

**By** Senator Yarborough

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30 counter sale; requiring pharmacists to provide  
31 specified information before providing the ivermectin;  
32 providing pharmacists acting in good faith with  
33 immunity from civil and criminal liability and  
34 disciplinary action for providing ivermectin to  
35 adults; authorizing the Board of Pharmacy to adopt  
36 rules; amending s. 1003.22, F.S.; revising exemptions  
37 from school-entry immunization requirements; requiring  
38 the Department of Health to make the immunization  
39 exemption form for religious or conscience-based  
40 exemptions publicly available on its website;  
41 specifying procedures and requirements for receiving  
42 such exemptions; revising requirements and procedures  
43 for declarations of a communicable disease emergency;  
44 providing an effective date.

45  
46 Be It Enacted by the Legislature of the State of Florida:

47  
48 Section 1. This act may be cited as the "Medical Freedom  
49 Act."

50 Section 2. Paragraph (d) of subsection (2) of section  
51 381.00315, Florida Statutes, is amended to read:

52 381.00315 Public health advisories; public health  
53 emergencies; isolation and quarantines.—The State Health Officer  
54 is responsible for declaring public health emergencies, issuing  
55 public health advisories, and ordering isolation or quarantines.

56 (2)

57 (d) The State Health Officer, upon declaration of a public  
58 health emergency, may take actions that are necessary to protect

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59 the public health. Such actions include, but are not limited to:

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

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

77 3. Notwithstanding s. 456.036, temporarily reactivating the  
78 inactive license of the following health care practitioners,  
79 when such practitioners are needed to respond to the public  
80 health emergency: physicians licensed under chapter 458 or  
81 chapter 459; physician assistants licensed under chapter 458 or  
82 chapter 459; licensed practical nurses, registered nurses, and  
83 advanced practice registered nurses licensed under part I of  
84 chapter 464; respiratory therapists licensed under part V of  
85 chapter 468; and emergency medical technicians and paramedics  
86 certified under part III of chapter 401. Only those health care  
87 practitioners specified in this paragraph who possess an

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88 unencumbered inactive license and who request that such license  
89 be reactivated are eligible for reactivation. An inactive  
90 license that is reactivated under this paragraph shall return to  
91 inactive status when the public health emergency ends or before  
92 the end of the public health emergency if the State Health  
93 Officer determines that the health care practitioner is no  
94 longer needed to provide services during the public health  
95 emergency. Such licenses may only be reactivated for a period  
96 not to exceed 90 days without meeting the requirements of s.  
97 456.036 or chapter 401, as applicable.

98 4. Ordering an individual to be examined, tested, treated,  
99 isolated, or quarantined for communicable diseases that have  
100 significant morbidity or mortality and present a severe danger  
101 to public health. Individuals who are unable or unwilling to be  
102 examined, tested, or treated for reasons of health, religion, or  
103 conscience may be subjected to isolation or quarantine. For the  
104 purposes of this subparagraph, the State Health Officer's  
105 authority to treat or order treatment does not include the  
106 authority to order a vaccination.

107 a. Examination, testing, or treatment may be performed by  
108 any qualified person authorized by the State Health Officer.

109 b. If the individual poses a danger to the public health,  
110 the State Health Officer may subject the individual to isolation  
111 or quarantine. If there is no practical method to isolate or  
112 quarantine the individual, the State Health Officer may use any  
113 means necessary to treat the individual.

114 c. Any order of the State Health Officer given to  
115 effectuate this paragraph is immediately enforceable by a law  
116 enforcement officer under s. 381.0012.

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117       Section 3. Section 456.0575, Florida Statutes, is amended  
118 to read:

119       456.0575 Duty to notify patients.—

120       (1) ADVERSE INCIDENTS.—A ~~Every licensed~~ health care  
121 practitioner shall inform each patient, or an individual  
122 identified pursuant to s. 765.401(1), in person about adverse  
123 incidents that result in serious harm to the patient.  
124 Notification of outcomes of care that result in harm to the  
125 patient under this section does not constitute an acknowledgment  
126 of admission of liability, nor can such notifications be  
127 introduced as evidence.

128       (2) VACCINATIONS OF MINORS.—

129       (a) Each health care practitioner authorized by law to  
130 administer vaccines, and each paramedic acting pursuant to s.  
131 401.272, shall, before administering a vaccine to a minor child,  
132 provide the parent or guardian with information on the risks,  
133 benefits, safety, and efficacy of each vaccine being  
134 administered, using materials approved and adopted by joint rule  
135 of the Board of Medicine and the Board of Osteopathic Medicine.

136       (b) Before administering a vaccine or vaccines to a minor  
137 child, the health care practitioner or paramedic must obtain the  
138 signature of the parent or guardian acknowledging receipt of the  
139 information required under paragraph (a).

140       (c) When more than one vaccine is to be administered, the  
141 health care practitioner shall discuss the timing of multiple  
142 vaccinations with the child's parent or guardian and the  
143 parent's or guardian's options for such timing before  
144 administering the initial vaccination. At the request of the  
145 parent or guardian, such a health care practitioner may

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146 administer vaccines to the minor child over multiple encounters.

