIV status and ensure  
 119 continued linkage to care if the newborn is diagnosed with HIV  
 120 ~~to HIV-exposed newborns.~~

121 Section 2. Paragraphs (a) and (c) of subsection (2) of  
 122 section 381.0303, Florida Statutes, are amended to read:

123 381.0303 Special needs shelters.—

124 (2) SPECIAL NEEDS SHELTER PLAN; STAFFING; STATE AGENCY  
 125 ASSISTANCE.—If funds have been appropriated to support disaster

126 coordinator positions in county health departments:

127 (a) The department shall assume lead responsibility for  
 128 the coordination of local medical and health care providers, the  
 129 American Red Cross, and other interested parties in developing a  
 130 plan for the staffing and medical management of special needs  
 131 shelters and. ~~The local Children's Medical Services offices~~  
 132 ~~shall assume lead responsibility for the coordination of local~~  
 133 ~~medical and health care providers, the American Red Cross, and~~  
 134 ~~other interested parties in developing a plan for the staffing~~  
 135 ~~and medical management of pediatric special needs shelters.~~  
 136 Plans must conform to the local comprehensive emergency  
 137 management plan.

138 (c) The appropriate county health department, ~~Children's~~  
 139 ~~Medical Services office,~~ and local emergency management agency  
 140 shall jointly decide who has responsibility for medical  
 141 supervision in each special needs shelter.

142 Section 3. Paragraphs (e) through (h) of subsection (14)  
 143 of section 381.986, Florida Statutes, are redesignated as  
 144 paragraphs (f) through (i), respectively, paragraph (e) of  
 145 subsection (8) is amended, and a new paragraph (e) is added to  
 146 subsection (14) of that section, to read:

147 381.986 Medical use of marijuana.—

148 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

149 (e) A licensed medical marijuana treatment center shall  
 150 cultivate, process, transport, and dispense marijuana for

151 | medical use. A licensed medical marijuana treatment center may  
152 | not contract for services directly related to the cultivation,  
153 | processing, and dispensing of marijuana or marijuana delivery  
154 | devices, except that a medical marijuana treatment center  
155 | licensed pursuant to subparagraph (a)1. may contract with a  
156 | single entity for the cultivation, processing, transporting, and  
157 | dispensing of marijuana and marijuana delivery devices. A  
158 | licensed medical marijuana treatment center must, at all times,  
159 | maintain compliance with the criteria demonstrated and  
160 | representations made in the initial application and the criteria  
161 | established in this subsection. Upon request, the department may  
162 | grant a medical marijuana treatment center a variance from the  
163 | representations made in the initial application. Consideration  
164 | of such a request shall be based upon the individual facts and  
165 | circumstances surrounding the request. A variance may not be  
166 | granted unless the requesting medical marijuana treatment center  
167 | can demonstrate to the department that it has a proposed  
168 | alternative to the specific representation made in its  
169 | application which fulfills the same or a similar purpose as the  
170 | specific representation in a way that the department can  
171 | reasonably determine will not be a lower standard than the  
172 | specific representation in the application. A variance may not  
173 | be granted from the requirements in subparagraph 2. and  
174 | subparagraphs (b)1. and 2.

175 |       1. A licensed medical marijuana treatment center may

176 transfer ownership to an individual or entity who meets the  
177 requirements of this section. A publicly traded corporation or  
178 publicly traded company that meets the requirements of this  
179 section is not precluded from ownership of a medical marijuana  
180 treatment center. To accommodate a change in ownership:

181 a. The licensed medical marijuana treatment center shall  
182 notify the department in writing at least 60 days before the  
183 anticipated date of the change of ownership.

184 b. The individual or entity applying for initial licensure  
185 due to a change of ownership must submit an application that  
186 must be received by the department at least 60 days before the  
187 date of change of ownership.

188 c. Upon receipt of an application for a license, the  
189 department shall examine the application and, within 30 days  
190 after receipt, notify the applicant in writing of any apparent  
191 errors or omissions and request any additional information  
192 required.

193 d. Requested information omitted from an application for  
194 licensure must be filed with the department within 21 days after  
195 the department's request for omitted information or the  
196 application shall be deemed incomplete and shall be withdrawn  
197 from further consideration and the fees shall be forfeited.

198 e. Within 30 days after the receipt of a complete  
199 application, the department shall approve or deny the  
200 application.

201           2. A medical marijuana treatment center, and any  
202 individual or entity who directly or indirectly owns, controls,  
203 or holds with power to vote 5 percent or more of the voting  
204 shares of a medical marijuana treatment center, may not acquire  
205 direct or indirect ownership or control of any voting shares or  
206 other form of ownership of any other medical marijuana treatment  
207 center.

208           3. A medical marijuana treatment center may not enter into  
209 any form of profit-sharing arrangement with the property owner  
210 or lessor of any of its facilities where cultivation,  
211 processing, storing, or dispensing of marijuana and marijuana  
212 delivery devices occurs.

213           4. All employees of a medical marijuana treatment center  
214 must be 21 years of age or older and have passed a background  
215 screening pursuant to subsection (9).

216           5. Each medical marijuana treatment center must adopt and  
217 enforce policies and procedures to ensure employees and  
218 volunteers receive training on the legal requirements to  
219 dispense marijuana to qualified patients.

220           6. When growing marijuana, a medical marijuana treatment  
221 center:

222           a. May use pesticides determined by the department, after  
223 consultation with the Department of Agriculture and Consumer  
224 Services, to be safely applied to plants intended for human  
225 consumption, but may not use pesticides designated as

226 restricted-use pesticides pursuant to s. 487.042.

227       b. Must grow marijuana within an enclosed structure and in  
228 a room separate from any other plant.

229       c. Must inspect seeds and growing plants for plant pests  
230 that endanger or threaten the horticultural and agricultural  
231 interests of the state in accordance with chapter 581 and any  
232 rules adopted thereunder.

233       d. Must perform fumigation or treatment of plants, or  
234 remove and destroy infested or infected plants, in accordance  
235 with chapter 581 and any rules adopted thereunder.

236       7. Each medical marijuana treatment center must produce  
237 and make available for purchase at least one low-THC cannabis  
238 product.

239       8. A medical marijuana treatment center that produces  
240 edibles must hold a permit to operate as a food establishment  
241 pursuant to chapter 500, the Florida Food Safety Act, and must  
242 comply with all the requirements for food establishments  
243 pursuant to chapter 500 and any rules adopted thereunder.  
244 Edibles may not contain more than 200 milligrams of  
245 tetrahydrocannabinol, and a single serving portion of an edible  
246 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles  
247 may have a potency variance of no greater than 15 percent.  
248 Edibles may not be attractive to children; be manufactured in  
249 the shape of humans, cartoons, or animals; be manufactured in a  
250 form that bears any reasonable resemblance to products available

251 for consumption as commercially available candy; or contain any  
252 color additives. To discourage consumption of edibles by  
253 children, the department shall determine by rule any shapes,  
254 forms, and ingredients allowed and prohibited for edibles.  
255 Medical marijuana treatment centers may not begin processing or  
256 dispensing edibles until after the effective date of the rule.  
257 The department shall also adopt sanitation rules providing the  
258 standards and requirements for the storage, display, or  
259 dispensing of edibles.

260 9. Within 12 months after licensure, a medical marijuana  
261 treatment center must demonstrate to the department that all of  
262 its processing facilities have passed a Food Safety Good  
263 Manufacturing Practices, such as Global Food Safety Initiative  
264 or equivalent, inspection by a nationally accredited certifying  
265 body. A medical marijuana treatment center must immediately stop  
266 processing at any facility which fails to pass this inspection  
267 until it demonstrates to the department that such facility has  
268 met this requirement.

269 10. A medical marijuana treatment center that produces  
270 prerolled marijuana cigarettes may not use wrapping paper made  
271 with tobacco or hemp.

272 11. When processing marijuana, a medical marijuana  
273 treatment center must:

274 a. Process the marijuana within an enclosed structure and  
275 in a room separate from other plants or products.

276           b. Comply with department rules when processing marijuana  
277 with hydrocarbon solvents or other solvents or gases exhibiting  
278 potential toxicity to humans. The department shall determine by  
279 rule the requirements for medical marijuana treatment centers to  
280 use such solvents or gases exhibiting potential toxicity to  
281 humans.

282           c. Comply with federal and state laws and regulations and  
283 department rules for solid and liquid wastes. The department  
284 shall determine by rule procedures for the storage, handling,  
285 transportation, management, and disposal of solid and liquid  
286 waste generated during marijuana production and processing. The  
287 Department of Environmental Protection shall assist the  
288 department in developing such rules.

