

HB 1235

2026

A bill to be entitled  
An act relating to the Respiratory Care Interstate Compact; creating s. 468.371, F.S.; enacting the Respiratory Care Interstate Compact; providing purpose and intent; providing definitions; requiring member states to meet certain requirements to join and participate in the compact; providing criteria that a respiratory therapist licensee must satisfy to practice under the compact; providing requirements for renewal of an equivalent license in a member state; providing requirements and procedures for changing a home state license designation; authorizing an active military member and his or her spouse to be deemed as having a home state license under certain circumstances; authorizing member states to impose adverse actions against licensees under certain circumstances; authorizing member states to participate with other member states in joint investigations of licensees under certain circumstances; providing applicability; establishing the Respiratory Care Interstate Compact Commission; providing commission membership, duties, and powers; providing for powers, duties, and responsibilities of an executive committee; requiring the committee to adopt and provide an annual report to member states;

HB 1235

2026

26 authorizing the commission to convene in closed,  
27 nonpublic meetings under certain circumstances;  
28 providing for financing of the commission; providing  
29 immunity from liability for member states under  
30 certain circumstances; providing for the development,  
31 maintenance, and use of a coordinated database and  
32 reporting system; requiring member states to submit  
33 specified information to the data system; providing  
34 requirements for the information in the data system;  
35 providing rulemaking procedures; providing for state  
36 enforcement of the compact; providing for the  
37 termination of compact membership; providing  
38 procedures for the resolution of certain disputes;  
39 providing compact amendment procedures; providing  
40 construction and severability and binding effect of  
41 the compact; amending ss. 456.076, 468.353, 468.355,  
42 468.361, and 768.28, F.S.; conforming provisions to  
43 changes made by the act; providing an effective date.  
44

45 Be It Enacted by the Legislature of the state of Florida:

46  
47 **Section 1. Section 468.371, Florida Statutes, is created  
48 to read:**

49 468.371 Respiratory Care Interstate Compact.—The  
50 Respiratory Care Interstate Compact is hereby enacted into law

51 and entered into by this state with all other states legally  
52 joining therein in the form substantially as follows:

53

54 RESPIRATORY CARE INTERSTATE COMPACT

55

56 ARTICLE I

57 PURPOSE AND INTENT

58

59 (1) The purpose of this compact is to facilitate the  
60 interstate practice of respiratory therapy with the goal of  
61 improving public access to respiratory therapy services by  
62 providing respiratory therapists licensed in a member state the  
63 ability to practice in other member states. The compact  
64 preserves the regulatory authority of states to protect public  
65 health and safety through the current system of state licensure.

66 (2) This compact is designed to achieve all of the  
67 following objectives:

68 (a) Increase public access to respiratory therapy services  
69 by creating a responsible, streamlined pathway for licensees to  
70 practice in member states with the goal of improving outcomes  
71 for patients.

72 (b) Enhance states' ability to protect the public's health  
73 and safety.

74 (c) Promote the cooperation of member states in regulating  
75 the practice of respiratory therapy within such member states.

HB 1235

2026

(d) Ease administrative burdens on states by encouraging the cooperation of member states in regulating multistate respiratory therapy practice.

(e) Support relocating active military members and their spouses.

(f) Promote mobility and address workforce shortages.

## ARTICLE II

## DEFINITIONS

As used in this compact, the term:

(1) "Active military member" means any person with a full-time duty status in the Armed Forces of the United States, including members of the National Guard and the United States Reserve Forces.

(2) "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by any state authority with regulatory authority over respiratory therapists, such as license denial, censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice, not including participation in an alternative program.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process applicable to a respiratory therapist approved by any state authority with

101 regulatory authority over respiratory therapists. This includes,  
102 but is not limited to, programs to which licensees with  
103 substance abuse or addiction issues are referred in lieu of  
104 adverse action.

105 (4) "Charter member states" means those member states who  
106 were the first seven states to enact the compact into law.

107 (5) "Commission" or "Respiratory Care Interstate Compact  
108 Commission" means the government instrumentality and body  
109 politic whose membership consists of all member states that have  
110 enacted the compact.

111 (6) "Commissioner" means the individual appointed by a  
112 member state to serve as the member of the commission for that  
113 member state.

114 (7) "Compact" means the Respiratory Care Interstate  
115 Compact.

116 (8) "Compact privilege" means the authorization granted by  
117 a remote state to allow a licensee from another member state to  
118 practice as a respiratory therapist in the remote state under  
119 the remote state's laws and rules. The practice of respiratory  
120 therapy occurs in the member state where the patient is located  
121 at the time of the patient encounter.

122 (9) "Criminal background check" means the submission by  
123 the member state of fingerprints or other biometric-based  
124 information on license applicants at the time of initial  
125 licensing for the purpose of obtaining that applicant's criminal

126 history record information, as defined in 28 C.F.R. s. 20.3(d)  
127 or successor provision, from the Federal Bureau of Investigation  
128 and the state's criminal history record repository, as defined  
129 in 28 C.F.R. s. 20.3(f) or successor provision.

130 (10) "Data system" means the commission's repository of  
131 information about licensees as further set forth in Article  
132 VIII.

133 (11) "Domicile" means the jurisdiction which is the  
134 licensee's principal home for legal purposes.

135 (12) "Encumbered license" means a license that a state's  
136 respiratory therapy licensing authority has limited in any way.

137 (13) "Executive committee" means a group of directors  
138 elected or appointed to act on behalf of, and within the powers  
139 granted to them by, the commission.

140 (14) "Home state," except as provided in Article V, means  
141 the member state that is the licensee's primary domicile.

142 (15) "Home state license" means an active license to  
143 practice respiratory therapy in a home state that is not an  
144 encumbered license.

145 (16) "Jurisprudence requirement" means an assessment of an  
146 individual's knowledge of the state laws and regulations  
147 governing the practice of respiratory therapy in such state.

148 (17) "Licensee" means an individual who currently holds an  
149 authorization from the state to practice as a respiratory  
150 therapist.

151        (18) "Member state" means a state that has enacted the  
152        compact and been admitted to the commission in accordance with  
153        this compact and commission rules.

154        (19) "Model compact" means the model for the Respiratory  
155        Care Interstate Compact on file with the Council of State  
156        Governments or other entity as designated by the commission.

157        (20) "Remote state" means a member state where a licensee  
158        is exercising or seeking to exercise the compact privilege.

