

By the Appropriations Committee on Health and Human Services;
and Senator Harrell

603-03211-26

2026254c1

1 A bill to be entitled
2 An act relating to nursing education programs;
3 amending s. 464.008, F.S.; requiring applicants for
4 nurse licensure seeking to take the licensing
5 examination more than 6 months after graduation to
6 first complete a remedial course approved or developed
7 by the Board of Nursing; requiring the board to
8 develop the course in consultation with the Florida
9 Center for Nursing and make it available on its
10 website for free to applicants experiencing hardship;
11 requiring the Department of Health to issue temporary
12 provisional licenses to graduate professional nurses
13 and graduate practical nurses meeting certain
14 criteria; specifying requirements for the temporary
15 provisional license; providing that temporary
16 provisional licensees may practice only under direct
17 supervision and subject to a written protocol with a
18 registered nurse or licensed practical nurse, as
19 applicable; requiring the board to adopt rules;
20 amending s. 464.019, F.S.; revising application
21 requirements for nursing education program approval;
22 specifying preceptorship requirements; requiring the
23 Florida Center for Nursing to develop graduate nursing
24 preceptorship standards by a specified date; requiring
25 the board to incorporate the standards into rule;
26 authorizing the board to consider certain adverse
27 actions in determining program approval; requiring
28 program directors to notify the board of certain
29 adverse actions within a specified timeframe;

603-03211-26

2026254c1

30 requiring the board to deny a program's application
31 under certain circumstances; authorizing the board to
32 investigate the nature of a certain adverse action and
33 take specified actions; clarifying that an approved
34 program's director is responsible for submitting
35 certain annual reports to the board; requiring the
36 board to terminate a program under certain
37 circumstances; providing penalties for program
38 directors found to be in violation of specified
39 provisions; revising remediation procedures for
40 approved programs with graduate passage rates that do
41 not meet specified requirements; subjecting program
42 directors of approved programs to specified
43 disciplinary action under certain circumstances;
44 deleting a provision authorizing the board to extend a
45 program's probationary status; authorizing agents or
46 employees of the department to conduct onsite
47 evaluations and inspections of approved and accredited
48 nursing education programs; authorizing the department
49 to collect evidence as part of such evaluations and
50 inspections; deeming the failure or refusal of a
51 program to allow such evaluation or inspection a
52 violation of a legal obligation; requiring program
53 directors to ensure that graduate passage rates are
54 conspicuously posted on their program's website;
55 revising rulemaking authority of the board; deleting a
56 provision authorizing approved nursing education
57 programs to request an extension to meet the board's
58 accreditation requirements; amending s. 464.022, F.S.;

603-03211-26

2026254c1

59 providing construction; providing an effective date.

60
61 Be It Enacted by the Legislature of the State of Florida:

62
63 Section 1. Present subsections (3) and (4) of 464.008,
64 Florida Statutes, are redesignated as subsections (4) and (5),
65 respectively, a new subsection (3) and subsection (6) are added
66 to that section, and subsection (1) of that section is
67 republished, to read:

68 464.008 Licensure by examination.—

69 (1) Any person desiring to be licensed as a registered
70 nurse or licensed practical nurse shall apply to the department
71 to take the licensure examination. The department shall examine
72 each applicant who:

73 (a) Has completed the application form and remitted a fee
74 set by the board not to exceed \$150 and has remitted an
75 examination fee set by the board not to exceed \$75 plus the
76 actual per applicant cost to the department for purchase of the
77 examination from the National Council of State Boards of Nursing
78 or a similar national organization.

79 (b) Has provided sufficient information on or after October
80 1, 1989, which must be submitted by the department for a
81 statewide criminal records correspondence check through the
82 Department of Law Enforcement.

83 (c) Is in good mental and physical health, is a recipient
84 of a high school diploma or the equivalent, and has completed
85 the requirements for:

- 86 1. Graduation from an approved program;
87 2. Graduation from a prelicensure nursing education program

603-03211-26

2026254c1

88 that the board determines is equivalent to an approved program;

89 3. Graduation on or after July 1, 2009, from an accredited
90 program; or

91 4. Graduation before July 1, 2009, from a prelicensure
92 nursing education program whose graduates at that time were
93 eligible for examination.

