



1 s. 462.19, F.S.; increasing the maximum amount  
2 at which the inactive status fee may be set;  
3 creating s. 462.193, F.S.; providing  
4 requirements for licensure as a naturopathic  
5 physician; providing fees; providing grounds  
6 for denying or restricting licenses; providing  
7 for the applicability of certain rights to  
8 naturopathic physicians who have certain  
9 qualifications; creating s. 462.195, F.S.;  
10 providing exemptions from licensure  
11 requirements; amending s. 462.2001, F.S.;  
12 updating the saving clause; conforming  
13 terminology; providing that certain rights and  
14 privileges of active licensees are retained;  
15 amending ss. 20.43, 381.0031, 468.301, 476.044,  
16 477.0135, 485.003, 486.161, 627.351, 893.02,  
17 and 921.0022, F.S.; conforming terminology;  
18 providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Chapter 462, Florida Statutes, which is  
23 entitled "Naturopathy," is redesignated as "Naturopathic  
24 Medicine."

25 Section 2. Section 462.01, Florida Statutes, is  
26 amended to read:

27 462.01 Definitions.--As used in this chapter, the  
28 term:

29 (1) "Approved naturopathic medical program" means:

30 (a) A naturopathic medical education program in the  
31 United States accredited by the Council on Naturopathic

1 Medical Education or an equivalent federally recognized  
2 accrediting body for the naturopathic medical profession  
3 recognized by the board. This program shall offer  
4 graduate-level, full-time didactic and supervised clinical  
5 training leading to the degree of Doctor of Naturopathic  
6 Medicine. Additionally, the program shall be an institution,  
7 or part of an institution, of higher education that is either  
8 accredited or is a candidate for accreditation by an  
9 institutional accrediting agency recognized by the United  
10 States Secretary of Education; or  
11 (b) A degree-granting college or university that is  
12 reputable and in good standing in the judgment of the board  
13 and that offers a full-time structured curriculum in basic  
14 sciences and supervised patient care comprising a doctoral  
15 naturopathic medical education. As a prerequisite to  
16 graduation, a student shall be enrolled for not less than 132  
17 weeks and shall complete the course of study within a period  
18 of not less than 35 months.  
19 (2) "Board" means the Board of Naturopathic Medicine.  
20 (3)(2) "Department" means the Department of Health.  
21 (4) "Doctor of naturopathic medicine," "naturopathic  
22 doctor," or "naturopathic physician" means a person licensed  
23 to practice naturopathic medicine under this chapter.  
24 (5) "Minor surgeries and procedures" means the  
25 excision of skin lesions, moles, warts, cysts, and lipomas,  
26 the repair of lacerations, or surgery limited to the skin and  
27 subcutaneous tissue performed under topical or local  
28 anesthesia and which does not involve a drug-induced  
29 alteration of consciousness other than preoperative  
30 tranquilization.  
31

1           ~~(6)(1)~~ "Natureopathy" and "Naturopathy" ~~are shall be~~  
2 ~~construed as~~ synonymous terms. Naturopathy means a system of  
3 health care practice which employs natural health modalities,  
4 substances, and education to promote health. The terms  
5 "natureopathy," "naturopathy," "naturopathic practitioner" and  
6 "naturopath" are not synonymous with "naturopathic medicine,"  
7 "doctor of naturopathic medicine" or "naturopathic physician"  
8 and the practice of naturopathy and the use of these terms are  
9 not restricted or regulated by or under this chapter and mean.  
10 A doctor of naturopathic medicine employs the use and practice  
11 of psychological, mechanical, and material health sciences to  
12 aid in purifying, cleansing, and normalizing human tissues for  
13 the preservation or restoration of health, according to the  
14 fundamental principles of anatomy, physiology, and applied  
15 psychology, as may be required. Naturopathic medicine practice  
16 employs, among other agencies, phytotherapy, dietetics,  
17 psychotherapy, suggestotherapy, hydrotherapy, zone therapy,  
18 biochemistry, external applications, electrotherapy,  
19 mechanotherapy, mechanical and electrical appliances, hygiene,  
20 first aid, sanitation, minor surgeries and procedures,  
21 administration of vitamins, food, and food supplements, and  
22 heliotherapy. ~~provided,~~ However, ~~that~~ nothing in this chapter  
23 shall be held or construed to authorize any doctor of  
24 naturopathic medicine, naturopathic doctor, or naturopathic  
25 physician licensed under this chapter hereunder to practice  
26 materia medica, ~~or~~ surgery, ~~or~~ chiropractic medicine,  
27 acupuncture, oriental medicine, child birth attendance, or  
28 midwifery, nor shall the provisions of this chapter law in any  
29 manner apply to or affect the practice of osteopathic  
30 medicine, chiropractic medicine, Christian Science, the  
31 examination, diagnosis, and treatment of teeth and gums,