147       (3) GOOD FAITH ESTIMATE OF CHARGES.—Upon request by a  
148 patient, before providing nonemergency medical services in a  
149 facility licensed under chapter 395, a health care practitioner  
150 shall provide, in writing or by electronic means, a good faith  
151 estimate of reasonably anticipated charges to treat the  
152 patient's condition at the facility. The health care  
153 practitioner shall provide the estimate to the patient within 7  
154 business days after receiving the request and is not required to  
155 adjust the estimate for any potential insurance coverage. The  
156 health care practitioner shall inform the patient that the  
157 patient may contact his or her health insurer or health  
158 maintenance organization for additional information concerning  
159 cost-sharing responsibilities. The health care practitioner  
160 shall provide information to uninsured patients and insured  
161 patients for whom the practitioner is not a network provider or  
162 preferred provider which discloses the practitioner's financial  
163 assistance policy, including the application process, payment  
164 plans, discounts, or other available assistance, and the  
165 practitioner's charity care policy and collection procedures.  
166 Such estimate does not preclude the actual charges from  
167 exceeding the estimate. Failure to provide the estimate in  
168 accordance with this subsection, without good cause, shall  
169 result in disciplinary action against the health care  
170 practitioner and a daily fine of \$500 until the estimate is  
171 provided to the patient. The total fine may not exceed \$5,000.

172       Section 4. The amendments made by this act to s.

173       456.0575(2)(a) and (b), Florida Statutes, relating to  
174 information that must be provided to parents or guardians before

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175 the administration of a vaccination to a minor are effective 30  
176 days after the Board of Medicine and the Board of Osteopathic  
177 Medicine adopt by joint rule the informational materials as  
178 required under that subsection. The Board of Medicine and the  
179 Board of Osteopathic Medicine shall notify the Division of Law  
180 Revision immediately upon their adoption of such materials.

181       Section 5. Section 465.1897, Florida Statutes, is created  
182 to read:

183       465.1897 Sale of ivermectin without a prescription.—

184       (1) A pharmacist may provide ivermectin to a person 18  
185 years of age or older without a prescription as a behind-the-  
186 counter medication until the United States Food and Drug  
187 Administration approves it for over-the-counter sale.

188       (2) Before providing ivermectin under this section, the  
189 pharmacist shall provide the person with written information  
190 regarding the indications and contraindications for ivermectin,  
191 the appropriate dosage, and the need to seek follow-up care from  
192 the person's primary care physician.

193       (3) A pharmacist acting in good faith is immune from civil  
194 or criminal liability or disciplinary action for providing  
195 ivermectin to an adult in accordance with this section.

196       (4) The board may adopt rules to implement this section.

197       Section 6. Subsections (5) and (9) of section 1003.22,  
198 Florida Statutes, are amended to read:

199       1003.22 School-entry health examinations; immunization  
200 against communicable diseases; exemptions; duties of Department  
201 of Health.—

202       (5) A child is exempt from immunization requirements in  
203 subsection (3) The provisions of this section shall not apply

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204 if:

205       (a) The parent of the child presents to the school, on a  
206 form approved and provided by the Department of Health and made  
207 available on its website, an attestation objects in writing that  
208 the administration of immunizing agents conflicts with the  
209 parent's his or her religious tenets or practices or conscience;

210       (b) A physician licensed under ~~the provisions of~~ chapter  
211 458 or chapter 459 certifies in writing, on a form approved and  
212 provided by the Department of Health, that the child should be  
213 permanently exempt from one or more of the required  
214 immunizations immunization for medical reasons stated in  
215 writing, based upon valid clinical reasoning or evidence,  
216 demonstrating the need for the permanent exemption;

217       (c) A physician licensed under ~~the provisions of~~ chapter  
218 458, chapter 459, or chapter 460 certifies in writing, on a form  
219 approved and provided by the Department of Health, that the  
220 child has received as many immunizations as are medically  
221 indicated at the time and is in the process of completing the  
222 other required necessary immunizations;

223       (d) The Department of Health determines that, according to  
224 recognized standards of medical practice, any required  
225 immunization is unnecessary or hazardous; or

226       (e) An authorized school official issues a temporary  
227 exemption, for up to 30 school days, to allow permit a student  
228 who transfers into a new county to attend class until his or her  
229 records can be obtained. Children and youths who are  
230 experiencing homelessness and children who are known to the  
231 department, as defined in s. 39.0016, shall be given a temporary  
232 exemption for 30 school days. The public school health nurse or

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233 authorized private school official is responsible for follow-up  
234 ~~followup~~ of each such student until proper documentation or  
235 immunizations are obtained. An exemption for 30 days may be  
236 issued for a student who enters a juvenile justice program to  
237 ~~allow~~ permit the student to attend class until his or her  
238 records can be obtained or until the immunizations can be  
239 administered ~~obtained~~. An authorized juvenile justice official  
240 is responsible for follow-up ~~followup~~ of each student who enters  
241 a juvenile justice program until proper documentation is  
242 obtained or immunizations are administered ~~obtained~~.

243 (9) The presence of any of the communicable diseases for  
244 which immunization is required under subsection (3) ~~by the~~  
245 ~~Department of Health~~ in a Florida public or private school  
246 authorizes ~~shall permit~~ the county health department director or  
247 administrator or the State Health Officer to declare a  
248 communicable disease emergency. The declaration of such  
249 emergency must ~~shall~~ mandate that all students attending ~~in~~  
250 ~~attendance in~~ the school who have not been immunized against the  
251 diseases specified in subsection (3) or related ~~Department of~~  
252 ~~Health rules are not in compliance with the provisions of this~~  
253 ~~section~~ be identified by the district school board or by the  
254 governing authority of the private school, ~~and~~ and the school  
255 health and immunization records of such children must ~~shall~~ be  
256 made available to the county health department director or  
257 administrator. ~~These~~ Children who are identified as not having  
258 been being immunized against the disease for which the emergency  
259 has been declared must ~~shall~~ be temporarily excluded from school  
260 attendance by the district school board, or the governing  
261 authority of the private school, until ~~such time as is specified~~

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262 by the county health department director or administrator  
263 declares that the communicable disease emergency has ended.

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