

By Senator Rodriguez

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A bill to be entitled
An act relating to nursing licensure; amending s.
464.019, F.S.; revising information that the Board of
Nursing must publish on its website with respect to
approved nursing education programs; revising graduate
passage rate requirements for approved nursing
education programs; creating s. 464.0125, F.S.;
providing for provisional licensure of registered
nurses and licensed practical nurses; specifying
requirements for such provisional licensure; providing
that provisional licenses are not renewable;
specifying circumstances under which a provisional
license becomes void; prohibiting applicants for
provisional licensure from practicing until the
provisional license is issued; establishing that
provisional licensees may practice only under direct
supervision of a registered nurse or licensed
practical nurse, as applicable; specifying
requirements for such supervision; requiring the Board
of Nursing to, by a specified date, submit a formal
request to National Council of State Boards of Nursing
to offer the nursing licensing examination and its
test preparation materials in Spanish by a specified
date; providing an effective date.

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

Section 1. Subsection (4) and paragraph (a) of subsection
(5) of section 464.019, Florida Statutes, are amended to read:

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464.019 Approval of nursing education programs.—

(4) INTERNET WEBSITE.—The board shall publish the following information on its Internet website:

(a) A list of each accredited program conducted in the state and the program's graduate passage rates for the most recent 2 calendar years, which the department shall determine through the following sources:

1. For a program's accreditation status, the specialized accrediting agencies that are nationally recognized by the United States Secretary of Education to accredit nursing education programs.

2. For a program's graduate passage rates, the contract testing service of the National Council of State Boards of Nursing.

(b) The following data for each approved program, which includes, to the extent applicable:

1. All documentation provided by the program in its program application.

2. The summary description of the program's compliance submitted under subsection (3).

3. The program's accreditation status, including identification of the accrediting agency.

4. The program's probationary status.

5. The program's graduate passage rates for first-, second-, and third-time test takers for the most recent 2 calendar years.

6. Each program's retention rates for students tracked from program entry to graduation.

(c) The average passage rates for United States educated,

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59 first-, second-, and third-time ~~first-time~~ test takers on the
60 National Council of State Boards of Nursing Licensing
61 Examination for the most recent 2 calendar years, as calculated
62 by the contract testing service of the National Council of State
63 Boards of Nursing. The average passage rates shall be published
64 separately for each type of comparable degree program listed in
65 subparagraph (5)(a)1.

66
67 The information required to be published under this subsection
68 shall be made available in a manner that allows interactive
69 searches and comparisons of individual programs selected by the
70 website user. The board shall update the Internet website at
71 least quarterly with the available information.

72 (5) ACCOUNTABILITY.—

73 (a)1. An approved program must achieve a graduate passage
74 rate for first-, second-, and third-time ~~first-time~~ test takers
75 which is not more than 10 percentage points lower than the
76 average passage rate during the same calendar year for graduates
77 of comparable degree programs who are United States educated,
78 first-, second-, and third-time ~~first-time~~ test takers on the
79 National Council of State Boards of Nursing Licensing
80 Examination, as calculated by the contract testing service of
81 the National Council of State Boards of Nursing. For purposes of
82 this subparagraph, an approved program is comparable to all
83 degree programs of the same program type from among the
84 following program types:

85 a. Professional nursing education programs that terminate
86 in a bachelor's degree.

87 b. Professional nursing education programs that terminate

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in an associate degree.

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

d. Practical nursing education programs.

2. If an approved program's graduate passage rates do not equal or exceed the required passage rates for 2 consecutive calendar years, the board shall place the program on probationary status pursuant to chapter 120 and the program director shall appear before the board to present a plan for remediation, which shall include specific benchmarks to identify progress toward a graduate passage rate goal. The program must remain on probationary status until it achieves a graduate passage rate that equals or exceeds the required passage rate for any 1 calendar year. The board shall deny a program application for a new prelicensure nursing education program submitted by an educational institution if the institution has an existing program that is already on probationary status.

3. Upon the program's achievement of a graduate passage rate that equals or exceeds the required passage rate, the board, at its next regularly scheduled meeting following release of the program's graduate passage rate by the National Council of State Boards of Nursing, shall remove the program's probationary status. If the program, during the 2 calendar years following its placement on probationary status, does not achieve the required passage rate for any 1 calendar year, the board may extend the program's probationary status for 1 additional year, provided the program has demonstrated adequate progress toward the graduate passage rate goal by meeting a majority of the benchmarks established in the remediation plan. If the program

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is not granted the 1-year extension or fails to achieve the required passage rate by the end of such extension, the board shall terminate the program pursuant to chapter 120.

Section 2. Section 464.0125, Florida Statutes, is created to read:

464.0125 Provisional licenses.—

(1) The department shall issue a provisional license to practice as a registered nurse or licensed practical nurse to an applicant who meets all of the following criteria:

(a) Has submitted a completed application for a provisional license to the department in a form prescribed by department rule.

(b) Has graduated from an approved nursing education program and is eligible to take the licensure examination under s. 464.008(1).

(c) Has submitted an application for licensure under s. 464.008.

(d) Demonstrates proof of possessing malpractice insurance.

(e) Submits documentation, in accordance with rules adopted by the board, verifying that the applicant will practice under the direct supervision of a licensed registered nurse or licensed practical nurse as provided in subsection (3).

(2) A provisional license is not renewable and is valid until a full license is granted by the department. However, a provisional license is void if the licensee does not pass the licensure examination approved by the board within 3 months after the date of graduation from an approved nursing education program or if the licensee fails the licensure examination three consecutive times during such 3-month period. If a provisional

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license is void, the provisional licensee must immediately cease practicing in a licensed nursing position.

(3) An applicant for a provisional license may not work as a registered nurse or licensed practical nurse until the provisional license is issued. A registered nurse or licensed practical nurse practicing under a provisional license may only do so under the direct supervision of a licensed registered nurse or licensed practical nurse. A supervising nurse may supervise only one licensee at any given time. The supervising nurse must have been licensed for at least 6 months before the supervision period begins and must cosign all patient records produced by the registered nurse or licensed practical nurse practicing under a provisional license.

Section 3. By July 1, 2026, the Board of Nursing shall submit a formal request to the National Council of State Boards of Nursing to offer the nursing licensing examination and its test preparation materials in Spanish by July 1, 2027, or as soon as possible thereafter.

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