1 naturopathy, or any other treatment authorized and provided  
2 for by law for the cure or prevention of disease and ailments.

3 (7) "Naturopathic Medicine" means a system of primary  
4 health care practiced by a licensed naturopathic physician for  
5 the prevention, diagnosis, and treatment of human health  
6 conditions, injuries, and diseases which uses:

7 (a) Medical diagnostics and treatments as provided by  
8 this chapter; and

9 (b) Naturopathy as defined by s. 462.01(6) which does  
10 not require licensure under this chapter.

11 Section 3. Section 462.0215, Florida Statutes, is  
12 created to read:

13 462.0215 Board of Naturopathic Medicine.--

14 (1) There is created within the department the Board  
15 of Naturopathic Medicine, composed of seven members appointed  
16 by the Governor and confirmed by the Senate.

17 (2)(a) Five members of the board must be:

18 1. Licensed doctors of naturopathic medicine or  
19 naturopathic physicians in good standing in this state who are  
20 residents of the state and who have been engaged in the  
21 practice of naturopathic medicine for at least 5 years; or

22 2. Persons who have been teaching naturopathic  
23 medicine and who hold a doctorate of naturopathic medicine  
24 from an institution accredited by an accrediting agency  
25 recognized by the United States Secretary of Education.

26 (b) The remaining two members of the board must be  
27 residents of the state who are not and never have been  
28 licensed health care practitioners.

29 (c) At least one member of the board must be 60 years  
30 of age or older.

31

1           (3) For the purpose of staggering terms, the Governor  
2 shall initially appoint to the board three members for terms  
3 of 4 years each, two members for terms of 3 years each, and  
4 two members for terms of 2 years each. As the terms of board  
5 members expire, the Governor shall appoint successors for  
6 terms of 4 years and such members shall serve until their  
7 successors are appointed.

8           (4) The board, in conjunction with the department,  
9 shall establish a disciplinary training program for members of  
10 the board. The program shall provide for initial and periodic  
11 training in the grounds for disciplinary action, the actions  
12 that may be taken by the board and the department, changes in  
13 relevant statutes and rules, and any relevant judicial and  
14 administrative decisions. A member of the board may not  
15 participate on a probable cause panel or in a disciplinary  
16 decision of the board unless she or he has completed the  
17 disciplinary training program.

18           (5) During the time members of the board serve on a  
19 probable cause panel, they shall attempt to complete their  
20 work on every case presented to them. If consideration of a  
21 case is begun but is not completed during the term of the  
22 board members on the panel, they may reconvene as a probable  
23 cause panel for the purpose of completing their deliberations  
24 on that case.

25           (6) All provisions of chapter 456 relating to  
26 activities of the board are applicable.

27           Section 4. Section 462.023, Florida Statutes, is  
28 amended to read:

29           462.023 Powers and duties of the board and the  
30 department.--The board and the department may adopt such rules  
31 as are necessary to carry out the purposes of this chapter,

1 may initiate disciplinary action as provided by this chapter,  
2 and shall establish fees as provided by this chapter based on  
3 their ~~its~~ estimates of the revenue required to administer this  
4 chapter provided the fees do ~~but shall~~ not exceed the fee  
5 amounts provided in this chapter. ~~The department shall not~~  
6 ~~adopt any rules which would cause any person who was not~~  
7 ~~licensed in accordance with this chapter on July 1, 1959, and~~  
8 ~~had not been a resident of the state for 2 years prior to such~~  
9 ~~date, to become licensed.~~

10 Section 5. Section 462.08, Florida Statutes, is  
11 amended to read:

12 462.08 Renewal of license to practice naturopathic  
13 medicine naturopathy.--Each licensee ~~licenseholder~~ shall  
14 biennially renew her or his license to practice naturopathic  
15 medicine naturopathy. The applicant must furnish to the board  
16 ~~department~~ such evidence as it requires of the applicant's  
17 compliance with s. 462.18, relating to educational  
18 requirements. The biennial renewal fee, the amount of which  
19 shall be determined by the board ~~department~~ but which may not  
20 exceed \$1,000, must be paid at the time the application for  
21 renewal of the license is filed.