289           d. Test the processed marijuana using a medical marijuana  
290 testing laboratory before it is dispensed. Results must be  
291 verified and signed by two medical marijuana treatment center  
292 employees. Before dispensing, the medical marijuana treatment  
293 center must determine that the test results indicate that low-  
294 THC cannabis meets the definition of low-THC cannabis, the  
295 concentration of tetrahydrocannabinol meets the potency  
296 requirements of this section, the labeling of the concentration  
297 of tetrahydrocannabinol and cannabidiol is accurate, and all  
298 marijuana is safe for human consumption and free from  
299 contaminants that are unsafe for human consumption. The  
300 department shall determine by rule which contaminants must be

301 tested for and the maximum levels of each contaminant which are  
302 safe for human consumption. The Department of Agriculture and  
303 Consumer Services shall assist the department in developing the  
304 testing requirements for contaminants that are unsafe for human  
305 consumption in edibles. The department shall also determine by  
306 rule the procedures for the treatment of marijuana that fails to  
307 meet the testing requirements of this section, s. 381.988, or  
308 department rule. The department may select samples of marijuana  
309 ~~a random sample~~ from edibles available for purchase in a medical  
310 marijuana treatment center dispensing facility which shall be  
311 tested by the department to determine whether that the marijuana  
312 ~~edible~~ meets the potency requirements of this section, is safe  
313 for human consumption, and is accurately labeled with the  
314 ~~labeling of~~ the tetrahydrocannabinol and cannabidiol  
315 concentration or to verify the result of marijuana testing  
316 conducted by a marijuana testing laboratory. The department may  
317 also select samples of marijuana delivery devices from a medical  
318 marijuana treatment center to determine whether the marijuana  
319 delivery device is safe for use by qualified patients ~~is~~  
320 ~~accurate~~. A medical marijuana treatment center may not require  
321 payment from the department for the sample. A medical marijuana  
322 treatment center must recall marijuana edibles, including all  
323 marijuana and marijuana products ~~edibles~~ made from the same  
324 batch of marijuana, that fails ~~which fail~~ to meet the potency  
325 requirements of this section, that is ~~which are~~ unsafe for human

326 consumption, or for which the labeling of the  
327 tetrahydrocannabinol and cannabidiol concentration is  
328 inaccurate. A medical marijuana treatment center must also  
329 recall all marijuana delivery devices determined to be unsafe  
330 for use by qualified patients. The medical marijuana treatment  
331 center must retain records of all testing and samples of each  
332 homogenous batch of marijuana for at least 9 months. The medical  
333 marijuana treatment center must contract with a marijuana  
334 testing laboratory to perform audits on the medical marijuana  
335 treatment center's standard operating procedures, testing  
336 records, and samples and provide the results to the department  
337 to confirm that the marijuana or low-THC cannabis meets the  
338 requirements of this section and that the marijuana or low-THC  
339 cannabis is safe for human consumption. A medical marijuana  
340 treatment center shall reserve two processed samples from each  
341 batch and retain such samples for at least 9 months for the  
342 purpose of such audits. A medical marijuana treatment center may  
343 use a laboratory that has not been certified by the department  
344 under s. 381.988 until such time as at least one laboratory  
345 holds the required certification, but in no event later than  
346 July 1, 2018.

347 e. Package the marijuana in compliance with the United  
348 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.  
349 1471 et seq.

350 f. Package the marijuana in a receptacle that has a firmly

351 affixed and legible label stating the following information:

352 (I) The marijuana or low-THC cannabis meets the  
353 requirements of sub-subparagraph d.

354 (II) The name of the medical marijuana treatment center  
355 from which the marijuana originates.

356 (III) The batch number and harvest number from which the  
357 marijuana originates and the date dispensed.

358 (IV) The name of the physician who issued the physician  
359 certification.

360 (V) The name of the patient.

361 (VI) The product name, if applicable, and dosage form,  
362 including concentration of tetrahydrocannabinol and cannabidiol.  
363 The product name may not contain wording commonly associated  
364 with products marketed by or to children.

365 (VII) The recommended dose.

366 (VIII) A warning that it is illegal to transfer medical  
367 marijuana to another person.

368 (IX) A marijuana universal symbol developed by the  
369 department.

370 12. The medical marijuana treatment center shall include  
371 in each package a patient package insert with information on the  
372 specific product dispensed related to:

- 373 a. Clinical pharmacology.
- 374 b. Indications and use.
- 375 c. Dosage and administration.

- 376 d. Dosage forms and strengths.  
377 e. Contraindications.  
378 f. Warnings and precautions.  
379 g. Adverse reactions.

380 13. In addition to the packaging and labeling requirements  
381 specified in subparagraphs 11. and 12., marijuana in a form for  
382 smoking must be packaged in a sealed receptacle with a legible  
383 and prominent warning to keep away from children and a warning  
384 that states marijuana smoke contains carcinogens and may  
385 negatively affect health. Such receptacles for marijuana in a  
386 form for smoking must be plain, opaque, and white without  
387 depictions of the product or images other than the medical  
388 marijuana treatment center's department-approved logo and the  
389 marijuana universal symbol.

390 14. The department shall adopt rules to regulate the  
391 types, appearance, and labeling of marijuana delivery devices  
392 dispensed from a medical marijuana treatment center. The rules  
393 must require marijuana delivery devices to have an appearance  
394 consistent with medical use.

395 15. Each edible shall be individually sealed in plain,  
396 opaque wrapping marked only with the marijuana universal symbol.  
397 Where practical, each edible shall be marked with the marijuana  
398 universal symbol. In addition to the packaging and labeling  
399 requirements in subparagraphs 11. and 12., edible receptacles  
400 must be plain, opaque, and white without depictions of the

401 product or images other than the medical marijuana treatment  
402 center's department-approved logo and the marijuana universal  
403 symbol. The receptacle must also include a list of all the  
404 edible's ingredients, storage instructions, an expiration date,  
405 a legible and prominent warning to keep away from children and  
406 pets, and a warning that the edible has not been produced or  
407 inspected pursuant to federal food safety laws.

408 16. When dispensing marijuana or a marijuana delivery  
409 device, a medical marijuana treatment center:

410 a. May dispense any active, valid order for low-THC  
411 cannabis, medical cannabis and cannabis delivery devices issued  
412 pursuant to former s. 381.986, Florida Statutes 2016, which was  
413 entered into the medical marijuana use registry before July 1,  
414 2017.

415 b. May not dispense more than a 70-day supply of marijuana  
416 within any 70-day period to a qualified patient or caregiver.  
417 May not dispense more than one 35-day supply of marijuana in a  
418 form for smoking within any 35-day period to a qualified patient  
419 or caregiver. A 35-day supply of marijuana in a form for smoking  
420 may not exceed 2.5 ounces unless an exception to this amount is  
421 approved by the department pursuant to paragraph (4)(f).

422 c. Must have the medical marijuana treatment center's  
423 employee who dispenses the marijuana or a marijuana delivery  
424 device enter into the medical marijuana use registry his or her  
425 name or unique employee identifier.

426           d. Must verify that the qualified patient and the  
427 caregiver, if applicable, each have an active registration in  
428 the medical marijuana use registry and an active and valid  
429 medical marijuana use registry identification card, the amount  
430 and type of marijuana dispensed matches the physician  
431 certification in the medical marijuana use registry for that  
432 qualified patient, and the physician certification has not  
433 already been filled.

434           e. May not dispense marijuana to a qualified patient who  
435 is younger than 18 years of age. If the qualified patient is  
436 younger than 18 years of age, marijuana may only be dispensed to  
437 the qualified patient's caregiver.

438           f. May not dispense or sell any other type of cannabis,  
439 alcohol, or illicit drug-related product, including pipes or  
440 wrapping papers made with tobacco or hemp, other than a  
441 marijuana delivery device required for the medical use of  
442 marijuana and which is specified in a physician certification.

443           g. Must, upon dispensing the marijuana or marijuana  
444 delivery device, record in the registry the date, time,  
445 quantity, and form of marijuana dispensed; the type of marijuana  
446 delivery device dispensed; and the name and medical marijuana  
447 use registry identification number of the qualified patient or  
448 caregiver to whom the marijuana delivery device was dispensed.

449           h. Must ensure that patient records are not visible to  
450 anyone other than the qualified patient, his or her caregiver,

451 and authorized medical marijuana treatment center employees.

452 (14) EXCEPTIONS TO OTHER LAWS.—

453 (e) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or  
 454 any other law, but subject to the requirements of this section,  
 455 the department, including an employee of the department acting  
 456 within the scope of his or her employment, may acquire, possess,  
 457 test, transport, and lawfully dispose of marijuana and marijuana  
 458 delivery devices as provided in this section, in s. 381.988, and  
 459 by department rule.

460 Section 4. Subsection (1) of section 456.039, Florida  
 461 Statutes, is amended to read:

462 456.039 Designated health care professionals; information  
 463 required for licensure.—

464 (1) Each person who applies for initial licensure as a  
 465 physician under chapter 458, chapter 459, chapter 460, or  
 466 chapter 461, except a person applying for registration pursuant  
 467 to ss. 458.345 and 459.021, must, at the time of application,  
 468 and each physician who applies for license renewal under chapter  
 469 458, chapter 459, chapter 460, or chapter 461, except a person  
 470 registered pursuant to ss. 458.345 and 459.021, must, in  
 471 conjunction with the renewal of such license and under  
 472 procedures adopted by the Department of Health, and in addition  
 473 to any other information that may be required from the  
 474 applicant, furnish the following information to the Department  
 475 of Health:

476 (a)1. The name of each medical school that the applicant  
477 has attended, with the dates of attendance and the date of  
478 graduation, and a description of all graduate medical education  
479 completed by the applicant, excluding any coursework taken to  
480 satisfy medical licensure continuing education requirements.