159        (21) "Respiratory therapist" or "respiratory care  
160        practitioner" means an individual who holds a credential issued  
161        by the National Board for Respiratory Care or its successor and  
162        holds a license in a state to practice respiratory therapy. For  
163        purposes of this compact, any other title or status adopted by a  
164        state to replace the term "respiratory therapist" or  
165        "respiratory care practitioner" is synonymous with "respiratory  
166        therapist" and shall confer the same rights and responsibilities  
167        to the licensee under the provisions of this compact at the time  
168        of its enactment.

169        (22) "Respiratory therapy," "respiratory therapy  
170        practice," "respiratory care," "the practice of respiratory  
171        therapy," and "the practice of respiratory care" mean the care  
172        and services provided by or under the direction and supervision  
173        of a respiratory therapist or respiratory care practitioner.

174        (23) "Respiratory therapy licensing authority" means the  
175        agency, board, or other body of a state that is responsible for

176 licensing and regulation of respiratory therapists.

177 (24) "Rule" means a regulation adopted by an entity that  
has the force and effect of law.

179 (25) "Scope of practice" means the procedures, actions,  
and processes a respiratory therapist licensed in a state or  
practicing under a compact privilege in a state is permitted to  
undertake in that state and the circumstances under which the  
respiratory therapist is permitted to undertake those  
procedures, actions, and processes. Such procedures, actions,  
and processes, and the circumstances under which they may be  
undertaken, may be established through means including, but not  
limited to, statute, regulations, case law, and other processes  
available to the state respiratory therapy licensing authority  
or other government agency.

190 (26) "Significant investigative information" means  
information, records, and documents received or generated by a  
state respiratory therapy licensing authority pursuant to an  
investigation for which a determination has been made that there  
is probable cause to believe that the licensee has violated a  
statute or regulation that is considered more than a minor  
infraction for which the state respiratory therapy licensing  
authority could pursue adverse action against the licensee.

198 (27) "State" means any state, commonwealth, district, or  
territory of the United States.

201 ARTICLE III202 STATE PARTICIPATION IN THIS COMPACT203  
204 (1) In order to participate in this compact and thereafter  
205 continue as a member state, a member state shall:206 (a) Enact a compact that is not materially different from  
207 the model compact.208 (b) License respiratory therapists.209 (c) Participate in the data system.210 (d) Have a mechanism in place for receiving and  
211 investigating complaints against licensees and compact privilege  
212 holders.213 (e) Notify the commission, in compliance with the terms of  
214 this compact and commission rules, of any adverse action against  
215 a licensee, a compact privilege holder, or a license applicant.216 (f) Notify the commission, in compliance with the terms of  
217 this compact and commission rules, of the existence of  
218 significant investigative information.219 (g) Comply with the rules of the commission.220 (h) Grant the compact privilege to a holder of an active  
221 home state license and otherwise meet the applicable  
222 requirements of Article IV in a member state.223 (i) Complete a criminal background check for each new  
224 licensee at the time of initial licensure. Where expressly  
225 authorized or permitted by federal law, whether such federal law

226 is in effect before, at, or after the time of a member state's  
227 enactment of this compact, a member state's enactment of this  
228 compact authorizes the member state's respiratory therapy  
229 licensing authority to perform criminal background checks as  
230 defined herein. The absence of such a federal law as described  
231 in this paragraph does not prevent or preclude such  
232 authorization where it may be derived or granted through means  
233 other than the enactment of this compact.

234 (2) This compact does not prohibit a member state from  
235 charging a fee for granting and renewing the compact privilege.

236

#### ARTICLE IV

237

#### COMPACT PRIVILEGE

238 (1) To exercise the compact privilege under this compact,  
239 a licensee shall:

240 (a) Hold and maintain an active home state license as a  
241 respiratory therapist.

242 (b) Hold and maintain an active credential from the  
243 National Board for Respiratory Care, or its successor, that  
244 would qualify him or her for licensure in the remote state in  
245 which he or she is seeking the compact privilege.

246 (c) Have not had any adverse action against a license  
247 within the previous 2 years.

248 (d) Notify the commission that he or she is seeking the

251 compact privilege within a remote state.

252 (e) Pay any applicable fees, including any state and  
253 commission fees and renewal fees, for the compact privilege.

254 (f) Meet any jurisprudence requirements established by the  
255 remote state in which he or she is seeking a compact privilege.

256 (g) Report to the commission any adverse action taken by  
257 any nonmember state within 30 days after the date the adverse  
258 action is taken.

259 (h) Report to the commission, when applying for a compact  
260 privilege, the address of his or her domicile and thereafter  
261 promptly report to the commission any change of address within  
262 30 days after the effective date of the change in address.

263 (i) Consent to accept service of process by mail at the  
264 his or her domicile on record with the commission with respect  
265 to any action brought against him or her by the commission or a  
266 member state, and consent to accept service of a subpoena by  
267 mail at the licensee's domicile on record with the commission  
268 with respect to any action brought or investigation conducted by  
269 the commission or a member state.

270 (2) The compact privilege is valid until the expiration  
271 date or revocation of the home state license unless terminated  
272 pursuant to adverse action. The licensee must comply with all of  
273 the requirements of subsection (1) to maintain the compact  
274 privilege in a remote state. If those requirements are met, no  
275 adverse actions are taken, and the licensee has paid any

276 applicable compact privilege renewal fees, then the licensee  
277 will maintain the compact privilege.

278 (3) A licensee providing respiratory therapy in a remote  
279 state under the compact privilege functions within the scope of  
280 practice authorized by the remote state for the type of  
281 respiratory therapist license the licensee holds. Such  
282 procedures, actions, processes, and the circumstances under  
283 which they may be undertaken may be established through means  
284 including, but not limited to, statute, regulations, case law,  
285 and other processes available to the state respiratory therapy  
286 licensing authority or other government agency.

287 (4) If a licensee's compact privilege in a remote state is  
288 removed by the remote state, the licensee shall lose or be  
289 ineligible for the compact privilege in that remote state until  
290 the compact privilege is no longer limited or restricted by that  
291 state.

292 (5) If a home state license is encumbered, the licensee  
293 shall lose the compact privilege in all remote states until the  
294 following occur:

295 (a) The home state license is no longer encumbered.

296 (b) Two years have elapsed from the date on which the  
297 license is no longer encumbered due to the adverse action.