94

95 Courses successfully completed in a professional nursing
96 education program that are at least equivalent to a practical
97 nursing education program may be used to satisfy the education
98 requirements for licensure as a licensed practical nurse.

99 (d) Has the ability to communicate in the English language,
100 which may be determined by an examination given by the
101 department.

102 (3) (a) Any applicant who desires to take the licensure
103 examination for the first time more than 6 months after
104 graduation must complete a board-approved remedial course or a
105 board-developed remedial course before the applicant may be
106 approved for examination.

107 (b) The board shall develop a remedial course in
108 consultation with the Florida Center for Nursing. The course
109 must be made available on the board's website free of charge to
110 applicants experiencing hardship, as defined by the board.

111 (6) (a) The department shall issue a temporary provisional
112 license to an applicant who is eligible to take the licensure
113 examination under subsection (1) and who seeks to practice as a
114 graduate professional nurse or graduate practical nurse, as
115 applicable.

116 (b) A temporary provisional license issued under this

603-03211-26

2026254c1

117 subsection:

118 1. Is valid for a period not to exceed 180 days after the
119 date of issuance.

120 2. Is nonrenewable.

121 3. Automatically expires upon the applicant passing the
122 licensure examination and the department issuing a full license,
123 or upon the applicant's failure to pass the examination.

124 (c) A temporary provisional licensee may practice only
125 under the direct supervision of a registered nurse or licensed
126 practical nurse, as applicable, who has filed a written protocol
127 with the department. The board shall adopt rules to implement
128 this paragraph.

129 Section 2. Subsections (1), (2), (3), (5), and (8) and
130 paragraph (f) of subsection (11) of section 464.019, Florida
131 Statutes, are amended, and paragraph (c) is added to subsection
132 (6) of that section, to read:

133 464.019 Approval of nursing education programs.—

134 (1) PROGRAM APPLICATION.—An educational institution that
135 wishes to conduct a program in this state for the prelicensure
136 education of professional or practical nurses must submit to the
137 department a program application and review fee of \$1,000 for
138 each prelicensure nursing education program to be offered at the
139 institution's main campus, branch campus, or other instructional
140 site. The program application must include the legal name of the
141 educational institution, the legal name of the nursing education
142 program, the legal name of the nursing education program
143 director, the status and outcome of any pending or closed
144 disciplinary case against the applicant in another regulatory
145 jurisdiction in the United States, and, if such institution is

603-03211-26

2026254c1

146 accredited, the name of the accrediting agency. The application
147 must also document that:

148 (a)1. For a professional nursing education program, the
149 program director and at least 50 percent of the program's
150 faculty members are registered nurses who have a master's or
151 higher degree in nursing or a bachelor's degree in nursing and a
152 master's or higher degree in a field related to nursing.

153 2. For a practical nursing education program, the program
154 director and at least 50 percent of the program's faculty
155 members are registered nurses who have a bachelor's or higher
156 degree in nursing.

157
158 The educational degree requirements of this paragraph must ~~may~~
159 be documented by an official transcript or by a written
160 statement from the program director of the educational
161 institution verifying that the institution conferred the degree.
162 The program director shall certify the official transcript or
163 written statement as true and accurate.

164 (b) The program's nursing major curriculum consists of at
165 least:

166 1. Fifty percent clinical training in the United States,
167 the District of Columbia, or a possession or territory of the
168 United States for a practical nursing education program, an
169 associate degree professional nursing education program, or a
170 professional diploma nursing education program.

171 2. Forty percent clinical training in the United States,
172 the District of Columbia, or a possession or territory of the
173 United States for a bachelor's degree professional nursing
174 education program.

603-03211-26

2026254c1

175 (c) No more than 50 percent of the program's clinical
176 training consists of clinical simulation.

177 (d) The program has signed agreements with each agency,
178 facility, and organization included in the curriculum plan as
179 clinical training sites and community-based clinical experience
180 sites.