481 2. The name of each hospital at which the applicant has  
482 privileges.

483 3. The address at which the applicant will primarily  
484 conduct his or her practice.

485 4. Any certification that the applicant has received from  
486 a specialty board that is recognized by the board to which the  
487 applicant is applying.

488 5. The year that the applicant began practicing medicine.

489 6. Any appointment to the faculty of a medical school  
490 which the applicant currently holds and an indication as to  
491 whether the applicant has had the responsibility for graduate  
492 medical education within the most recent 10 years.

493 7. A description of any criminal offense of which the  
494 applicant has been found guilty, regardless of whether  
495 adjudication of guilt was withheld, or to which the applicant  
496 has pled guilty or nolo contendere. A criminal offense committed  
497 in another jurisdiction which would have been a felony or  
498 misdemeanor if committed in this state must be reported. If the  
499 applicant indicates that a criminal offense is under appeal and  
500 submits a copy of the notice for appeal of that criminal

501 offense, the department must state that the criminal offense is  
502 under appeal if the criminal offense is reported in the  
503 applicant's profile. If the applicant indicates to the  
504 department that a criminal offense is under appeal, the  
505 applicant must, upon disposition of the appeal, submit to the  
506 department a copy of the final written order of disposition.

507 8. A description of any final disciplinary action taken  
508 within the previous 10 years against the applicant by the agency  
509 regulating the profession that the applicant is or has been  
510 licensed to practice, whether in this state or in any other  
511 jurisdiction, by a specialty board that is recognized by the  
512 American Board of Medical Specialties, the American Osteopathic  
513 Association, or a similar national organization, or by a  
514 licensed hospital, health maintenance organization, prepaid  
515 health clinic, ambulatory surgical center, or nursing home.  
516 Disciplinary action includes resignation from or nonrenewal of  
517 medical staff membership or the restriction of privileges at a  
518 licensed hospital, health maintenance organization, prepaid  
519 health clinic, ambulatory surgical center, or nursing home taken  
520 in lieu of or in settlement of a pending disciplinary case  
521 related to competence or character. If the applicant indicates  
522 that the disciplinary action is under appeal and submits a copy  
523 of the document initiating an appeal of the disciplinary action,  
524 the department must state that the disciplinary action is under  
525 appeal if the disciplinary action is reported in the applicant's

526 | profile.

527 |         9. Relevant professional qualifications as defined by the  
528 | applicable board.

529 |         (b) In addition to the information required under  
530 | paragraph (a), each applicant who seeks licensure under chapter  
531 | 458, chapter 459, or chapter 461, and who has practiced  
532 | previously in this state or in another jurisdiction or a foreign  
533 | country must provide the information required of licensees under  
534 | those chapters pursuant to s. 456.049. An applicant for  
535 | licensure under chapter 460 who has practiced previously in this  
536 | state or in another jurisdiction or a foreign country must  
537 | provide the same information as is required of licensees under  
538 | chapter 458, pursuant to s. 456.049.

539 |         (c) Each applicant who seeks licensure under chapter 458  
540 | or chapter 459 must provide proof of payment of the assessment  
541 | required under s. 766.314, if applicable.

542 |         Section 5. Subsection (1) of section 460.406, Florida  
543 | Statutes, is amended to read:

544 |         460.406 Licensure by examination.—

545 |         (1) Any person desiring to be licensed as a chiropractic  
546 | physician must apply to the department to take the licensure  
547 | examination. There shall be an application fee set by the board  
548 | not to exceed \$100 which shall be nonrefundable. There shall  
549 | also be an examination fee not to exceed \$500 plus the actual  
550 | per applicant cost to the department for purchase of portions of

551 the examination from the National Board of Chiropractic  
 552 Examiners or a similar national organization, which may be  
 553 refundable if the applicant is found ineligible to take the  
 554 examination. The department shall examine each applicant whom  
 555 ~~who~~ the board certifies has met all of the following criteria:

556 (a) Completed the application form and remitted the  
 557 appropriate fee.

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

560 (c) Submitted proof satisfactory to the department that he  
 561 or she is a graduate of a chiropractic college which is  
 562 accredited by or has status with the Council on Chiropractic  
 563 Education or its predecessor agency. However, any applicant who  
 564 is a graduate of a chiropractic college that was initially  
 565 accredited by the Council on Chiropractic Education in 1995, who  
 566 graduated from such college within the 4 years immediately  
 567 preceding such accreditation, and who is otherwise qualified is  
 568 ~~shall be~~ eligible to take the examination. An ~~No~~ application for  
 569 a license to practice chiropractic medicine may not ~~shall~~ be  
 570 denied solely because the applicant is a graduate of a  
 571 chiropractic college that subscribes to one philosophy of  
 572 chiropractic medicine as distinguished from another.

573 (d)1. For an applicant who has matriculated in a  
 574 chiropractic college before ~~prior to~~ July 2, 1990, completed at  
 575 least 2 years of residence college work, consisting of a minimum

576 of one-half the work acceptable for a bachelor's degree granted  
577 on the basis of a 4-year period of study, in a college or  
578 university accredited by an institutional accrediting agency  
579 recognized and approved by the United States Department of  
580 Education. However, before ~~prior to~~ being certified by the board  
581 to sit for the examination, each applicant who has matriculated  
582 in a chiropractic college after July 1, 1990, must ~~shall~~ have  
583 been granted a bachelor's degree, based upon 4 academic years of  
584 study, by a college or university accredited by an institutional  
585 ~~a regional~~ accrediting agency that ~~which~~ is a member of the  
586 Commission on Recognition of Postsecondary Accreditation.

587 2. Effective July 1, 2000, completed, before ~~prior to~~  
588 matriculation in a chiropractic college, at least 3 years of  
589 residence college work, consisting of a minimum of 90 semester  
590 hours leading to a bachelor's degree in a liberal arts college  
591 or university accredited by an institutional accrediting agency  
592 recognized and approved by the United States Department of  
593 Education. However, before ~~prior to~~ being certified by the board  
594 to sit for the examination, each applicant who has matriculated  
595 in a chiropractic college after July 1, 2000, must ~~shall~~ have  
596 been granted a bachelor's degree from an institution holding  
597 accreditation for that degree from an institutional ~~a regional~~  
598 accrediting agency that ~~which~~ is recognized by the United States  
599 Department of Education. The applicant's chiropractic degree  
600 must consist of credits earned in the chiropractic program and

601 may not include academic credit for courses from the bachelor's  
 602 degree.

603 (e) Successfully completed the National Board of  
 604 Chiropractic Examiners certification examination in parts I, II,  
 605 III, and IV, and the physiotherapy examination of the National  
 606 Board of Chiropractic Examiners, with a score approved by the  
 607 board.

608 (f) Submitted to the department a set of fingerprints on a  
 609 form and under procedures specified by the department, along  
 610 with payment in an amount equal to the costs incurred by the  
 611 Department of Health for the criminal background check of the  
 612 applicant.

613  
 614 The board may require an applicant who graduated from an  
 615 institution accredited by the Council on Chiropractic Education  
 616 more than 10 years before the date of application to the board  
 617 to take the National Board of Chiropractic Examiners Special  
 618 Purposes Examination for Chiropractic, or its equivalent, as  
 619 determined by the board. The board shall establish by rule a  
 620 passing score.

621 Section 6. Subsection (4) of section 464.008, Florida  
 622 Statutes, is amended to read:

623 464.008 Licensure by examination.—

624 ~~(4) If an applicant who graduates from an approved program~~  
 625 ~~does not take the licensure examination within 6 months after~~

626 ~~graduation, he or she must enroll in and successfully complete a~~  
627 ~~board-approved licensure examination preparatory course. The~~  
628 ~~applicant is responsible for all costs associated with the~~  
629 ~~course and may not use state or federal financial aid for such~~  
630 ~~costs. The board shall by rule establish guidelines for~~  
631 ~~licensure examination preparatory courses.~~

632 Section 7. Paragraph (e) of subsection (1) of section  
633 464.018, Florida Statutes, is amended to read:

634 464.018 Disciplinary actions.—

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

638 (e) Having been found guilty of, ~~regardless of~~  
639 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,  
640 regardless of adjudication, any offense prohibited under s.  
641 435.04 or similar statute of another jurisdiction; or having  
642 committed an act which constitutes domestic violence as defined  
643 in s. 741.28.

644 Section 8. Subsections (13) and (14) of section 467.003,  
645 Florida Statutes, are renumbered as subsections (14) and (15),  
646 respectively, subsections (1) and (12) are amended, and a new  
647 subsection (13) is added to that section, to read:

648 467.003 Definitions.—As used in this chapter, unless the  
649 context otherwise requires:

650 (1) "Approved midwifery program" means ~~a midwifery school~~

651 ~~or~~ a midwifery training program ~~which is~~ approved by the  
 652 department pursuant to s. 467.205.

653 (12) "Preceptor" means a physician licensed under chapter  
 654 458 or chapter 459, a ~~licensed~~ midwife licensed under this  
 655 chapter, or a certified nurse midwife licensed under chapter  
 656 464, who has a minimum of 3 years' professional experience, and  
 657 who directs, teaches, supervises, and evaluates the learning  
 658 experiences of ~~a the~~ student midwife as part of an approved  
 659 midwifery program.