22 Section 6. Section 462.11, Florida Statutes, is  
23 amended to read:

24 462.11 Doctors of naturopathic medicine, naturopathic  
25 doctors, or naturopathic physicians ~~Naturopaths~~ to observe  
26 regulations.--Doctors of naturopathic medicine, naturopathic  
27 doctors, or naturopathic physicians ~~naturopathy~~ shall observe  
28 and be subject to all state, county, and municipal regulations  
29 in regard to the control of contagious and infectious  
30 diseases, the reporting of births and deaths, and to any and  
31 all other matters pertaining to the public health in the same

1 manner as is required of other practitioners of the healing  
2 arts ~~art~~.

3 Section 7. Section 462.13, Florida Statutes, is  
4 amended to read:

5 462.13 Additional powers and duties of the department  
6 and the board. The department and the board may administer  
7 oaths, summon witnesses, and take testimony in all matters  
8 relating to their ~~its~~ duties pursuant to this chapter. Every  
9 unrevoked license shall be presumptive evidence in all courts  
10 and places that the person therein named is legally licensed  
11 to practice naturopathic medicine ~~naturopathy~~. The department  
12 and the board shall aid the prosecuting attorneys of the state  
13 in the enforcement of this chapter.

14 Section 8. Section 462.14, Florida Statutes, is  
15 amended to read:

16 462.14 Grounds for disciplinary action; action by the  
17 department or the board.--

18 (1) The following acts constitute grounds for denial  
19 of a license or disciplinary action, as specified in s.  
20 456.072(2):

21 (a) Attempting to obtain, obtaining, or renewing a  
22 license to practice naturopathic medicine by bribery, by  
23 fraudulent misrepresentation, or through an error of the  
24 department or the board.

25 (b) Having a license to practice naturopathic medicine  
26 revoked, suspended, or otherwise acted against, including the  
27 denial of licensure, by the licensing authority of another  
28 state, territory, or country.

29 (c) Being convicted or found guilty, regardless of  
30 adjudication, of a crime in any jurisdiction which directly  
31 relates to the practice of naturopathic medicine or to the



1 ability to practice naturopathic medicine. Any plea of nolo  
2 contendere shall be considered a conviction for purposes of  
3 this chapter.

4 (d) False, deceptive, or misleading advertising.

5 (e) Advertising, practicing, or attempting to practice  
6 under a name other than one's own.

7 (f) Failing to report to the department any person who  
8 the licensee knows is in violation of this chapter or of the  
9 rules of the department or the board.

10 (g) Aiding, assisting, procuring, or advising any  
11 unlicensed person to practice naturopathic medicine contrary  
12 to this chapter or to a rule of the department or the board.

13 (h) Failing to perform any statutory or legal  
14 obligation placed upon a licensed doctor of naturopathic  
15 medicine, naturopathic doctor, or naturopathic physician.

16 (i) Making or filing a report which the licensee knows  
17 to be false, intentionally or negligently failing to file a  
18 report or record required by state or federal law, willfully  
19 impeding or obstructing such filing or inducing another person  
20 to do so. Such reports or records shall include only those  
21 which are signed in the capacity as a licensed doctor of  
22 naturopathic medicine, naturopathic doctor, or naturopathic  
23 physician.

24 (j) Paying or receiving any commission, bonus,  
25 kickback, or rebate, or engaging in any split-fee arrangement  
26 in any form whatsoever with a physician, organization, agency,  
27 or person, either directly or indirectly, for patients  
28 referred to providers of health care goods and services,  
29 including, but not limited to, hospitals, nursing homes,  
30 clinical laboratories, ambulatory surgical centers, or  
31 pharmacies. The provisions of this paragraph shall not be

1 | construed to prevent a doctor of naturopathic medicine,  
2 | naturopathic doctor, or naturopathic physician from receiving  
3 | a fee for professional consultation services.