181 (e) The program has written policies for faculty which
182 include provisions for direct or indirect supervision by program
183 faculty or clinical preceptors for students in clinical training
184 consistent with the following standards:

185 1. The number of program faculty members equals at least
186 one faculty member directly supervising every 12 students unless
187 the written agreement between the program and the agency,
188 facility, or organization providing clinical training sites
189 allows more students, not to exceed 18 students, to be directly
190 supervised by one program faculty member.

191 2. For a hospital setting, indirect supervision may occur
192 only if there is direct supervision by an assigned clinical
193 preceptor, a supervising program faculty member is available by
194 telephone, and such arrangement is approved by the clinical
195 facility.

196 3. For community-based clinical experiences that involve
197 student participation in invasive or complex nursing activities,
198 students must be directly supervised by a program faculty member
199 or clinical preceptor and such arrangement must be approved by
200 the community-based clinical facility.

201 4. For community-based clinical experiences not subject to
202 subparagraph 3., indirect supervision may occur only when a
203 supervising program faculty member is available to the student

603-03211-26

2026254c1

204 by telephone.

205

206 A program's policies established under this paragraph must
207 require that a clinical preceptor who is supervising students in
208 a professional nursing education program be a registered nurse
209 or, if supervising students in a practical nursing education
210 program, be a registered nurse or licensed practical nurse.

211 (f) The professional or practical nursing curriculum plan
212 documents clinical experience and theoretical instruction in
213 medical, surgical, obstetric, pediatric, and geriatric nursing.
214 A professional nursing curriculum plan must ~~shall~~ also document
215 clinical experience and theoretical instruction in psychiatric
216 nursing. Each curriculum plan must document clinical training
217 experience in appropriate settings that include, but are not
218 limited to, acute care, long-term care, and community settings.

219 (g) The professional or practical nursing education program
220 provides theoretical instruction and clinical application in
221 personal, family, and community health concepts; nutrition;
222 human growth and development throughout the life span; body
223 structure and function; interpersonal relationship skills;
224 mental health concepts; pharmacology and administration of
225 medications; and legal aspects of practice. A professional
226 nursing education program must also provide theoretical
227 instruction and clinical application in interpersonal
228 relationships and leadership skills; professional role and
229 function; and health teaching and counseling skills.

230 (h) The professional or practical nursing education program
231 has established evaluation and standardized admission criteria.
232 The admission criteria must, at a minimum, identify those

603-03211-26

2026254c1

233 students who are likely to need additional preparation and
234 educational support to be successful program graduates. The
235 program must maintain documentation of the individualized
236 student academic support plan for those students identified as
237 in need of additional preparation and educational support.

238 (i) For each student, the professional or practical nursing
239 education program administers an exit examination that is a
240 national, standardized, and comprehensive predictor exam
241 designed to help nursing students assess their readiness for the
242 National Council of State Boards of Nursing Licensing
243 Examination (NCLEX) by identifying areas needing further study
244 and remediation. A student may not be excluded from graduation
245 on the sole basis of the exit examination if the student has
246 otherwise successfully completed all coursework required by the
247 program.

248 (j) The professional or practical nursing education program
249 has submitted to the board the established criteria for
250 remediation that will be offered to students who do not
251 successfully pass the exit examination.

252 (k) Beginning August 1, 2027, a program with a passage rate
253 more than 10 percentage points lower than the average national
254 passage rate during the same calendar year for graduates of
255 comparable degree programs who are United States-educated,
256 first-time test takers on the NCLEX, as calculated by the
257 contract testing service of the National Council of State Boards
258 of Nursing, offers a graduate nursing preceptorship to its
259 graduates. If a graduate from such a program does not pass the
260 NCLEX at the conclusion of his or her preceptorship, the
261 professional or practical nursing education program must offer

603-03211-26

2026254c1

262 remediation to the graduate for free.