660 (13) "Prelicensure course" means a course of study,  
 661 offered by an accredited midwifery program and approved by the  
 662 department, which an applicant for licensure must complete  
 663 before a license may be issued and which provides instruction in  
 664 the laws and rules of the state and demonstrates the student's  
 665 competency to practice midwifery under this chapter.

666 Section 9. Section 467.009, Florida Statutes, is amended  
 667 to read:

668 467.009 Accredited and approved midwifery programs;  
 669 education and training requirements.—

670 (1) The department shall adopt standards for accredited  
 671 and approved midwifery programs, including, but not limited to,  
 672 standards for all of the following:

673 (a) ~~The standards shall encompass~~ Clinical and classroom  
 674 instruction in all aspects of prenatal, intrapartal, and  
 675 postpartal care, including all of the following:

- 676 |       1. Obstetrics.~~†~~
- 677 |       2. Neonatal pediatrics.~~†~~
- 678 |       3. Basic sciences.~~†~~
- 679 |       4. Female reproductive anatomy and physiology.~~†~~
- 680 |       5. Behavioral sciences.~~†~~
- 681 |       6. Childbirth education.~~†~~
- 682 |       7. Community care.~~†~~
- 683 |       8. Epidemiology.~~†~~
- 684 |       9. Genetics.~~†~~
- 685 |       10. Embryology.~~†~~
- 686 |       11. Neonatology.~~†~~
- 687 |       12. Applied pharmacology.~~†~~
- 688 |       13. The medical and legal aspects of midwifery.~~†~~
- 689 |       14. Gynecology and women's health.~~†~~
- 690 |       15. Family planning.~~†~~
- 691 |       16. Nutrition during pregnancy and lactation.~~†~~
- 692 |       17. Breastfeeding.~~†~~ and
- 693 |       18. Basic nursing skills; ~~and any other instruction~~
- 694 | ~~determined by the department and council to be necessary.~~

695 |       (b) ~~The standards shall incorporate the~~ Core competencies,  
 696 | incorporating those established by the American College of Nurse  
 697 | Midwives and the Midwives Alliance of North America, including  
 698 | knowledge, skills, and professional behavior in all of the  
 699 | following areas:

- 700 |       1. Primary management, collaborative management, referral,

701 and medical consultation.~~†~~

702 2. Antepartal, intrapartal, postpartal, and neonatal  
703 care.~~†~~

704 3. Family planning and gynecological care.~~†~~

705 4. Common complications.~~†~~ and

706 5. Professional responsibilities.

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

710 (2) An accredited and approved midwifery program must  
711 offer ~~shall include~~ a course of study and ~~clinical training~~ for  
712 a minimum of 3 years which incorporates all of the standards,  
713 curriculum guidelines, and educational objectives provided in  
714 this section and the rules adopted hereunder.

715 (3) An accredited and approved midwifery program may  
716 reduce ~~If the applicant is a registered nurse or a licensed~~  
717 ~~practical nurse or has previous nursing or midwifery education,~~  
718 the required period of training ~~may be reduced~~ to the extent of  
719 the ~~student's~~ applicant's qualifications as a registered nurse  
720 or licensed practical nurse or based on prior completion of  
721 equivalent nursing or midwifery education, as determined ~~under~~  
722 ~~rules adopted by the department~~ rule. ~~In no case shall the~~  
723 ~~training be reduced to a period of less than 2 years.~~

724 (4)~~(3)~~ An accredited and approved midwifery program may  
725 accept students who ~~To be accepted into an approved midwifery~~

726 ~~program, an applicant shall have both:~~

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

728 (b) Taken three college-level credits each of math and  
729 English or demonstrated competencies in communication and  
730 computation.

731 (5)-(4) As part of its course of study, an accredited and  
732 approved midwifery program must require clinical training that  
733 includes all of the following:

734 (a) A student midwife, during training, shall undertake,  
735 under the supervision of a preceptor, The care of 50 women in  
736 each of the prenatal, intrapartal, and postpartal periods under  
737 the supervision of a preceptor., but The same women need not be  
738 seen through all three periods.

739 (b)-(5) Observation of ~~The student midwife shall observe an~~  
740 additional 25 women in the intrapartal period ~~before qualifying~~  
741 ~~for a license.~~

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

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

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

750 (7) A hospital or birthing center receiving public funds

751 shall be required to provide student midwives access to observe  
 752 labor, delivery, and postpartal procedures, provided the woman  
 753 in labor has given informed consent. The Department of Health  
 754 shall assist in facilitating access to hospital training for  
 755 accredited and approved midwifery programs.

756 ~~(8)-(7)~~ The Department of Education shall adopt curricular  
 757 frameworks for midwifery programs offered by ~~conducted within~~  
 758 public educational institutions under ~~pursuant to~~ this section.

759 ~~(8) Nonpublic educational institutions that conduct~~  
 760 ~~approved midwifery programs shall be accredited by a member of~~  
 761 ~~the Commission on Recognition of Postsecondary Accreditation and~~  
 762 ~~shall be licensed by the Commission for Independent Education.~~

763 Section 10. Section 467.011, Florida Statutes, is amended  
 764 to read:

765 467.011 Licensed midwives; qualifications; examination  
 766 ~~Licensure by examination.~~

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

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

773 ~~(3)~~ The department shall issue a license to practice  
 774 midwifery to an applicant who meets all of the following  
 775 criteria:

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

778           (a) An accredited and approved midwifery program.

779           (b) A medical or midwifery program offered in another  
 780 state, jurisdiction, territory, or country whose graduation  
 781 requirements were equivalent to or exceeded those required by s.  
 782 467.009 and the rules adopted thereunder at the time of  
 783 graduation.

784           (2) Demonstrates that he or she has and successfully  
 785 completed a prelicensure course offered by an accredited and  
 786 approved midwifery program. Students graduating from an  
 787 accredited and approved midwifery program may meet this  
 788 requirement by showing that the content requirements for the  
 789 prelicensure course were covered as part of their course of  
 790 study.

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

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

796           Section 11. Section 467.0125, Florida Statutes, is amended  
 797 to read:

798           467.0125 Licensed midwives; qualifications; ~~Licensure by~~  
 799 endorsement; temporary certificates.-

800           (1) The department shall issue a license by endorsement to

801 practice midwifery to an applicant who, upon applying to the  
802 department, demonstrates to the department that she or he meets  
803 all of the following criteria:

804 (a)1.  ~~Holds a valid certificate or diploma from a foreign~~  
805  ~~institution of medicine or midwifery or from a midwifery program~~  
806  ~~offered in another state, bearing the seal of the institution or~~  
807  ~~otherwise authenticated, which renders the individual eligible~~  
808  ~~to practice midwifery in the country or state in which it was~~  
809  ~~issued, provided the requirements therefor are deemed by the~~  
810  ~~department to be substantially equivalent to, or to exceed,~~  
811  ~~those established under this chapter and rules adopted under~~  
812  ~~this chapter, and submits therewith a certified translation of~~  
813  ~~the foreign certificate or diploma; or~~

814 2. Holds an active, unencumbered ~~a valid certificate or~~  
815  ~~license to practice midwifery in another state, jurisdiction, or~~  
816  ~~territory issued by that state, provided the licensing~~  
817  ~~requirements of that state, jurisdiction, or territory at the~~  
818  ~~time the license was issued were therefor are deemed by the~~  
819  ~~department to be~~ substantially equivalent to, or exceeded ~~to~~  
820  ~~exceed,~~ those established under this chapter and the rules  
821 adopted hereunder ~~under this chapter.~~

822 (b) Has successfully completed a ~~4-month~~ prelicensure  
823 course conducted by an accredited and approved midwifery program  
824 and ~~has submitted documentation to the department of successful~~  
825 ~~completion.~~

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

829           (2) The department may issue a temporary certificate to  
 830 practice in areas of critical need to an applicant ~~any midwife~~  
 831 who is qualifying for a midwifery license ~~licensure by~~  
 832 ~~endorsement~~ under subsection (1) and who meets all of the  
 833 following criteria, ~~with the following restrictions:~~

834           (a) Submits an application for a temporary certificate on  
 835 a form approved by the department and pays the appropriate fee,  
 836 which may not exceed \$50 and is in addition to the fee required  
 837 for licensure by endorsement under subsection (1).

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

- 842           1. A county health department.
- 843           2. A correctional facility.
- 844           3. A United States Department of Veterans Affairs clinic.
- 845           4. A community health center funded by s. 329, s. 330, or  
 846 s. 340 of the Public Health Service Act.
- 847           5. Any other agency or institution that is approved by the  
 848 State Surgeon General and provides health care to meet the needs  
 849 of an underserved population in this state.

850           (c) Will practice only these specific areas, ~~under the~~

851 supervision ~~auspices~~ of a physician licensed under ~~pursuant to~~  
852 chapter 458 or chapter 459, a certified nurse midwife licensed  
853 under ~~pursuant to~~ part I of chapter 464, or a midwife licensed  
854 under this chapter, who has a minimum of 3 years' professional  
855 experience.

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

858 (a) A requirement that a temporary certificateholder  
859 practice only in areas of critical need. The State Surgeon  
860 General shall determine the areas of critical need, which ~~such~~  
861 areas shall include, but are not ~~be~~ limited to, health  
862 professional shortage areas designated by the United States  
863 Department of Health and Human Services.