4 |         (k) Exercising influence within a patient-physician  
5 | relationship for purposes of engaging a patient in sexual  
6 | activity. A patient shall be presumed to be incapable of  
7 | giving free, full, and informed consent to sexual activity  
8 | with her or his physician.

9 |         (l) Making deceptive, untrue, or fraudulent  
10 | representations in the practice of naturopathic medicine or  
11 | employing a trick or scheme in the practice of naturopathic  
12 | medicine when such scheme or trick fails to conform to the  
13 | generally prevailing standards of treatment in the medical  
14 | community.

15 |         (m) Soliciting patients, either personally or through  
16 | an agent, through the use of fraud, intimidation, undue  
17 | influence, or a form of overreaching or vexatious conduct. A  
18 | "solicitation" is any communication which directly or  
19 | implicitly requests an immediate oral response from the  
20 | recipient.

21 |         (n) Failing to keep written medical records justifying  
22 | the course of treatment of the patient, including, but not  
23 | limited to, patient histories, examination results, test  
24 | results, X rays, and records of the prescribing, dispensing,  
25 | and administering of drugs.

26 |         (o) Exercising influence on the patient or client in  
27 | such a manner as to exploit the patient or client for the  
28 | financial gain of the licensee or of a third party, which  
29 | shall include, but not be limited to, the promoting or selling  
30 | of services, goods, appliances, or drugs and the promoting or  
31 | advertising on any prescription form of a community pharmacy

1 unless the form also states "This prescription may be filled  
2 at any pharmacy of your choice."

3 (p) Performing professional services which have not  
4 been duly authorized by the patient or client, or her or his  
5 legal representative, except as provided in s. 743.064, s.  
6 766.103, or s. 768.13.

7 (q) Prescribing, dispensing, administering, mixing, or  
8 otherwise preparing a legend drug, including any controlled  
9 substance, other than in the course of the doctor of  
10 naturopathic medicine's, naturopathic doctor's, or  
11 naturopathic physician's professional practice. For the  
12 purposes of this paragraph, it shall be legally presumed that  
13 prescribing, dispensing, administering, mixing, or otherwise  
14 preparing legend drugs, including all controlled substances,  
15 inappropriately or in excessive or inappropriate quantities is  
16 not in the best interest of the patient and is not in the  
17 course of the doctor of naturopathic medicine's, naturopathic  
18 doctor's, or naturopathic physician's professional practice,  
19 without regard to her or his intent.

20 (r) Prescribing, dispensing, or administering any  
21 medicinal drug appearing on any schedule set forth in chapter  
22 893 by the doctor of naturopathic medicine, naturopathic  
23 doctor, or naturopathic physician to herself or himself,  
24 except one prescribed, dispensed, or administered to the  
25 doctor of naturopathic medicine, naturopathic doctor, or  
26 naturopathic physician by another practitioner authorized to  
27 prescribe, dispense, or administer medicinal drugs.

28 (s) Being unable to practice naturopathic medicine  
29 with reasonable skill and safety to patients by reason of  
30 illness or use of alcohol, drugs, narcotics, chemicals, or any  
31 other type of material or as a result of any mental or

1 physical condition. In enforcing this paragraph, the  
2 department shall have, upon probable cause, authority to  
3 compel a doctor of naturopathic medicine, naturopathic doctor,  
4 or naturopathic physician to submit to a mental or physical  
5 examination by physicians designated by the department. The  
6 failure of a doctor of naturopathic medicine, naturopathic  
7 doctor, or naturopathic physician to submit to such an  
8 examination when so directed shall constitute an admission of  
9 the allegations against her or him upon which a default and  
10 final order may be entered without the taking of testimony or  
11 presentation of evidence, unless the failure was due to  
12 circumstances beyond the doctor of naturopathic medicine's,  
13 naturopathic doctor's, or naturopathic physician's control. A  
14 doctor of naturopathic medicine, naturopathic doctor, or  
15 naturopathic physician affected under this paragraph shall at  
16 reasonable intervals be afforded an opportunity to demonstrate  
17 that she or he can resume the competent practice of  
18 naturopathic medicine with reasonable skill and safety to  
19 patients. In any proceeding under this paragraph, neither the  
20 record of proceedings nor the orders entered by the department  
21 may be used against a doctor of naturopathic medicine,  
22 naturopathic doctor, or naturopathic physician in any other  
23 proceeding.