298 (6) Once a licensee with a restricted or limited license  
299 meets the requirements of subsection (5), the licensee must also  
300 meet the requirements of subsection (1) to obtain a compact

HB 1235

2026

301 privilege in a remote state.

302

303 ARTICLE V

304 ACTIVE MILITARY MEMBERS AND THEIR SPOUSES

305

306 (1) An active military member, or his or her spouse, shall  
307 designate a home state where the individual has a current  
308 license in good standing. The individual may retain the home  
309 state designation during the period the service member is on  
310 active duty.

311 (2) An active military member and his or her spouse are  
312 not required to pay to the commission for a compact privilege  
313 any fee that may otherwise be charged by the commission. If a  
314 remote state chooses to charge a fee for a compact privilege, it  
315 may choose to charge a reduced fee or no fee to an active  
316 military member and his or her spouse for a compact privilege.

317

318 ARTICLE VI

319 ADVERSE ACTIONS

320

321 (1) A member state in which a licensee is licensed may  
322 impose adverse action against the license issued by that member  
323 state.

324 (2) A member state may take adverse action based on  
325 significant investigative information of a remote state or the

326 home state, so long as the member state follows its own  
327 procedures for imposing adverse action.

328 (3) This compact does not override a member state's  
329 decision that participation in an alternative program may be  
330 used in lieu of adverse action and that such participation shall  
331 remain nonpublic if required by the member state's laws.

332 (4) A remote state may:

333 (a) Take adverse actions as provided herein against a  
334 licensee's compact privilege in that state.

335 (b) Issue subpoenas for both hearings and investigations  
336 that require the attendance and testimony of witnesses and the  
337 production of evidence.

338 1. Subpoenas may be issued by a respiratory therapy  
339 licensing authority in a member state for the attendance and  
340 testimony of witnesses and the production of evidence.

341 2. Subpoenas issued by a respiratory therapy licensing  
342 authority in a member state for the attendance and testimony of  
343 witnesses shall be enforced in the latter state by any court of  
344 competent jurisdiction in the latter state, according to the  
345 practice and procedure of that court applicable to subpoenas  
346 issued in proceedings pending before it.

347 3. Subpoenas issued by a respiratory therapy licensing  
348 authority in a member state for production of evidence from  
349 another member state shall be enforced in the latter state,  
350 according to the practice and procedure of that court applicable

351 to subpoenas issued in the proceedings pending before it.

352 4. The issuing authority shall pay any witness fees,  
353 travel expenses, mileage, and other fees required by the service  
354 statutes of the state where the witnesses or evidence are  
355 located.

356 (c) Unless otherwise prohibited by general law, recover  
357 from the licensee the costs of investigations and disposition of  
358 cases resulting from any adverse action taken against that  
359 licensee.

360 (d) Notwithstanding paragraph (b), a member state may not  
361 issue a subpoena to gather evidence of conduct in another member  
362 state that is lawful in such other member state for the purpose  
363 of taking adverse action against a licensee's compact privilege  
364 or application for a compact privilege in that member state.

365 (e) This compact does not authorize a member state to  
366 impose discipline against a respiratory therapist's compact  
367 privilege in that member state for the licensee's otherwise  
368 lawful practice in another state.

369 (5) (a) In addition to the authority granted to a member  
370 state by its respective respiratory therapy practice act or  
371 other applicable state law, a member state may participate with  
372 other member states in joint investigations of licensees,  
373 provided, however, that a member state receiving such a request  
374 has no obligation to respond to any subpoena issued regarding an  
375 investigation of conduct or practice that was lawful in a member

376 state at the time it was undertaken.

377 (b) Member states shall share any significant  
378 investigative information, litigation, or compliance materials  
379 in furtherance of any joint or individual investigation  
380 initiated under the compact. In sharing such information between  
381 member state respiratory therapy licensing authorities, all  
382 information obtained shall be kept confidential, except as  
383 otherwise mutually agreed upon by the sharing and receiving  
384 member states.

385 (6) This compact does not permit a member state to:

386 (a) Take any adverse action against a licensee or holder  
387 of a compact privilege for conduct or practice that was legal in  
388 the member state at the time it was undertaken.

389 (b) Take disciplinary action against a licensee or holder  
390 of a compact privilege for conduct or practice that was legal in  
391 the member state at the time it was undertaken.

392

393 ARTICLE VII

394 ESTABLISHMENT OF THE RESPIRATORY CARE

395 INTERSTATE COMPACT COMMISSION

396

397 (1) Establishment of the commission.—The member states  
398 hereby create and establish a joint government agency whose  
399 membership consists of all member states that have enacted the  
400 compact known as the Respiratory Care Interstate Compact

401     Commission. The commission is an instrumentality of the compact  
402     member states acting jointly and not an instrumentality of any  
403     one state. The commission shall come into existence on or after  
404     the effective date of the compact, as provided in Article XI.

405         (2) Membership, voting, and meetings.—

406             (a) Each member state shall have and be limited to one  
407             commissioner selected by that member state's respiratory therapy  
408             licensing authority.

409             (b) The commissioner or his or her designated staff member  
410             shall be an administrator of the member state's respiratory  
411             therapy licensing authority.

412             (c) The commission shall by rule or bylaw establish a term  
413             of office for commissioners and may by rule or bylaw establish  
414             term limits.

415             (d) The commission may recommend to a member state the  
416             removal or suspension any commissioner from office.

417             (e) A member state's respiratory therapy licensing  
418             authority shall fill any vacancy occurring on the commission  
419             within 60 days after the vacancy.

420             (f) Each commissioner shall be entitled to one vote on all  
421             matters before the commission requiring a vote.

422             (g) A commissioner shall vote in person or by such other  
423             means as provided in the bylaws. The bylaws may provide for  
424             commissioners to meet by telecommunication, videoconference, or  
425             other means of communication.

426        (h) The commission shall meet at least once during each  
427        calendar year. Additional meetings may be held as provided in  
428        the bylaws.

429        (3) Powers of the commission.—The commission may:

430        (a) Establish and amend the fiscal year of the commission.  
431        (b) Establish and amend bylaws and policies, including,  
432        but not limited to, a code of conduct and conflict of interest.

433        (c) Establish and amend rules, which shall be binding in  
434        all member states.

435        (d) Maintain its financial records in accordance with the  
436        bylaws.

437        (e) Meet and take such actions as are consistent with this  
438        compact, the commission's rules, and the bylaws.