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

867 1. Report a new practice area of critical need to the  
868 department; or

869 2. Voluntarily relinquish the temporary certificate.

870 (4) The department shall review a temporary  
871 certificateholder's practice at least annually to determine  
872 whether the certificateholder is meeting the requirements of  
873 subsections (2) and (3) and the rules adopted thereunder. If the  
874 department determines that a certificateholder is not meeting  
875 these requirements, the department must revoke the temporary

876 certificate.

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

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

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

889 ~~(e) The department shall review the practice under a~~  
 890 ~~temporary certificate at least annually to ascertain that the~~  
 891 ~~minimum requirements of the midwifery rules promulgated under~~  
 892 ~~this chapter are being met. If it is determined that the minimum~~  
 893 ~~requirements are not being met, the department shall immediately~~  
 894 ~~revoke the temporary certificate.~~

895 ~~(f) The fee for a temporary certificate shall not exceed~~  
 896 ~~\$50 and shall be in addition to the fee required for licensure.~~

897 Section 12. Section 467.205, Florida Statutes, is amended  
 898 to read:

899 467.205 Approval of midwifery programs.—

900 (1) The department must approve an accredited or state-

901 licensed public or private institution seeking to provide  
 902 midwifery education and training as an approved midwifery  
 903 program in the state if the institution meets all of the  
 904 following criteria:

905 (a) Submits an application for approval on a form approved  
 906 by the department.

907 (b) Demonstrates to the department's satisfaction that the  
 908 proposed midwifery program complies with s. 467.009 and the  
 909 rules adopted thereunder.

910 (c) For a private institution, demonstrates its  
 911 accreditation by a member of the Council for Higher Education  
 912 Accreditation or an accrediting agency approved by the United  
 913 States Department of Education as an institutional accrediting  
 914 agency for direct-entry midwifery education programs or an  
 915 accrediting agency approved by the United States Department of  
 916 Education and its licensing or provisional licensing by the  
 917 Commission for Independent Education ~~An organization desiring to~~  
 918 ~~conduct an approved program for the education of midwives shall~~  
 919 ~~apply to the department and submit such evidence as may be~~  
 920 ~~required to show that it complies with s. 467.009 and with the~~  
 921 ~~rules of the department. Any accredited or state-licensed~~  
 922 ~~institution of higher learning, public or private, may provide~~  
 923 ~~midwifery education and training.~~

924 ~~(2) The department shall adopt rules regarding educational~~  
 925 ~~objectives, faculty qualifications, curriculum guidelines,~~

926 ~~administrative procedures, and other training requirements as~~  
927 ~~are necessary to ensure that approved programs graduate midwives~~  
928 ~~competent to practice under this chapter.~~

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

933 (2)(4) The department shall, at least once every 3 years,  
934 certify whether each approved midwifery program is currently  
935 compliant, and has maintained compliance, ~~complies~~ with the  
936 requirements of standards developed under s. 467.009 and the  
937 rules adopted thereunder.

938 (3)(5) If the department finds that an approved midwifery  
939 program is not in compliance with the requirements of s. 467.009  
940 or the rules adopted thereunder, or has lost its accreditation  
941 status, the department must provide its finding to the program  
942 in writing and ~~no longer meets the required standards,~~ it may  
943 place the program on probationary status for a specified period  
944 of time, which may not exceed 3 years ~~until such time as the~~  
945 ~~standards are restored.~~

946 (4) If a program on probationary status does not come into  
947 compliance with the requirements of s. 467.009 or the rules  
948 adopted thereunder, or regain its accreditation status, as  
949 applicable, within the period specified by the department ~~fails~~  
950 ~~to correct these conditions within a specified period of time,~~

951 the department may rescind the program's approval.

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

954 (6) The department may grant provisional approval of a new  
 955 program seeking accreditation status, for a period not to exceed  
 956 5 years, provided that all other requirements of this section  
 957 are met.

958 (7) The department may rescind provisional approval of a  
 959 program that fails to meet the requirements of s. 467.009, this  
 960 section, or the rules adopted thereunder, in accordance with  
 961 procedures provided in subsections (3) and (4) ~~may be granted~~  
 962 ~~pending the licensure results of the first graduating class.~~

963 Section 13. Subsections (2), (3), and (4) and paragraphs  
 964 (a) and (b) of subsection (5) of section 468.803, Florida  
 965 Statutes, are amended to read:

966 468.803 License, registration, and examination  
 967 requirements.—

968 (2) An applicant for registration, examination, or  
 969 licensure must apply to the department on a form prescribed by  
 970 the board for consideration of board approval. Each initial  
 971 applicant shall submit ~~a set of~~ fingerprints to the department  
 972 in accordance with ~~on a form and under~~ procedures specified by  
 973 the department, ~~along with payment in an amount equal to the~~  
 974 ~~costs incurred by the department~~ for state and national criminal  
 975 history checks of the applicant. ~~The department shall submit the~~

976 | ~~fingerprints provided by an applicant to the Department of Law~~  
 977 | ~~Enforcement for a statewide criminal history check, and the~~  
 978 | ~~Department of Law Enforcement shall forward the fingerprints to~~  
 979 | ~~the Federal Bureau of Investigation for a national criminal~~  
 980 | ~~history check of the applicant.~~ The board shall screen the  
 981 | results to determine if an applicant meets licensure  
 982 | requirements. The board shall consider for examination,  
 983 | registration, or licensure each applicant whom ~~who~~ the board  
 984 | verifies:

985 |       (a) Has submitted the completed application and completed  
 986 | the fingerprinting requirements ~~fingerprint forms~~ and has paid  
 987 | the applicable application fee, not to exceed \$500, ~~and the cost~~  
 988 | ~~of the state and national criminal history checks.~~ The  
 989 | application fee is ~~and cost of the criminal history checks shall~~  
 990 | ~~be~~ nonrefundable;

991 |       (b) Is of good moral character;

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

993 |       (d) Has completed the appropriate educational preparation.

994 |       (3) A person seeking to attain the orthotics or  
 995 | prosthetics experience required for licensure in this state must  
 996 | be approved by the board and registered as a resident by the  
 997 | department. Although a registration may be held in both  
 998 | disciplines, for independent registrations the board may not  
 999 | approve a second registration until at least 1 year after the  
 1000 | issuance of the first registration. Notwithstanding subsection

1001 (2), a person who has been approved by the board and registered  
1002 by the department in one discipline may apply for registration  
1003 in the second discipline without an additional state or national  
1004 criminal history check during the period in which the first  
1005 registration is valid. Each independent registration or dual  
1006 registration is valid for 2 years after the date of issuance  
1007 unless otherwise revoked by the department upon recommendation  
1008 of the board. The board shall set a registration fee not to  
1009 exceed \$500 to be paid by the applicant. A registration may be  
1010 renewed once by the department upon recommendation of the board  
1011 for a period no longer than 1 year, as such renewal is defined  
1012 by ~~the board~~ ~~by~~ rule. The renewal fee may not exceed one-half  
1013 the current registration fee. To be considered by the board for  
1014 approval of registration as a resident, the applicant must have  
1015 one of the following:

1016 (a) A Bachelor of Science or higher-level postgraduate  
1017 degree in orthotics and prosthetics from an ~~a regionally~~  
1018 accredited college or university recognized by the Commission on  
1019 Accreditation of Allied Health Education Programs.

1020 (b) A minimum of a bachelor's degree from an  
1021 institutionally ~~a regionally~~ accredited college or university  
1022 and a certificate in orthotics or prosthetics from a program  
1023 recognized by the Commission on Accreditation of Allied Health  
1024 Education Programs, or its equivalent, as determined by the  
1025 board.

1026 (c) A minimum of a bachelor's degree from an  
 1027 institutionally ~~a regionally~~ accredited college or university  
 1028 and a dual certificate in both orthotics and prosthetics from  
 1029 programs recognized by the Commission on Accreditation of Allied  
 1030 Health Education Programs, or its equivalent, as determined by  
 1031 the board.

1032 (4) The department may develop and administer a state  
 1033 examination for an orthotist or a prosthetist license, or the  
 1034 board may approve the existing examination of a national  
 1035 standards organization. The examination must be predicated on a  
 1036 minimum of a baccalaureate-level education and formalized  
 1037 specialized training in the appropriate field. Each examination  
 1038 must demonstrate a minimum level of competence in basic  
 1039 scientific knowledge, written problem solving, and practical  
 1040 clinical patient management. The board shall require an  
 1041 examination fee not to exceed the actual cost to the board in  
 1042 developing, administering, and approving the examination, which  
 1043 fee must be paid by the applicant. To be considered by the board  
 1044 for examination, the applicant must have:

1045 (a) For an examination in orthotics:

1046 1. A Bachelor of Science or higher-level postgraduate  
 1047 degree in orthotics and prosthetics from an institutionally ~~a~~  
 1048 ~~regionally~~ accredited college or university recognized by the  
 1049 Commission on Accreditation of Allied Health Education Programs  
 1050 or, at a minimum, a bachelor's degree from an institutionally ~~a~~

1051 ~~regionally~~ accredited college or university and a certificate in  
1052 orthotics from a program recognized by the Commission on  
1053 Accreditation of Allied Health Education Programs, or its  
1054 equivalent, as determined by the board; and

1055         2. An approved orthotics internship of 1 year of qualified  
1056 experience, as determined by the board, or an orthotic residency  
1057 or dual residency program recognized by the board.