24 (t) Gross or repeated malpractice or the failure to  
25 practice naturopathic medicine with that level of care, skill,  
26 and treatment which is recognized by a reasonably prudent  
27 similar physician as being acceptable under similar conditions  
28 and circumstances. The ~~board~~ ~~department~~ shall give great  
29 weight to the provisions of s. 766.102 when enforcing this  
30 paragraph.

31

1 (u) Performing any procedure or prescribing any  
2 therapy which, by the prevailing standards of medical practice  
3 in the community, constitutes experimentation on a human  
4 subject, without first obtaining full, informed, and written  
5 consent.

6 (v) Practicing or offering to practice beyond the  
7 scope permitted by law or accepting and performing  
8 professional responsibilities which the licensee knows or has  
9 reason to know that she or he is not competent to perform.

10 (w) Delegating professional responsibilities to a  
11 person when the licensee delegating such responsibilities  
12 knows or has reason to know that such person is not qualified  
13 by training, experience, or licensure to perform them.

14 (x) Violating a lawful order of the department or the  
15 board previously entered in a disciplinary hearing or failing  
16 to comply with a lawfully issued subpoena of the department.

17 (y) Conspiring with another licensee or with any other  
18 person to commit an act, or committing an act, which would  
19 tend to coerce, intimidate, or preclude another licensee from  
20 lawfully advertising her or his services.

21 (z) Procuring, or aiding or abetting in the procuring  
22 of, an unlawful termination of pregnancy.

23 (aa) Presigning blank prescription forms.

24 (bb) Prescribing by the doctor of naturopathic  
25 medicine, naturopathic doctor, or naturopathic physician ~~for~~  
26 ~~office use~~ any controlled substance medicinal drug appearing  
27 on Schedule I, Schedule II, or Schedule III in chapter 893.

28 (cc) Prescribing, ordering, dispensing, administering,  
29 supplying, selling, or giving any drug which is an amphetamine  
30 or sympathomimetic amine drug, or a compound designated  
31

1 pursuant to chapter 893 as a Schedule II controlled substance  
2 to or for any person except for:

3           1. The treatment of narcolepsy; hyperkinesis;  
4 behavioral syndrome in children characterized by the  
5 developmentally inappropriate symptoms of moderate to severe  
6 distractability, short attention span, hyperactivity,  
7 emotional lability, and impulsivity; or drug-induced brain  
8 dysfunction.

9           2. The differential diagnostic psychiatric evaluation  
10 of depression or the treatment of depression shown to be  
11 refractory to other therapeutic modalities.

12           3. The clinical investigation of the effects of such  
13 drugs or compounds when an investigative protocol therefor is  
14 submitted to, reviewed, and approved by the board ~~department~~  
15 before such investigation is begun.

16           (dd) Prescribing, ordering, dispensing, administering,  
17 supplying, selling, or giving growth hormones, testosterone or  
18 its analogs, human chorionic gonadotropin (HCG), or other  
19 hormones for the purpose of muscle building or to enhance  
20 athletic performance. For the purposes of this subsection, the  
21 term "muscle building" does not include the treatment of  
22 injured muscle. A prescription written for the drug products  
23 listed above may be dispensed by the pharmacist with the  
24 presumption that the prescription is for legitimate medical  
25 use.

26           (ee) Violating any provision of this chapter or  
27 chapter 456, or any rules adopted pursuant thereto.

28           (2) The board ~~department~~ may enter an order denying  
29 licensure or imposing any of the penalties in s. 456.072(2)  
30 against any applicant for licensure or licensee who is found  
31 guilty of violating any provision of subsection (1) of this

1 section or who is found guilty of violating any provision of  
2 s. 456.072(1).

3 (3) The board ~~department~~ shall not reinstate the  
4 license of a doctor of naturopathic medicine, naturopathic  
5 doctor, or naturopathic physician until such time as the board  
6 ~~department~~ is satisfied that such person has complied with all  
7 the terms and conditions set forth in the final order and that  
8 such person is capable of safely engaging in the practice of  
9 naturopathic medicine.