439        (f) Initiate and conduct legal proceedings or actions in  
440        the name of the commission, provided that the standing of any  
441        respiratory therapy licensing authority to sue or be sued under  
442        applicable law is not affected.

443        (g) Maintain and certify records and information provided  
444        to a member state as the authenticated business records of the  
445        commission and designate an agent to do so on the commission's  
446        behalf.

447        (h) Purchase and maintain insurance and bonds.

448        (i) Accept or contract for services of personnel,  
449        including, but not limited to, employees of a member state.

450        (j) Conduct an annual financial review.

451        (k) Hire employees, elect or appoint officers, fix  
452        compensation, define duties, grant such individuals appropriate  
453        authority to carry out the purposes of the compact, and  
454        establish the commission's personnel policies and programs  
455        relating to conflicts of interest, qualifications of personnel,  
456        and other related personnel matters.

457        (l) Assess and collect fees.

458        (m) Accept any and all appropriate gifts, donations,  
459        grants of money, other sources of revenue, equipment, supplies,  
460        materials, and services, and receive, use, and dispose of the  
461        same, provided that the commission avoids any appearance of  
462        impropriety or conflict of interest.

463        (n) Lease, purchase, retain, own, hold, improve, or use  
464        any property, real, personal, or mixed, or any undivided  
465        interest therein.

466        (o) Sell, convey, mortgage, pledge, lease, exchange,  
467        abandon, or otherwise dispose of any property, real, personal,  
468        or mixed.

469        (p) Establish a budget and make expenditures.

470        (q) Borrow money in a fiscally responsible manner.

471        (r) Appoint committees, including standing committees,  
472        composed of commissioners, state regulators, state legislators  
473        or their representatives, and consumer representatives, and such  
474        other interested persons as may be designated in this compact  
475        and the bylaws.

476        (s) Provide and receive information from, and cooperate  
477        with, law enforcement agencies.

478        (t) Establish and elect an executive committee, including  
479        a chair, vice-chair, secretary, treasurer, and such other  
480        offices as the commission shall establish by rule or bylaw.

481        (u) Enter into contracts or arrangements for the  
482        management of the affairs of the commission.

483        (v) Determine whether a state's adopted language is  
484        materially different from the model compact language such that  
485        the state does not qualify for participation in the compact.

486        (w) Perform such other functions as may be necessary or  
487        appropriate to achieve the purposes of this compact.

488        (4) The executive committee.—

489        (a) The executive committee shall have the power to act on  
490        behalf of the commission according to the terms of this compact.  
491        The powers, duties, and responsibilities of the executive  
492        committee include:

493        1. Overseeing the day-to-day activities of the  
494        administration of the compact, including enforcement and  
495        compliance with the compact, commission rules and bylaws, and  
496        other such duties as deemed necessary.

497        2. Recommending to the commission changes to the rules or  
498        bylaws, changes to the compact legislation, fees charged to  
499        compact member states, fees charged to licensees, and other  
500        fees.

501       3. Ensuring compact administration services are  
502       appropriately provided, including by contract.

503       4. Preparing and recommending the budget.

504       5. Maintaining financial records on behalf of the  
505       commission.

506       6. Monitoring compact compliance of member states and  
507       providing compliance reports to the commission.

508       7. Establishing additional committees as necessary.

509       8. Exercising the powers and duties of the commission  
510       during the interim between commission meetings, except for  
511       adopting or amending rules, adopting or amending bylaws, and  
512       exercising any other powers and duties expressly reserved to the  
513       commission by rule or bylaw.

514       9. Performing other duties as provided in the rules or  
515       bylaws of the commission.

516       (b) The executive committee shall be composed of up to 9  
517       members, as further provided in the bylaws of the commission:

518       1. Seven voting members who are elected by the commission  
519       from the current membership of the commission.

520       2. Two ex-officio, nonvoting members.

521       (c) The commission may remove any member of the executive  
522       committee as provided in the commission's bylaws.

523       (d) The executive committee shall meet at least annually.

524       1. Executive committee meetings shall be open to the  
525       public, except that the executive committee may meet in a

526 closed, nonpublic meeting as provided in paragraph (6) (d).

527 2. The executive committee shall give advance notice of  
528 its meetings, posted on its website and as determined to provide  
529 notice to persons with an interest in the business of the  
530 commission.

531 3. The executive committee may hold a special meeting in  
532 accordance with paragraph (6) (b).

533 (5) Report.—The commission shall adopt and provide to the  
534 member states an annual report.

535 (6) Meetings of the commission.—

536 (a) All meetings of the commission that are not closed  
537 pursuant to paragraph (d) shall be open to the public. Notice of  
538 public meetings shall be posted on the commission's website at  
539 least 30 days before the public meeting.

540 (b) Notwithstanding paragraph (a), the commission may  
541 convene an emergency public meeting by providing at least 24  
542 hours' notice on the commission's website, and any other means  
543 as provided in the commission's rules, for any of the reasons it  
544 may dispense with notice of proposed rulemaking under subsection  
545 (7) of Article IX. The commission's legal counsel shall certify  
546 that one of the reasons justifying an emergency public meeting  
547 has been met.

548 (c) Notice of all commission meetings shall provide the  
549 time, date, and location of the meeting, and if the meeting is  
550 to be held or accessible via telecommunication, video

551 conference, or other electronic means, the notice shall include  
552 the mechanism for access to the meeting.

553 (d) The commission or the executive committee may convene  
554 in a closed, nonpublic meeting for the commission or executive  
555 committee to receive or solicit legal advice or to discuss the  
556 following:

557 1. Noncompliance of a member state with its obligations  
558 under the compact;

559 2. The employment, compensation, discipline, or other  
560 matters, practices, or procedures related to specific employees;

561 3. Current or threatened discipline of a licensee or  
562 compact privilege holder by the commission or by a member  
563 state's respiratory therapy licensing authority;

564 4. Current, threatened, or reasonably anticipated  
565 litigation;

566 5. Negotiation of contracts for the purchase, lease, or  
567 sale of goods, services, or real estate;

568 6. Accusing any person of a crime or formally censuring  
569 any person;

570 7. Trade secrets or commercial or financial information  
571 that is privileged or confidential;

572 8. Information of a personal nature where disclosure would  
573 constitute a clearly unwarranted invasion of personal privacy;

574 9. Investigative records compiled for law enforcement  
575 purposes;

576        10. Information related to any investigative reports  
577        prepared by or on behalf of or for use of the commission or  
578        other committee charged with responsibility of investigation or  
579        determination of compliance issues pursuant to the compact;

580        11. Legal advice;

581        12. Matters specifically exempted from disclosure by  
582        federal or member state law; or

583        13. Other matters as adopted by the commission by rule.