1058         (b) For an examination in prosthetics:

1059             1. A Bachelor of Science or higher-level postgraduate  
1060 degree in orthotics and prosthetics from an institutionally a  
1061 ~~regionally~~ accredited college or university recognized by the  
1062 Commission on Accreditation of Allied Health Education Programs  
1063 or, at a minimum, a bachelor's degree from an institutionally a  
1064 ~~regionally~~ accredited college or university and a certificate in  
1065 prosthetics from a program recognized by the Commission on  
1066 Accreditation of Allied Health Education Programs, or its  
1067 equivalent, as determined by the board; and

1068             2. An approved prosthetics internship of 1 year of  
1069 qualified experience, as determined by the board, or a  
1070 prosthetic residency or dual residency program recognized by the  
1071 board.

1072         (5) In addition to the requirements in subsection (2), to  
1073 be licensed as:

1074             (a) An orthotist, the applicant must pay a license fee not  
1075 to exceed \$500 and must have:

1076           1. A Bachelor of Science or higher-level postgraduate  
 1077 degree in orthotics and prosthetics from an institutionally a  
 1078 ~~regionally~~ accredited college or university recognized by the  
 1079 Commission on Accreditation of Allied Health Education Programs,  
 1080 or a bachelor's degree from an institutionally accredited  
 1081 college or university and ~~with~~ a certificate in orthotics from a  
 1082 program recognized by the Commission on Accreditation of Allied  
 1083 Health Education Programs, or its equivalent, as determined by  
 1084 the board;

1085           2. An approved ~~appropriate~~ internship of 1 year of  
 1086 qualified experience, as determined by the board, or a residency  
 1087 program recognized by the board;

1088           3. Completed the mandatory courses; and

1089           4. Passed the state orthotics examination or the board-  
 1090 approved orthotics examination.

1091           (b) A prosthetist, the applicant must pay a license fee  
 1092 not to exceed \$500 and must have:

1093           1. A Bachelor of Science or higher-level postgraduate  
 1094 degree in orthotics and prosthetics from an institutionally a  
 1095 ~~regionally~~ accredited college or university recognized by the  
 1096 Commission on Accreditation of Allied Health Education Programs,  
 1097 or a bachelor's degree from an institutionally accredited  
 1098 college or university and ~~with~~ a certificate in prosthetics from  
 1099 a program recognized by the Commission on Accreditation of  
 1100 Allied Health Education Programs, or its equivalent, as

1101 | determined by the board;

1102 |         2. An internship of 1 year of qualified experience, as  
 1103 | determined by the board, or a residency program recognized by  
 1104 | the board;

1105 |         3. Completed the mandatory courses; and

1106 |         4. Passed the state prosthetics examination or the board-  
 1107 | approved prosthetics examination.

1108 |         Section 14. Section 483.824, Florida Statutes, is amended  
 1109 | to read:

1110 |         483.824 Qualifications of clinical laboratory director.—A  
 1111 | clinical laboratory director must have 4 years of clinical  
 1112 | laboratory experience with 2 years of experience in the  
 1113 | specialty to be directed or be nationally board certified in the  
 1114 | specialty to be directed, and must meet one of the following  
 1115 | requirements:

1116 |             (1) Be a physician licensed under chapter 458 or chapter  
 1117 | 459;

1118 |             (2) Hold an earned doctoral degree in a chemical,  
 1119 | physical, or biological science from an ~~a regionally~~ accredited  
 1120 | institution and maintain national certification requirements  
 1121 | equal to those required by the federal Health Care Financing  
 1122 | Administration; or

1123 |             (3) For the subspecialty of oral pathology, be a physician  
 1124 | licensed under chapter 458 or chapter 459 or a dentist licensed  
 1125 | under chapter 466.

1126 Section 15. Subsection (3) of section 490.003, Florida  
 1127 Statutes, is amended to read:

1128 490.003 Definitions.—As used in this chapter:

1129 (3) (a) "Doctoral degree from an American Psychological  
 1130 Association accredited program" means ~~Effective July 1, 1999,~~  
 1131 ~~"doctoral-level psychological education" and "doctoral degree in~~  
 1132 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in  
 1133 psychology from a psychology program at an educational  
 1134 institution that, at the time the applicant was enrolled and  
 1135 graduated:

1136 1.(a) Had institutional accreditation from an agency  
 1137 recognized and approved by the United States Department of  
 1138 Education or was recognized as a member in good standing with  
 1139 the Association of Universities and Colleges of Canada; and

1140 2.(b) Had programmatic accreditation from the American  
 1141 Psychological Association.

1142 (b) "Doctoral degree in psychology" means a Psy.D., an  
 1143 Ed.D. in psychology, or a Ph.D. in psychology from a psychology  
 1144 program at an educational institution that, at the time the  
 1145 applicant was enrolled and graduated, had institutional  
 1146 accreditation from an agency recognized and approved by the  
 1147 United States Department of Education or was recognized as a  
 1148 member in good standing with the Association of Universities and  
 1149 Colleges of Canada.

1150 Section 16. Subsection (1) of section 490.005, Florida

1151 Statutes, is amended to read:

1152 490.005 Licensure by examination.—

1153 (1) Any person desiring to be licensed as a psychologist  
1154 shall apply to the department to take the licensure examination.  
1155 The department shall license each applicant whom ~~who~~ the board  
1156 certifies has met all of the following requirements:

1157 (a) Completed the application form and remitted a  
1158 nonrefundable application fee not to exceed \$500 and an  
1159 examination fee set by the board sufficient to cover the actual  
1160 per applicant cost to the department for development, purchase,  
1161 and administration of the examination, but not to exceed \$500.

1162 (b) Submitted proof satisfactory to the board that the  
1163 applicant has received:

1164 1. A doctoral degree from an American Psychological  
1165 Association accredited program ~~Doctoral-level psychological~~  
1166 ~~education~~; or

1167 2. The equivalent of a doctoral degree from an American  
1168 Psychological Association accredited program ~~doctoral-level~~  
1169 ~~psychological education, as defined in s. 490.003(3)~~, from a  
1170 ~~program at~~ a school or university located outside the United  
1171 States of America which was officially recognized by the  
1172 government of the country in which it is located as an  
1173 institution or program to train students to practice  
1174 professional psychology. The applicant has the burden of  
1175 establishing that this requirement has been met.

1176 (c) Had at least 2 years or 4,000 hours of experience in  
 1177 the field of psychology in association with or under the  
 1178 supervision of a licensed psychologist meeting the academic and  
 1179 experience requirements of this chapter or the equivalent as  
 1180 determined by the board. The experience requirement may be met  
 1181 by work performed on or off the premises of the supervising  
 1182 psychologist if the off-premises work is not the independent,  
 1183 private practice rendering of psychological services that does  
 1184 not have a psychologist as a member of the group actually  
 1185 rendering psychological services on the premises.

1186 (d) Passed the examination. However, an applicant who has  
 1187 obtained a passing score, as established by the board by rule,  
 1188 on the psychology licensure examination designated by the board  
 1189 as the national licensure examination need only pass the Florida  
 1190 law and rules portion of the examination.

1191 Section 17. Subsection (1) of section 490.0051, Florida  
 1192 Statutes, is amended to read:

1193 490.0051 Provisional licensure; requirements.—

1194 (1) The department shall issue a provisional psychology  
 1195 license to each applicant who the board certifies has:

1196 (a) Completed the application form and remitted a  
 1197 nonrefundable application fee not to exceed \$250, as set by  
 1198 board rule.

1199 (b) Earned a doctoral degree from an American  
 1200 Psychological Association accredited program ~~in psychology as~~

1201 ~~defined in s. 490.003(3).~~

1202 (c) Met any additional requirements established by board  
1203 rule.

1204 Section 18. Subsections (1), (3), and (4) of section  
1205 491.005, Florida Statutes, are amended to read:

1206 491.005 Licensure by examination.—

1207 (1) CLINICAL SOCIAL WORK.—Upon verification of  
1208 documentation and payment of a fee not to exceed \$200, as set by  
1209 board rule, ~~plus the actual per applicant cost to the department~~  
1210 ~~for purchase of the examination from the American Association of~~  
1211 ~~State Social Worker's Boards or a similar national organization,~~  
1212 the department shall issue a license as a clinical social worker  
1213 to an applicant whom ~~who~~ the board certifies has met all of the  
1214 following criteria:

1215 (a) ~~Has~~ Submitted an application and paid the appropriate  
1216 fee.

1217 (b)1. ~~Has~~ Received a doctoral degree in social work from a  
1218 graduate school of social work which at the time the applicant  
1219 graduated was accredited by an accrediting agency recognized by  
1220 the United States Department of Education or ~~has~~ received a  
1221 master's degree in social work from a graduate school of social  
1222 work which at the time the applicant graduated:

1223 a. Was accredited by the Council on Social Work Education;

1224 b. Was accredited by the Canadian Association of Schools  
1225 of Social Work; or

1226 c. Has been determined to have been a program equivalent  
1227 to programs approved by the Council on Social Work Education by  
1228 the Foreign Equivalency Determination Service of the Council on  
1229 Social Work Education. An applicant who graduated from a program  
1230 at a university or college outside of the United States or  
1231 Canada must present documentation of the equivalency  
1232 determination from the council in order to qualify.