10 (4) The board ~~department~~ shall by rule establish  
11 guidelines for the disposition of disciplinary cases involving  
12 specific types of violations. Such guidelines may include  
13 minimum and maximum fines, periods of supervision or  
14 probation, or conditions of probation or reissuance of a  
15 license.

16 Section 9. Section 462.16, Florida Statutes, is  
17 amended to read:

18 462.16 Reissue of license.--Any person who practices  
19 naturopathic medicine ~~shall practice naturopathy~~ after her or  
20 his license has been revoked ~~and registration annulled~~ shall  
21 be deemed to have practiced naturopathic medicine ~~naturopathy~~  
22 without a license; ~~provided,~~ however, at any time after 6  
23 months after the date of license revocation ~~said conviction~~,  
24 the department may grant a license to the person affected,  
25 restoring to her or him all the rights and privileges of and  
26 pertaining to the practice of naturopathic medicine  
27 ~~naturopathy~~ as defined and regulated by this chapter. The fee  
28 therefor shall be set by the board not to exceed \$250.

29 Section 10. Section 462.17, Florida Statutes, is  
30 amended to read:

31

1           462.17 Penalty for offenses relating to naturopathic  
2 medicine ~~naturopathy~~.--Any person who shall:  
3           (1) Sell, fraudulently obtain, or furnish any  
4 naturopathic medicine diploma, license, record, or  
5 registration or aid or abet in the same;  
6           (2) Practice naturopathic medicine ~~naturopathy~~ under  
7 the cover of any diploma, license, record, or registration  
8 illegally or fraudulently obtained or secured or issued  
9 unlawfully or upon fraudulent representations;  
10          (3) Advertise to practice naturopathic medicine  
11 ~~naturopathy~~ under a name other than her or his own or under an  
12 assumed name;  
13          (4) Falsely impersonate another practitioner of a like  
14 or different name;  
15          (5) Use the title or claim to be a "licensed  
16 naturopathic physician," "naturopathic physician," "doctor of  
17 naturopathic medicine," "licensed doctor of naturopathic  
18 medicine," or "naturopathic medicine doctor," in connection  
19 with providing health care services or use a title after the  
20 person's name which signifies completing the requirements of a  
21 doctorate degree in violation of s. 817.567. Using the terms  
22 "natureopathy," "naturopathy," "naturopathic Practitioner," or  
23 "naturopath" is not prohibited Practice or advertise to  
24 ~~practice naturopathy or use in connection with her or his name~~  
25 ~~any designation tending to imply or to designate the person as~~  
26 ~~a practitioner of naturopathy without then being lawfully~~  
27 ~~licensed and authorized to practice naturopathy in this state;~~  
28 or  
29          (6) Practice naturopathic medicine ~~naturopathy~~ during  
30 the time her or his license is suspended or revoked  
31



1 ~~commits shall be guilty~~ of a felony of the third degree,  
2 punishable as provided in s. 775.082, s. 775.083, or s.  
3 775.084.

4 Section 11. Section 462.18, Florida Statutes, is  
5 amended to read:

6 462.18 Educational requirements.--

7 (1) At the time each licensee shall renew her or his  
8 license as otherwise provided in this chapter, each licensee,  
9 ~~beginning with the license renewal due May 1, 1944,~~ in  
10 addition to the payment of the regular renewal fee, shall  
11 furnish to the board ~~department~~ satisfactory evidence that, in  
12 the year preceding each such application for renewal, the  
13 licensee has attended the 2-day educational program as  
14 promulgated and conducted by the Florida Naturopathic  
15 Physicians Association, Inc., or, as a substitute therefor,  
16 the equivalent of that program as approved by the board  
17 ~~department~~. The department shall send a written notice to this  
18 effect to every person holding a valid license to practice  
19 naturopathic medicine naturopathy within this state at least  
20 30 days prior to May 1 in each biennial year, directed to the  
21 last known address of such licensee, and shall enclose with  
22 the notice proper blank forms for application for ~~annual~~  
23 license renewal. All of the details and requirements of the  
24 ~~aforesaid~~ educational program shall be adopted and prescribed  
25 by the board ~~department~~. In the event of national emergencies,  
26 or for sufficient reason, the board may ~~department shall have~~  
27 ~~the power to~~ excuse the naturopathic physicians as a group or  
28 as individuals from taking this postgraduate course.