584        (e) If a meeting, or portion of a meeting, is closed, the  
585        presiding officer shall state that the meeting will be closed  
586        and reference each relevant exempting provision, and such  
587        reference shall be recorded in the minutes.

588        (f) The commission shall keep minutes in accordance with  
589        commission rules and bylaws. All documents considered in  
590        connection with an action shall be identified in such minutes.  
591        All minutes and documents of a closed meeting shall remain under  
592        seal, subject to release only by a majority vote of the  
593        commission or order of a court of competent jurisdiction.

594        (7) Financing of the commission.-

595        (a) The commission shall pay, or provide for the payment  
596        of, the reasonable expenses of its establishment, organization,  
597        and ongoing activities.

598        (b) The commission may accept any and all appropriate  
599        revenue sources as provided herein.

600        (c) The commission may levy on and collect an annual

601 assessment from each member state and impose fees on licensees  
602 of member states that are granted compact privilege to cover the  
603 cost of the operations and activities of the commission and its  
604 staff. The aggregate annual assessment amount for member states,  
605 if any, shall be allocated based upon a formula that the  
606 commission shall adopt by rule.

607 (d) The commission may not incur obligations of any kind  
608 before securing the funds or a loan adequate to meet the same or  
609 pledge the credit of any of the member states, except by and  
610 with the authority of the member state.

611 (e) The commission shall keep accurate accounts of all  
612 receipts and disbursements. The receipts and disbursements of  
613 the commission are subject to the financial review and  
614 accounting procedures established under its bylaws. However, all  
615 receipts and disbursements of funds handled by the commission  
616 are subject to an annual financial review by a certified or  
617 licensed public accountant, and the report of the financial  
618 review shall be included in and become part of the annual report  
619 of the commission.

620 (8) Qualified immunity, defense, and indemnification.—

621 (a) This compact does not limit the liability of any  
622 licensee for professional malpractice or misconduct, which shall  
623 be governed solely by any other applicable state laws.

624 (b) The member states, commissioners, officers, executive  
625 directors, employees, and agents of the commission are immune

626 from suit and liability, both personally and in their official  
627 capacity, for any claim for damage to or loss of property or  
628 personal injury or other civil liability caused by or arising  
629 out of any actual or alleged act, error, or omission that  
630 occurred, or that the person against whom the claim is made had  
631 a reasonable basis for believing occurred, within the scope of  
632 commission employment, duties, or responsibilities. This  
633 paragraph does not protect any such person from suit or  
634 liability for any damage, loss, injury, or liability caused by  
635 the intentional or willful or wanton misconduct of that person.  
636 The procurement of insurance of any type by the commission does  
637 not in any way compromise or limit the immunity granted  
638 hereunder.

639 (c) The commission shall defend any commissioner, officer,  
640 executive director, employee, and agent of the commission in any  
641 civil action seeking to impose liability arising out of any  
642 actual or alleged act, error, or omission that occurred within  
643 the scope of commission employment, duties, or responsibilities,  
644 or as determined by the commission that the person against whom  
645 the claim is made had a reasonable basis for believing occurred  
646 within the scope of commission employment, duties, or  
647 responsibilities. This paragraph does not prohibit that person  
648 from retaining their own counsel at their own expense; and  
649 provided further, that the actual or alleged act, error, or  
650 omission did not result from that person's intentional or

HB 1235

2026

651 willful or wanton misconduct.

652 (d) The commission shall indemnify and hold harmless any  
653 commissioner, member, officer, executive director, employee, and  
654 agent of the commission for the amount of any settlement or  
655 judgment obtained against that person arising out of any actual  
656 or alleged act, error, or omission that occurred within the  
657 scope of commission employment, duties, or responsibilities, or  
658 that such person had a reasonable basis for believing occurred  
659 within the scope of commission employment, duties, or  
660 responsibilities, provided that the actual or alleged act,  
661 error, or omission did not result from the intentional or  
662 willful or wanton misconduct of that person.

663 (e) This compact does not waive or otherwise abrogate a  
664 member state's state action immunity or state action affirmative  
665 defense with respect to antitrust claims under the Sherman Act,  
666 the Clayton Act, or any other state or federal antitrust or  
667 anticompetitive law or regulation.

668 (f) This compact does not waive sovereign immunity by the  
669 member states or by the commission.

670

671 ARTICLE VIII

672 DATA SYSTEM

673

674 (1) The commission shall provide for the development,  
675 maintenance, operation, and utilization of a coordinated

676 database and reporting system containing licensure, adverse  
677 action, and the presence of significant investigative  
678 information.

679 (2) Notwithstanding any other provision of state law to  
680 the contrary, a member state shall submit a uniform data set to  
681 the data system as required by the rules of the commission,  
682 including, but not limited to, all of the following:

683 (a) Identifying information.

684 (b) Licensure data.

685 (c) Adverse actions against a licensee, license applicant,  
686 or compact privilege holder and information related thereto.

687 (d) Nonconfidential information related to alternative  
688 program participation, the beginning and ending dates of such  
689 participation, and other information related to such  
690 participation not made confidential under member state law.

691 (e) Any denial of application for licensure and the  
692 reasons for such denial.

693 (f) The presence of current significant investigative  
694 information.

695 (g) Other information that may facilitate the  
696 administration of this compact or the protection of the public,  
697 as determined by commission rules.

698 (3) A member state may not submit any information that  
699 constitutes criminal history record information, as defined by  
700 applicable federal law, to the data system.

701       (4) The records and information provided to a member state  
702 pursuant to this compact or through the data system, when  
703 certified by the commission or an agent thereof, constitutes the  
704 authenticated business records of the commission and are  
705 entitled to any associated hearsay exception in any relevant  
706 judicial, quasi-judicial, or administrative proceedings in a  
707 member state.

708       (5) Significant investigative information pertaining to a  
709 licensee in any member state will only be available to other  
710 member states.

711       (6) It is the responsibility of the member states to  
712 report any adverse action against a licensee and to monitor the  
713 database to determine whether adverse action has been taken  
714 against a licensee. Adverse action information pertaining to a  
715 licensee in any member state will be available to any other  
716 member state.