1233 2. The applicant's graduate program must have emphasized  
1234 direct clinical patient or client health care services,  
1235 including, but not limited to, coursework in clinical social  
1236 work, psychiatric social work, medical social work, social  
1237 casework, psychotherapy, or group therapy. The applicant's  
1238 graduate program must have included all of the following  
1239 coursework:

1240 a. A supervised field placement which was part of the  
1241 applicant's advanced concentration in direct practice, during  
1242 which the applicant provided clinical services directly to  
1243 clients.

1244 b. Completion of 24 semester hours or 32 quarter hours in  
1245 theory of human behavior and practice methods as courses in  
1246 clinically oriented services, including a minimum of one course  
1247 in psychopathology, and no more than one course in research,  
1248 taken in a school of social work accredited or approved pursuant  
1249 to subparagraph 1.

1250 3. If the course title which appears on the applicant's

1251 transcript does not clearly identify the content of the  
1252 coursework, the applicant shall be required to provide  
1253 additional documentation, including, but not limited to, a  
1254 syllabus or catalog description published for the course.

1255 (c) ~~Has~~ Had at least 2 years of clinical social work  
1256 experience, which took place subsequent to completion of a  
1257 graduate degree in social work at an institution meeting the  
1258 accreditation requirements of this section, under the  
1259 supervision of a licensed clinical social worker or the  
1260 equivalent who is a qualified supervisor as determined by the  
1261 board. An individual who intends to practice in Florida to  
1262 satisfy clinical experience requirements must register pursuant  
1263 to s. 491.0045 before commencing practice. If the applicant's  
1264 graduate program was not a program which emphasized direct  
1265 clinical patient or client health care services as described in  
1266 subparagraph (b)2., the supervised experience requirement must  
1267 take place after the applicant has completed a minimum of 15  
1268 semester hours or 22 quarter hours of the coursework required. A  
1269 doctoral internship may be applied toward the clinical social  
1270 work experience requirement. A licensed mental health  
1271 professional must be on the premises when clinical services are  
1272 provided by a registered intern in a private practice setting.

1273 (d) ~~Has~~ Passed a theory and practice examination  
1274 designated by board rule ~~provided by the department for this~~  
1275 ~~purpose.~~

1276 (e) ~~Has~~ Demonstrated, in a manner designated by board rule  
 1277 ~~of the board~~, knowledge of the laws and rules governing the  
 1278 practice of clinical social work, marriage and family therapy,  
 1279 and mental health counseling.

1280 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
 1281 documentation and payment of a fee not to exceed \$200, as set by  
 1282 board rule, ~~plus the actual cost of the purchase of the~~  
 1283 ~~examination from the Association of Marital and Family Therapy~~  
 1284 ~~Regulatory Board, or similar national organization,~~ the  
 1285 department shall issue a license as a marriage and family  
 1286 therapist to an applicant who the board certifies has met all of  
 1287 the following criteria:

1288 (a) ~~Has~~ Submitted an application and paid the appropriate  
 1289 fee.

1290 (b) 1. Attained one of the following:

1291 a. A minimum of a master's degree in marriage and family  
 1292 therapy from a program accredited by the Commission on  
 1293 Accreditation for Marriage and Family Therapy Education;

1294 b. A minimum of a master's degree with a major emphasis in  
 1295 marriage and family therapy or a closely related field from a  
 1296 university program accredited by the Council on Accreditation of  
 1297 Counseling and Related Educational Programs and graduate courses  
 1298 approved by the board; or

1299 c. ~~Has~~ A minimum of a master's degree with an major  
 1300 emphasis in marriage and family therapy or a closely related

1301 field, with a degree conferred before September 1, 2027, from an  
1302 institutionally accredited college or university ~~from a program~~  
1303 ~~accredited by the Commission on Accreditation for Marriage and~~  
1304 ~~Family Therapy Education or from a Florida university program~~  
1305 ~~accredited by the Council for Accreditation of Counseling and~~  
1306 ~~Related Educational Programs~~ and graduate courses approved by  
1307 the board of ~~Clinical Social Work, Marriage and Family Therapy,~~  
1308 ~~and Mental Health Counseling.~~

1309 2. If the course title that appears on the applicant's  
1310 transcript does not clearly identify the content of the  
1311 coursework, the applicant must ~~shall~~ provide additional  
1312 documentation, including, but not limited to, a syllabus or  
1313 catalog description published for the course. The required  
1314 master's degree must have been received in an institution of  
1315 higher education that, at the time the applicant graduated, was  
1316 fully accredited by an institutional ~~a regional~~ accrediting body  
1317 recognized by the Council for Higher Education Accreditation or  
1318 its successor organization ~~Commission on Recognition of~~  
1319 ~~Postsecondary Accreditation~~ or publicly recognized as a member  
1320 in good standing with the Association of Universities and  
1321 Colleges of Canada, or an institution of higher education  
1322 located outside the United States and Canada which, at the time  
1323 the applicant was enrolled and at the time the applicant  
1324 graduated, maintained a standard of training substantially  
1325 equivalent to the standards of training of those institutions in

1326 the United States which are accredited by an institutional a  
1327 ~~regional~~ accrediting body recognized by the Council for Higher  
1328 Education Accreditation or its successor organization ~~Commission~~  
1329 ~~on Recognition of Postsecondary Accreditation~~. Such foreign  
1330 education and training must have been received in an institution  
1331 or program of higher education officially recognized by the  
1332 government of the country in which it is located as an  
1333 institution or program to train students to practice as  
1334 professional marriage and family therapists or psychotherapists.  
1335 The applicant has the burden of establishing that the  
1336 requirements of this provision have been met, and the board  
1337 shall require documentation, such as an evaluation by a foreign  
1338 equivalency determination service, as evidence that the  
1339 applicant's graduate degree program and education were  
1340 equivalent to an accredited program in this country. An  
1341 applicant with a master's degree from a program that did not  
1342 emphasize marriage and family therapy may complete the  
1343 coursework requirement in a training institution fully  
1344 accredited by the Commission on Accreditation for Marriage and  
1345 Family Therapy Education recognized by the United States  
1346 Department of Education.

1347 (c) Completed ~~Has had~~ at least 2 years of clinical  
1348 experience during which 50 percent of the applicant's clients  
1349 were receiving marriage and family therapy services, which must  
1350 have been ~~be~~ at the post-master's level under the supervision of

1351 a licensed marriage and family therapist with at least 5 years  
1352 of experience, or the equivalent, who is a qualified supervisor  
1353 as determined by the board. An individual who intends to  
1354 practice in Florida to satisfy the clinical experience  
1355 requirements must register pursuant to s. 491.0045 before  
1356 commencing practice. If a graduate has a master's degree with a  
1357 major emphasis in marriage and family therapy or a closely  
1358 related field which did not include all of the coursework  
1359 required by paragraph (b), credit for the post-master's level  
1360 clinical experience may not commence until the applicant has  
1361 completed a minimum of 10 of the courses required by paragraph  
1362 (b), as determined by the board, and at least 6 semester hours  
1363 or 9 quarter hours of the course credits must have been  
1364 completed in the area of marriage and family systems, theories,  
1365 or techniques. Within the 2 years of required experience, the  
1366 applicant must ~~shall~~ provide direct individual, group, or family  
1367 therapy and counseling to cases including those involving  
1368 unmarried dyads, married couples, separating and divorcing  
1369 couples, and family groups that include children. A doctoral  
1370 internship may be applied toward the clinical experience  
1371 requirement. A licensed mental health professional must be on  
1372 the premises when clinical services are provided by a registered  
1373 intern in a private practice setting.

1374 (d) ~~Has~~ Passed a theory and practice examination  
1375 designated ~~provided~~ by board rule ~~the department~~.

1376 (e) ~~Has~~ Demonstrated, in a manner designated by board  
 1377 rule, knowledge of the laws and rules governing the practice of  
 1378 clinical social work, marriage and family therapy, and mental  
 1379 health counseling.

1380  
 1381 For the purposes of dual licensure, the department shall license  
 1382 as a marriage and family therapist any person who meets the  
 1383 requirements of s. 491.0057. Fees for dual licensure may not  
 1384 exceed those stated in this subsection.

1385 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
 1386 documentation and payment of a fee not to exceed \$200, as set by  
 1387 board rule, ~~plus the actual per applicant cost of purchase of~~  
 1388 ~~the examination from the National Board for Certified Counselors~~  
 1389 ~~or its successor organization,~~ the department shall issue a  
 1390 license as a mental health counselor to an applicant who the  
 1391 board certifies has met all of the following criteria:

1392 (a) ~~Has~~ Submitted an application and paid the appropriate  
 1393 fee.