263 1. All programs are encouraged to offer a graduate nursing
264 preceptorship to their graduates to provide opportunities for
265 job shadowing, clinical training, nonclinical training, and
266 patient care in a hospital setting. Graduates who have been
267 issued a temporary provisional license under s. 464.008(6) may
268 participate in such preceptorships. A graduate nursing
269 preceptorship must last for 3 months, with the expectation that
270 graduates will take the NCLEX at the conclusion of the
271 preceptorship. Clinical preceptors shall oversee the
272 preceptorship programs.

273 2. By January 1, 2027, the Florida Center for Nursing shall
274 establish standards for graduate nursing preceptorships,
275 including supervision requirements. The board shall incorporate
276 the standards into rule.

277 (2) PROGRAM APPROVAL.—

278 (a) Upon receipt of a program application and review fee,
279 the department shall examine the application to determine if it
280 is complete. If the application is not complete, the department
281 must ~~shall~~ notify the educational institution in writing of any
282 errors or omissions within 30 days after the department's
283 receipt of the application. A program application is deemed
284 complete upon the department's receipt of:

285 1. The initial application, if the department does not
286 notify the educational institution of any errors or omissions
287 within the 30-day period; or

288 2. A revised application that corrects each error and
289 omission of which the department notifies the educational
290 institution within the 30-day period.

603-03211-26

2026254c1

291 (b) Following the department's receipt of a complete
292 program application, the board may conduct an onsite evaluation
293 if necessary to document the applicant's compliance with
294 subsection (1). Within 90 days after the department's receipt of
295 a complete program application, the board shall:

296 1. Approve the application if it documents compliance with
297 subsection (1); or

298 2. Provide the educational institution with a notice of
299 intent to deny the application if it does not document
300 compliance with subsection (1). The notice must specify written
301 reasons for the board's denial of the application. The board may
302 not deny a program application because of an educational
303 institution's failure to correct an error or omission that the
304 department failed to provide notice of to the institution within
305 the 30-day notice period under paragraph (a). The educational
306 institution may request a hearing on the notice of intent to
307 deny the program application pursuant to chapter 120.

308 (c) A program application is deemed approved if the board
309 does not act within the 90-day review period provided under
310 paragraph (b).

311 (d) Upon the board's approval of a program application, the
312 program becomes an approved program.

313 (e) The board may consider adverse actions taken against a
314 nursing education program by another regulatory jurisdiction in
315 the United States in determining program approval. The program
316 director of an approved program must notify the board within 15
317 days after any adverse action is taken against the program by
318 another regulatory jurisdiction in the United States.

319 1. The board shall deny an application from an applicant if

603-03211-26

2026254c1

320 another regulatory jurisdiction in the United States has
321 terminated or otherwise revoked its authority to operate a
322 nursing education program.

323 2. The board may investigate the nature of an adverse
324 action. In instances of adverse action other than termination or
325 revocation of a program's authority to operate, the board may:

326 a. Approve the application;

327 b. Approve the application with conditions; or

328 c. Deny the application.

329 3. The board may impose disciplinary remedies on an
330 approved program against which an adverse action has been taken
331 by another regulatory jurisdiction in the United States. The
332 board may impose remedies up to and including revocation of a
333 program's approval pursuant to rules adopted under this section.

334 (3) ANNUAL REPORT.—By November 1 of each year, each
335 approved program's director ~~program~~ shall submit to the board an
336 annual report consisting ~~comprised~~ of an affidavit certifying
337 continued compliance with subsection (1), a summary description
338 of the program's compliance with subsection (1), and
339 documentation for the previous academic year that, to the extent
340 applicable, describes:

341 (a) The number of student applications received, qualified
342 applicants, applicants accepted, accepted applicants who enroll
343 in the program, students enrolled in the program, and program
344 graduates.

345 (b) The program's retention rates for students tracked from
346 program entry to graduation.

347 (c) The program's accreditation status, including
348 identification of the accrediting agency.

603-03211-26

2026254c1

349
350 The board must terminate the program pursuant to chapter 120 if
351 the requirements of this subsection are not met. Upon request,
352 the board may give an extension for good cause not to exceed 60
353 days for a program to meet the requirements of this subsection.
354 If a program director is found to be in violation of this
355 subsection, the board may impose a penalty listed in s.
356 456.072(2).