717       (7) Member states contributing information to the data  
718 system may designate information that may not be shared with the  
719 public without the express permission of the contributing state.

720       (8) Any information submitted to the data system that is  
721 subsequently expunged pursuant to federal law or the laws of the  
722 member state contributing the information shall be removed from  
723 the data system.

724

725       ARTICLE IX

Page 29 of 46

726 RULEMAKING

727  
728       (1) The commission shall adopt reasonable rules in order  
729       to effectively and efficiently implement and administer the  
730       purposes and provisions of this compact. A rule shall be invalid  
731       and have no force or effect only if a court of competent  
732       jurisdiction holds that the rule is invalid because the  
733       commission exercised its rulemaking authority in a manner that  
734       is beyond the scope and purposes of this compact, or the powers  
735       granted hereunder, or based upon another applicable standard of  
736       review.

737       (2) For purposes of this compact, the rules of the  
738       commission shall have the force of law in each member state.

739       (3) The commission shall exercise its rulemaking powers  
740       pursuant to the criteria provided in this article and the rules  
741       adopted hereunder. Rules shall become binding as of the date  
742       specified in each rule.

743       (4) If a majority of the legislatures of the member states  
744       rejects a rule or portion of a rule, by enactment of a statute  
745       or resolution in the same manner used to adopt the compact  
746       within 4 years after the date of adoption of the rule, then such  
747       rule shall have no further force and effect in any member state.

748       (5) Rules shall be adopted at a regular or special meeting  
749       of the commission.

750       (6) Before adoption of a proposed rule, the commission

751 shall hold a public hearing and allow persons to provide oral  
752 and written comments, data, facts, opinions, and arguments.

753 (7) Before adoption of a proposed rule by the commission,  
754 and at least 30 days before the meeting at which the commission  
755 will hold a public hearing on the proposed rule, the commission  
756 shall provide a notice of proposed rulemaking in all of the  
757 following manners:

758 (a) On the website of the commission or other publicly  
759 accessible platform.

760 (b) To persons who have requested notice of the  
761 commission's notices of proposed rulemaking.

762 (c) In such other ways as the commission may by rule  
763 specify.

764 (8) The notice of proposed rulemaking shall include all of  
765 the following information:

766 (a) The time, date, and location of the public hearing at  
767 which the commission will hear public comments on the proposed  
768 rule and, if different, the time, date, and location of the  
769 meeting where the commission will consider and vote on the  
770 proposed rule.

771 (b) If the hearing is held via telecommunication, video  
772 conference, or other electronic means, the commission shall  
773 include the mechanism for access to the hearing in the notice of  
774 proposed rulemaking.

775 (c) The text of and reason for the proposed rule.

776        (d) A request for comments on the proposed rule from any  
777 interested person.

778        (e) The manner in which interested persons may submit  
779 written comments.

780        (9) All hearings will be recorded. A copy of the recording  
781 and all written comments and documents received by the  
782 commission in response to the proposed rule shall be available  
783 to the public.

784        (10) This article does not require a separate hearing on  
785 each rule. Rules may be grouped for the convenience of the  
786 commission at hearings required by this article.

787        (11) The commission shall, by majority vote of all  
788 commissioners, take final action on the proposed rule based on  
789 the rulemaking record and the full text of the rule.

790        (a) The commission may adopt changes to the proposed rule  
791 provided the changes are consistent with the original purpose of  
792 the proposed rule.

793        (b) The commission shall provide an explanation of the  
794 reasons for substantive changes made to the proposed rule as  
795 well as reasons for substantive changes not made that were  
796 recommended by commenters.

797        (c) The commission shall determine a reasonable effective  
798 date for the rule. Except for an emergency as provided in  
799 subsection (12), the effective date of the rule shall be no  
800 sooner than 30 days after issuing the notice that it adopted or

801 amended the rule.

802 (12) Upon determination that an emergency exists, the  
803 commission may consider and adopt an emergency rule with 24  
804 hours' notice, and with opportunity to comment, provided that  
805 the usual rulemaking procedures provided in the compact and in  
806 this article shall be retroactively applied to the rule as soon  
807 as reasonably possible, in no event later than 90 days after the  
808 effective date of the rule. For the purposes of this subsection,  
809 an emergency rule is one that must be adopted immediately in  
810 order to:

811 (a) Meet an imminent threat to public health, safety, or  
812 welfare;

813 (b) Prevent a loss of commission or member state funds;

814 (c) Meet a deadline for the adoption of a rule that is  
815 established by federal law or rule; or

816 (d) Protect public health and safety.

817 (13) The commission or an authorized committee of the  
818 commission may direct revisions to a previously adopted rule for  
819 purposes of correcting typographical errors, errors in format,  
820 errors in consistency, or grammatical errors. Public notice of  
821 any revisions shall be posted on the website of the commission.  
822 The revision shall be subject to challenge by any person for a  
823 period of 30 days after posting. The revision may be challenged  
824 only on grounds that the revision results in a material change  
825 to a rule. A challenge shall be made in writing and delivered to

HB 1235

2026

826 the commission before the end of the notice period. If no  
827 challenge is made, the revision will take effect without further  
828 action. If the revision is challenged, the revision may not take  
829 effect without the approval of the commission.

830 (14) A member state's rulemaking process or procedural  
831 requirements do not apply to the commission.

832 (a) The commission does not have authority over any member  
833 state's rulemaking process or procedural requirements that do  
834 not pertain to the compact.

835 (15) This compact, or any rule or regulation of the  
836 commission, does not limit, restrict, or in any way reduce the  
837 ability of a member state to enact and enforce laws,  
838 regulations, or other rules related to the practice of  
839 respiratory therapy in that state, where those laws,  
840 regulations, or other rules are not inconsistent with the  
841 provisions of this compact.

842

843 ARTICLE X

844 OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

845

846 (1) (a) The executive and judicial branches of state  
847 government in each member state shall enforce this compact and  
848 take all actions necessary and appropriate to implement this  
849 compact.

850 (b) Venue is proper and judicial proceedings by or against

851 the commission shall be brought solely and exclusively in a  
852 court of competent jurisdiction where the principal office of  
853 the commission is located. The commission may waive venue and  
854 jurisdictional defenses to the extent it adopts or consents to  
855 participate in alternative dispute resolution proceedings.  
856 Nothing herein affects or limits the selection or propriety of  
857 venue in any action against a licensee for professional  
858 malpractice, misconduct, or any such similar matter.