1394 (b)1. Attained ~~Has~~ a minimum of an earned master's degree  
 1395 from a mental health counseling program accredited by the  
 1396 Council for the Accreditation of Counseling and Related  
 1397 Educational Programs which consists of at least 60 semester  
 1398 hours or 80 quarter hours of clinical and didactic instruction,  
 1399 including a course in human sexuality and a course in substance  
 1400 abuse. If the master's degree is earned from a program related

1401 to the practice of mental health counseling which is not  
1402 accredited by the Council for the Accreditation of Counseling  
1403 and Related Educational Programs, then the coursework and  
1404 practicum, internship, or fieldwork must consist of at least 60  
1405 semester hours or 80 quarter hours and meet all of the following  
1406 requirements:

1407       a. Thirty-three semester hours or 44 quarter hours of  
1408 graduate coursework, which must include a minimum of 3 semester  
1409 hours or 4 quarter hours of graduate-level coursework in each of  
1410 the following 11 content areas: counseling theories and  
1411 practice; human growth and development; diagnosis and treatment  
1412 of psychopathology; human sexuality; group theories and  
1413 practice; individual evaluation and assessment; career and  
1414 lifestyle assessment; research and program evaluation; social  
1415 and cultural foundations; substance abuse; and legal, ethical,  
1416 and professional standards issues in the practice of mental  
1417 health counseling. Courses in research, thesis or dissertation  
1418 work, practicums, internships, or fieldwork may not be applied  
1419 toward this requirement.

1420       b. A minimum of 3 semester hours or 4 quarter hours of  
1421 graduate-level coursework addressing diagnostic processes,  
1422 including differential diagnosis and the use of the current  
1423 diagnostic tools, such as the current edition of the American  
1424 Psychiatric Association's Diagnostic and Statistical Manual of  
1425 Mental Disorders. The graduate program must have emphasized the

1426 common core curricular experience.

1427 c. The equivalent, as determined by the board, of at least  
1428 700 hours of university-sponsored supervised clinical practicum,  
1429 internship, or field experience that includes at least 280 hours  
1430 of direct client services, as required in the accrediting  
1431 standards of the Council for Accreditation of Counseling and  
1432 Related Educational Programs for mental health counseling  
1433 programs. This experience may not be used to satisfy the post-  
1434 master's clinical experience requirement.

1435 2. ~~Has~~ Provided additional documentation if a course title  
1436 that appears on the applicant's transcript does not clearly  
1437 identify the content of the coursework. The documentation must  
1438 include, but is not limited to, a syllabus or catalog  
1439 description published for the course.

1440  
1441 Education and training in mental health counseling must have  
1442 been received in an institution of higher education that, at the  
1443 time the applicant graduated, was fully accredited by an  
1444 institutional ~~a regional~~ accrediting body recognized by the  
1445 Council for Higher Education Accreditation or its successor  
1446 organization or publicly recognized as a member in good standing  
1447 with the Association of Universities and Colleges of Canada, or  
1448 an institution of higher education located outside the United  
1449 States and Canada which, at the time the applicant was enrolled  
1450 and at the time the applicant graduated, maintained a standard

1451 of training substantially equivalent to the standards of  
1452 training of those institutions in the United States which are  
1453 accredited by an institutional ~~a regional~~ accrediting body  
1454 recognized by the Council for Higher Education Accreditation or  
1455 its successor organization. Such foreign education and training  
1456 must have been received in an institution or program of higher  
1457 education officially recognized by the government of the country  
1458 in which it is located as an institution or program to train  
1459 students to practice as mental health counselors. The applicant  
1460 has the burden of establishing that the requirements of this  
1461 provision have been met, and the board shall require  
1462 documentation, such as an evaluation by a foreign equivalency  
1463 determination service, as evidence that the applicant's graduate  
1464 degree program and education were equivalent to an accredited  
1465 program in this country. Beginning July 1, 2025, an applicant  
1466 must have a master's degree from a program that is accredited by  
1467 the Council for Accreditation of Counseling and Related  
1468 Educational Programs, the Masters in Psychology and Counseling  
1469 Accreditation Council, or an equivalent accrediting body which  
1470 consists of at least 60 semester hours or 80 quarter hours to  
1471 apply for licensure under this paragraph.

1472 (c) ~~Has~~ Had at least 2 years of clinical experience in  
1473 mental health counseling, which must be at the post-master's  
1474 level under the supervision of a licensed mental health  
1475 counselor or the equivalent who is a qualified supervisor as

1476 determined by the board. An individual who intends to practice  
1477 in Florida to satisfy the clinical experience requirements must  
1478 register pursuant to s. 491.0045 before commencing practice. If  
1479 a graduate has a master's degree with a major related to the  
1480 practice of mental health counseling which did not include all  
1481 the coursework required under sub-subparagraphs (b)1.a. and b.,  
1482 credit for the post-master's level clinical experience may not  
1483 commence until the applicant has completed a minimum of seven of  
1484 the courses required under sub-subparagraphs (b)1.a. and b., as  
1485 determined by the board, one of which must be a course in  
1486 psychopathology or abnormal psychology. A doctoral internship  
1487 may be applied toward the clinical experience requirement. A  
1488 licensed mental health professional must be on the premises when  
1489 clinical services are provided by a registered intern in a  
1490 private practice setting.

1491 (d) ~~Has~~ Passed a theory and practice examination  
1492 designated provided by board rule ~~the department for this~~  
1493 ~~purpose.~~

1494 (e) ~~Has~~ Demonstrated, in a manner designated by board  
1495 rule, knowledge of the laws and rules governing the practice of  
1496 clinical social work, marriage and family therapy, and mental  
1497 health counseling.

1498 Section 19. Subsection (6) and paragraph (c) of subsection  
1499 (9) of section 766.314, Florida Statutes, are amended to read:

1500 766.314 Assessments; plan of operation.—

1501           (6) (a) The association shall make all assessments required  
 1502 by this section, except initial assessments of physicians  
 1503 licensed ~~on or after October 1, 1988, which assessments will be~~  
 1504 ~~made~~ by the Department of Health Business and Professional  
 1505 ~~Regulation~~, and except assessments of casualty insurers pursuant  
 1506 to subparagraph (5)(c)1., which assessments will be made by the  
 1507 Office of Insurance Regulation. ~~Beginning October 1, 1989, for~~  
 1508 ~~any physician licensed between October 1 and December 31 of any~~  
 1509 ~~year, the Department of Business and Professional Regulation~~  
 1510 ~~shall make the initial assessment plus the assessment for the~~  
 1511 ~~following calendar year.~~ The Department of Health Business and  
 1512 Professional Regulation shall provide the association, in an  
 1513 electronic format, with a monthly report ~~such frequency as~~  
 1514 ~~determined to be necessary, a listing, in a computer-readable~~  
 1515 ~~form~~, of the names and license numbers ~~addresses~~ of all  
 1516 physicians licensed under chapter 458 or chapter 459.

1517           (b)~~1~~. The association may enforce collection of  
 1518 assessments required to be paid pursuant to ss. 766.301-766.316  
 1519 by suit filed in county court. The association is ~~shall be~~  
 1520 entitled to an award of attorney's fees, costs, and interest  
 1521 upon the entry of a judgment against a physician for failure to  
 1522 pay such assessment, with such interest accruing until paid.  
 1523 Notwithstanding ~~the provisions of~~ chapters 47 and 48, the  
 1524 association may file such suit in either Leon County or the  
 1525 county of the residence of the defendant. The association shall

1526 notify the Department of Health and the applicable board of any  
 1527 unpaid final judgement against a physician within 7 days after  
 1528 the final judgement.

1529 ~~2. The Department of Business and Professional Regulation,~~  
 1530 ~~upon notification by the association that an assessment has not~~  
 1531 ~~been paid and that there is an unsatisfied judgment against a~~  
 1532 ~~physician, shall not renew any license to practice for such~~  
 1533 ~~physician issued pursuant to chapter 458 or chapter 459 until~~  
 1534 ~~such time as the judgment is satisfied in full.~~

1535 (c) The Agency for Health Care Administration shall, upon  
 1536 notification by the association that an assessment has not been  
 1537 timely paid, enforce collection of such assessments required to  
 1538 be paid by hospitals pursuant to ss. 766.301-766.316. Failure of  
 1539 a hospital to pay such assessment is grounds for disciplinary  
 1540 action pursuant to s. 395.1065 notwithstanding any ~~provision of~~  
 1541 law to the contrary.

1542 (9)

1543 (c) If ~~In the event~~ the total of all current estimates  
 1544 equals 80 percent of the funds on hand and the funds that will  
 1545 become available to the association within the next 12 months  
 1546 from all sources described in subsections (4) and (5) and  
 1547 paragraph (7)(a), the association may ~~shall~~ not accept any new  
 1548 claims without express authority from the Legislature. Nothing  
 1549 in this section precludes ~~herein shall preclude~~ the association  
 1550 from accepting any claim if the injury occurred 18 months or

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1551 | more before ~~prior to~~ the effective date of this suspension.  
1552 | Within 30 days after ~~of~~ the effective date of this suspension,  
1553 | the association shall notify the Governor, the Speaker of the  
1554 | House of Representatives, the President of the Senate, the  
1555 | Office of Insurance Regulation, the Agency for Health Care  
1556 | Administration, and the Department of Health, ~~and the Department~~  
1557 | ~~of Business and Professional Regulation~~ of this suspension.  
1558 |       Section 20. This act shall take effect July 1, 2022.