357 (5) ACCOUNTABILITY.—

358 (a)1. An approved program must achieve a graduate passage
359 rate for first-time test takers which is not more than 10
360 percentage points lower than the average passage rate during the
361 same calendar year for graduates of comparable degree programs
362 who are United States educated, first-time test takers on the
363 National Council of State Boards of Nursing Licensing
364 Examination, as calculated by the contract testing service of
365 the National Council of State Boards of Nursing. For purposes of
366 this subparagraph, an approved program is comparable to all
367 degree programs of the same program type from among the
368 following program types:

369 a. Professional nursing education programs that terminate
370 in a bachelor's degree.

371 b. Professional nursing education programs that terminate
372 in an associate degree.

373 c. Professional nursing education programs that terminate
374 in a diploma.

375 d. Practical nursing education programs.

376 2. If an approved program's graduate passage rates do not
377 equal or exceed the required passage rates for 2 consecutive

603-03211-26

2026254c1

378 calendar years, the board must ~~shall~~ place the program on
379 probationary status pursuant to chapter 120 and the program
380 director must submit a written remediation plan to the board.
381 The program director must ~~shall~~ appear before the board to
382 present the ~~a~~ plan for remediation, which must ~~shall~~ include
383 specific nationally recognized benchmarks to identify progress
384 toward a graduate passage rate goal. The board must terminate a
385 program pursuant to chapter 120 if the program director fails to
386 submit a written remediation plan or fails to appear before the
387 board and present the remediation plan within 6 months after the
388 date of the program being placed on probation. The board may
389 impose a penalty listed in s. 456.072(2) on the program director
390 for such failure. The program must remain on probationary status
391 until it achieves a graduate passage rate that equals or exceeds
392 the required passage rate for ~~any~~ 1 calendar year. The board
393 must ~~shall~~ deny a program application for a new prelicensure
394 nursing education program submitted by an educational
395 institution if the institution has an existing program that is
396 already on probationary status.

397 3. Upon the program's achievement of a graduate passage
398 rate that equals or exceeds the required passage rate, the
399 board, at its next regularly scheduled meeting following release
400 of the program's graduate passage rate by the National Council
401 of State Boards of Nursing, shall remove the program's
402 probationary status. If the program, during the 2 calendar years
403 following its placement on probationary status, does not achieve
404 the required passage rate ~~for any 1 calendar year~~, the board
405 must ~~may extend the program's probationary status for 1~~
406 ~~additional year, provided the program has demonstrated adequate~~

603-03211-26

2026254c1

407 ~~progress toward the graduate passage rate goal by meeting a~~
408 ~~majority of the benchmarks established in the remediation plan.~~
409 ~~If the program is not granted the 1-year extension or fails to~~
410 ~~achieve the required passage rate by the end of such extension,~~
411 ~~the board shall~~ terminate the program pursuant to chapter 120.

412 (b) If an approved program fails to submit the annual
413 report required in subsection (3), the board must ~~shall~~ notify
414 the program director and president or chief executive officer of
415 the educational institution in writing within 15 days after the
416 due date of the annual report. The program director must ~~shall~~
417 appear before the board at the board's next regularly scheduled
418 meeting to explain the reason for the delay. The board must
419 ~~shall~~ terminate the program pursuant to chapter 120 if the
420 program director fails to appear before the board, as required
421 under this paragraph, or if the program does not submit the
422 annual report within 6 months after the due date.

423 (c) A nursing education program, whether accredited or
424 nonaccredited, which has been placed on probationary status must
425 ~~shall~~ disclose its probationary status in writing to the
426 program's students and applicants. The notification must include
427 an explanation of the implications of the program's probationary
428 status on the students or applicants.

429 (d) If students from a program that is terminated pursuant
430 to this subsection transfer to an approved or an accredited
431 program under the direction of the Commission for Independent
432 Education, the board must ~~shall~~ recalculate the passage rates of
433 the programs receiving the transferring students, excluding the
434 test scores of those students transferring more than 12 credits.