859 (c) The commission is entitled to receive service of  
860 process in any proceeding regarding the enforcement or  
861 interpretation of this compact and has standing to intervene in  
862 such a proceeding for all purposes. Failure to provide the  
863 commission service of process shall render a judgment or order  
864 void as to the commission, this compact, or adopted rules.

865 (2) (a) If the commission determines that a member state  
866 has defaulted in the performance of its obligations or  
867 responsibilities under this compact or the adopted rules, the  
868 commission shall provide written notice to the defaulting state.  
869 The notice of default shall describe the default, the proposed  
870 means of curing the default, and any other action that the  
871 commission may take and shall offer training and specific  
872 technical assistance regarding the default.

873 (b) The commission shall provide a copy of the notice of  
874 default to the other member states.

875 (3) If a state in default fails to cure the default, the

876 defaulting state may be terminated from the compact upon an  
877 affirmative vote of a majority of the commissioners of the  
878 member states, and all rights, privileges, and benefits  
879 conferred on that state by this compact may be terminated on the  
880 effective date of termination. A cure of the default does not  
881 relieve the offending state of obligations or liabilities  
882 incurred during the period of default.

883 (4) Termination of membership in this compact shall be  
884 imposed only after all other means of securing compliance have  
885 been exhausted. Notice of intent to suspend or terminate shall  
886 be given by the commission to the Governor, the Majority Leader  
887 and Minority Leader of the defaulting state's Legislature, the  
888 defaulting state's respiratory therapy licensing authority, and  
889 each of the member states' respiratory therapy licensing  
890 authorities.

891 (5) A state that has been terminated is responsible for  
892 all assessments, obligations, and liabilities incurred through  
893 the effective date of termination, including obligations that  
894 extend beyond the effective date of termination, if necessary.

895 (6) Upon the termination of a state's membership from this  
896 compact, that state shall immediately provide notice to all  
897 licensees and compact privilege holders of which the commission  
898 has a record within that state of the termination. The  
899 terminated state shall continue to recognize all licenses  
900 granted pursuant to the compact for a minimum of 180 days after

901 the date of the notice of termination.

902 (7) The commission may not bear any costs related to a  
903 state that is found to be in default or that has been terminated  
904 from the compact, unless agreed upon in writing between the  
905 commission and the defaulting state.

906 (8) The defaulting state may appeal the action of the  
907 commission by petitioning the United States District Court for  
908 the District of Columbia or the federal district where the  
909 commission has its principal offices. The prevailing party shall  
910 be awarded all costs of such litigation, including reasonable  
911 attorney fees.

912 (9) (a) Upon request by a member state, the commission  
913 shall attempt to resolve disputes related to the compact that  
914 arise among member states and between member and nonmember  
915 states.

916 (b) The commission shall adopt a rule providing for both  
917 mediation and binding dispute resolution for disputes, as  
918 appropriate.

919 (10) (a) By majority vote, as may be further provided by  
920 rule, the commission may initiate legal action against a member  
921 state in default in the United States District Court for the  
922 District of Columbia or the federal district where the  
923 commission has its principal offices to enforce compliance with  
924 this compact and its adopted rules. A member state, by enactment  
925 of this compact, consents to venue and jurisdiction in such

HB 1235

2026

court for the purposes provided herein. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees. The remedies herein are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal law or the defaulting member state's law.

934 (b) A member state may initiate legal action against the  
935 commission in the United States District Court for the District  
936 of Columbia or the federal district where the commission has its  
937 principal offices to enforce compliance with this compact and  
938 its adopted rules. The relief sought may include both injunctive  
939 relief and damages. In the event judicial enforcement is  
940 necessary, the prevailing party shall be awarded all costs of  
941 such litigation, including reasonable attorney fees.

942 (c) Only a member state may enforce this compact against  
943 the commission.

## ARTICLE XI

EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

948 (1) This compact shall come into effect on the date on  
949 which the compact statute is enacted into law in the seventh  
950 member state.

951       (a) On or after the effective date of the compact, the  
952       commission shall convene and review the enactment of each of the  
953       first seven member states to determine if the statute enacted by  
954       each such charter member state is materially different from the  
955       model compact.

956       1. A charter member state whose enactment is found to be  
957       materially different from the model compact is entitled to the  
958       default process provided in Article X.

959       2. If any member state is later found to be in default, or  
960       is terminated or withdraws from the compact, the commission  
961       shall remain in existence and the compact shall remain in effect  
962       even if the number of member states is fewer than seven.

963       (b) Member states enacting the compact subsequent to the  
964       seven initial charter member states shall be subject to the  
965       process provided herein and commission rule to determine if such  
966       state's enactments are materially different from the model  
967       compact and whether the state qualifies for participation in the  
968       compact.

969       (c) All actions taken for the benefit of the commission or  
970       in furtherance of the purposes of the administration of the  
971       compact before the effective date of the compact or the  
972       commission coming into existence are considered to be actions of  
973       the commission unless specifically repudiated by the commission.  
974       The commission owns and has all rights to any intellectual  
975       property developed on behalf or in furtherance of the commission

HB 1235

2026

976 by individuals or entities involved in organizing or  
977 establishing the commission, as may be further provided in  
978 commission rules.

979 (d) Any state that joins the compact subsequent to the  
980 commission's initial adoption of the rules and bylaws is subject  
981 to the rules and bylaws as they exist on the date on which the  
982 compact becomes law in that state. Any rule or bylaw that has  
983 been previously adopted by the commission has the full force and  
984 effect of law on the date the compact becomes law in that state.

985 (2) Any member state may withdraw from this compact by  
986 enacting a statute repealing the same.

987 (a) A member state's withdrawal does not take effect until  
988 180 days after enactment of the repealing statute.

989 (b) Withdrawal does not affect the continuing requirement  
990 of the withdrawing state's respiratory therapy licensing  
991 authority to comply with the investigative and adverse action  
992 reporting requirements of this compact before the effective date  
993 of withdrawal.

994 (c) Upon the enactment of a statute withdrawing from this  
995 compact, a state shall immediately provide notice of such  
996 withdrawal to all licensees and compact privilege holders of  
997 which the commission has a record within that state.  
998 Notwithstanding any subsequent statutory enactment to the  
999 contrary, such withdrawing state shall continue to recognize all  
1000 licenses granted pursuant to this compact for a minimum of 180

HB 1235

2026

days after the date of such notice of withdrawal.