435 (e) Duly authorized agents or employees of the department

603-03211-26

2026254c1

436 may conduct onsite evaluations or inspections at any time during
437 business hours to ensure that approved programs or accredited
438 programs are in full compliance with this chapter, or to
439 determine whether this chapter or s. 456.072 is being violated.
440 The department may collect any necessary evidence needed to
441 ensure compliance with this chapter or for prosecution, as
442 deemed necessary. A program that refuses or fails to allow an
443 onsite evaluation or inspection is deemed in violation of a
444 legal obligation imposed by the board or the department.

445 (6) DISCLOSURE OF GRADUATE PASSAGE RATE DATA.—

446 (c) The program director shall ensure that the program's
447 graduate passage rates for the most recent 2 calendar years, as
448 published by the board on its website pursuant to subsection
449 (4), are conspicuously posted on the program's website. The
450 program's website must include only the graduate passage rates
451 specific to that program.

452 (8) RULEMAKING.—The board does not have rulemaking
453 authority to administer this section, except that the board
454 shall adopt rules that prescribe the format for submitting
455 program applications under subsection (1) and annual reports
456 under subsection (3), to implement graduate nursing
457 preceptorships as established in paragraph (1)(k), to enforce
458 and administer subsection (5), and to administer the
459 documentation of the accreditation of nursing education programs
460 under subsection (11). The board may adopt rules relating to the
461 nursing curriculum, including rules relating to the uses and
462 limitations of simulation technology, ~~and rules relating to the~~
463 ~~criteria to qualify for an extension of time to meet the~~
464 ~~accreditation requirements under paragraph (11)(f).~~ The board

603-03211-26

2026254c1

465 may not impose any condition or requirement on an educational
466 institution submitting a program application, an approved
467 program, or an accredited program, except as expressly provided
468 in this section.

469 (11) ACCREDITATION REQUIRED.—

470 ~~(f) An approved nursing education program may, no sooner~~
471 ~~than 90 days before the deadline for meeting the accreditation~~
472 ~~requirements of this subsection, apply to the board for an~~
473 ~~extension of the accreditation deadline for a period which does~~
474 ~~not exceed 2 years. An additional extension may not be granted.~~
475 ~~In order to be eligible for the extension, the approved program~~
476 ~~must establish that it has a graduate passage rate of 60 percent~~
477 ~~or higher on the National Council of State Boards of Nursing~~
478 ~~Licensing Examination for the most recent calendar year and must~~
479 ~~meet a majority of the board's additional criteria, including,~~
480 ~~but not limited to, all of the following:~~

481 ~~1. A student retention rate of 60 percent or higher for the~~
482 ~~most recent calendar year.~~

483 ~~2. A graduate work placement rate of 70 percent or higher~~
484 ~~for the most recent calendar year.~~

485 ~~3. The program has applied for approval or been approved by~~
486 ~~an institutional or programmatic accreditor recognized by the~~
487 ~~United States Department of Education.~~

488 ~~4. The program is in full compliance with subsections (1)~~
489 ~~and (3) and paragraph (5) (b).~~

490 ~~5. The program is not currently in its second year of~~
491 ~~probationary status under subsection (5).~~

492
493 ~~The applicable deadline under this paragraph is tolled from the~~

603-03211-26

2026254c1

494 ~~date on which an approved program applies for an extension until~~
495 ~~the date on which the board issues a decision on the requested~~
496 ~~extension.~~

497 Section 3. Subsection (4) of section 464.022, Florida
498 Statutes, is amended to read:

499 464.022 Exceptions.—No provision of this part shall be
500 construed to prohibit:

501 (4) The practice of nursing by graduates of prelicensure
502 nursing education programs listed in s. 464.008(1)(c), pending
503 the result of the first licensing examination for which they are
504 eligible following graduation, provided they practice under
505 direct supervision of a registered professional nurse; or by
506 temporary provisional licensees practicing under the direct
507 supervision of a registered nurse or licensed practical nurse,
508 as applicable. The board shall by rule define what constitutes
509 direct supervision.

510 Section 4. This act shall take effect July 1, 2026.