(3) This compact does not invalidate or prevent any licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(4) This compact may be amended by the member states. An amendment to this compact does not become effective and binding upon any member state until it is enacted into the laws of all member states.

## ARTICLE XII

## CONSTRUCTION AND SEVERABILITY

(1) This compact and the commission's rulemaking authority shall be liberally construed so as to effectuate the purposes and the implementation and administration of the compact.  
Provisions of the compact expressly authorizing or requiring the adoption of rules does not limit the commission's rulemaking authority solely for those purposes.

(2) The provisions of this compact are severable, and if any phrase, clause, sentence, or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any member state, a state seeking participation in the compact, or the United States, or the applicability thereof to any government, agency, person, or circumstance is

HB 1235

2026

1026 held to be unconstitutional by a court of competent  
1027 jurisdiction, the validity of the remainder of this compact and  
1028 the applicability thereof to any other government, agency,  
1029 person, or circumstance is not affected.

1030 (3) Notwithstanding subsection (2), the commission may  
1031 deny a state's participation in the compact or, in accordance  
1032 with the requirements of Article X, terminate a member state's  
1033 participation in the compact, if it determines that a  
1034 constitutional requirement of a member state is a material  
1035 departure from the compact. Otherwise, if the compact is held  
1036 to be contrary to the constitution of any member state, the  
1037 compact shall remain in full force and effect as to the  
1038 remaining member states and in full force and effect as to the  
1039 member state affected as to all severable matters.

1040

1041 ARTICLE XIII

1042 CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

1043

1044 (1) This compact does not prevent or inhibit the  
1045 enforcement of any other law of a member state that is not  
1046 inconsistent with the compact.

1047 (2) Any laws, statutes, regulations, or other legal  
1048 requirements in a member state in conflict with this compact are  
1049 superseded to the extent of the conflict, including any  
1050 subsequently enacted state laws.

1051        (3) All permissible agreements between the commission and  
1052        the member states are binding in accordance with their terms.

1053        (4) Other than as expressly provided herein, this compact  
1054        does not impact initial licensure.

1055        **Section 2. Subsection (5) of section 456.076, Florida**  
1056        **Statutes, is amended to read:**

1057        456.076 Impaired practitioner programs.—

1058        (5) A consultant shall enter into a participant contract  
1059        with an impaired practitioner and shall establish the terms of  
1060        monitoring and shall include the terms in a participant  
1061        contract. In establishing the terms of monitoring, the  
1062        consultant may consider the recommendations of one or more  
1063        approved evaluators, treatment programs, or treatment providers.  
1064        A consultant may modify the terms of monitoring if the  
1065        consultant concludes, through the course of monitoring, that  
1066        extended, additional, or amended terms of monitoring are  
1067        required for the protection of the health, safety, and welfare  
1068        of the public. If the impaired practitioner is an audiologist or  
1069        a speech-language pathologist practicing under the Audiology and  
1070        Speech-Language Pathology Interstate Compact pursuant to s.

1071        468.1335, a respiratory therapist holding compact privilege  
1072        under the Respiratory Care Interstate Compact pursuant to s.

1073        468.371, a physical therapist or physical therapist assistant  
1074        practicing under the Physical Therapy Licensure Compact pursuant  
1075        to s. 486.112, a psychologist practicing under the Psychology

HB 1235

2026

1076 Interjurisdictional Compact pursuant to s. 490.0075, or a health  
1077 care practitioner practicing under the Professional Counselors  
1078 Licensure Compact pursuant to s. 491.017, the terms of the  
1079 monitoring contract must include the impaired practitioner's  
1080 withdrawal from all practice under the compact unless authorized  
1081 by a member state.

1082 **Section 3. Subsection (3) of section 468.353, Florida  
1083 Statutes, is renumbered as subsection (4), and a new subsection  
1084 (3) is added to that section to read:**

1085 468.353 Board of Respiratory Care; powers and duties.—  
1086 (3) The board shall appoint an individual to serve as the  
1087 state's commissioner on the Respiratory Care Interstate Compact  
1088 Commission pursuant to s. 468.371.

1089 **Section 4. Section 468.355, Florida Statutes, is amended  
1090 to read:**

1091 468.355 Licensure requirements.—To be eligible for  
1092 licensure by the board, an applicant must be an active  
1093 "certified respiratory therapist" or an active "registered  
1094 respiratory therapist" as designated by the National Board for  
1095 Respiratory Care, or its successor, and submit to background  
1096 screening in accordance with s. 456.0135. A person licensed as a  
1097 respiratory therapist in another state who is practicing under  
1098 the Respiratory Care Interstate Compact under s. 468.371, and  
1099 only within the scope provided therein, is exempt from the  
1100 licensure requirements of this section.

1101       **Section 5. Subsection (5) is added to section 468.361, Florida Statutes, to read:**

1103       468.361 Renewal of licensure; continuing education.—  
1104       (5) The board may take adverse action against the compact  
1105       privilege of a respiratory therapist under s. 468.371 and may  
1106       impose any of the penalties in s. 456.072(2) if a respiratory  
1107       therapist commits an act specified in s. 468.365(1) or s.  
1108       456.072(1).

1109       **Section 6. Paragraph (m) is added to subsection (10) of section 768.28, Florida Statutes, to read:**

1111       768.28 Waiver of sovereign immunity in tort actions; recovery limits; civil liability for damages caused during a riot; limitation on attorney fees; statute of limitations; exclusions; indemnification; risk management programs.—

1115       (10)

1116       (m) For purposes of this section, the individual appointed  
1117       under s. 468.371 as the state's commissioner on the Respiratory  
1118       Care Interstate Compact Commission, when serving in that  
1119       capacity pursuant to s. 468.371, and any administrator, officer,  
1120       executive director, employee, or representative of the  
1121       Respiratory Care Interstate Compact Commission, when acting  
1122       within the scope of his or her employment, duties, or  
1123       responsibilities in this state, is considered an agent of the  
1124       state. The commission shall pay any claims or judgments pursuant  
1125       to this section and may maintain insurance coverage to pay any

HB 1235

2026

1126 such claims or judgments.

1127 **Section 7.** This act shall take effect July 1, 2026.