29 (2) The determination of whether a substitute ~~annual~~  
30 educational program is necessary shall be solely within the  
31 discretion of the board ~~department~~.

1           Section 12. Subsection (3) of section 462.19, Florida  
2 Statutes, is amended to read:

3           462.19 Renewal of license; inactive status.--

4           (3) A licensee may request that her or his license be  
5 placed in an inactive status by making application to the  
6 department and paying a fee in an amount set by the department  
7 not to exceed ~~\$100~~\$50.

8           Section 13. Section 462.193, Florida Statutes, is  
9 created to read:

10           462.193 Licensure by examination; requirements;  
11 fees.--

12           (1) Any person desiring to be licensed as a doctor of  
13 naturopathic medicine, naturopathic doctor, or naturopathic  
14 physician shall apply to the department on forms furnished by  
15 the department. The department shall license each applicant  
16 who the board certifies:

17           (a) Has completed the application form and remitted a  
18 nonrefundable application fee set by the board not to exceed  
19 \$500.

20           (b) Is at least 21 years of age.

21           (c) Is of good moral character.

22           (d) Has not committed any act or offense in this or  
23 any other jurisdiction which would constitute the basis for  
24 disciplining a doctor of naturopathic medicine, naturopathic  
25 doctor, or naturopathic physician pursuant to s. 462.14.

26           (e) Has been awarded a bachelor's degree from an  
27 institution holding accreditation from a regional accrediting  
28 agency recognized by the United States Secretary of Education,  
29 and which program included, at a minimum and as determined by  
30 rule of the board, courses in such fields as anatomy, biology,  
31 and chemistry prior to entering naturopathic medical school.

- 1           (f) Meets one of the following naturopathic medical  
2 education and postgraduate training requirements:
- 3           1. Is a graduate of an approved naturopathic medical  
4 program;
- 5           2. Is a graduate of an approved school of naturopathic  
6 medicine which is licensed by the Florida Commission for  
7 Independent Education to grant the degree of Doctor of  
8 Naturopathic Medicine; or
- 9           3. Is a graduate of a foreign medical school certified  
10 by the Educational Commission for Foreign Medical Graduates  
11 (ECFMG) to be examined in the basic and clinical medical  
12 sciences, or a graduate of an accredited United States  
13 allopathic, chiropractic, or osteopathic medical school, and  
14 has completed a 2-year course in naturopathic medicine from an  
15 approved naturopathic medical program.
- 16           (g) Has submitted to the department a set of  
17 fingerprints on a form and in accordance with procedures  
18 specified by the department, along with payment in an amount  
19 equal to the costs incurred by the department for the criminal  
20 background check of the applicant.
- 21           (h) Has obtained a passing score on a competency-based  
22 national naturopathic licensing examination, including the  
23 examination on minor surgery, administered by the North  
24 American Board of Naturopathic Examiners or an equivalent  
25 agency recognized by the board. For graduates of approved  
26 naturopathic schools as defined in s. 462.01(1)(b),  
27 eligibility for licensure may be granted upon presentation of  
28 evidence of successful passage of a board-approved state  
29 competency examination or a Canadian provincial examination.  
30 For graduates of foreign medical schools or allopathic,  
31 osteopathic, or chiropractic medical schools who have

1 completed a 2-year course in naturopathic medicine from an  
2 approved naturopathic medical program, eligibility for  
3 licensure may be granted upon presentation of evidence of  
4 successful passage of the applicable medical examinations,  
5 parts one and two.

6 (i) Has completed an approved internship or residency  
7 of at least 1 year.

8 (j) Is physically and mentally fit to practice as a  
9 doctor of naturopathic medicine, naturopathic doctor, or  
10 naturopathic physician.

11 (k) Has not had her or his license to practice any  
12 profession refused, revoked, or suspended by any other state,  
13 district, or territory of the United States or another country  
14 for reasons that relate to her or his ability to skillfully  
15 and safely practice as a doctor of naturopathic medicine,  
16 naturopathic doctor, or naturopathic physician in this state.

17 (1) Has not been found guilty of a felony.

18 (2) As prescribed by board rule, the board may require  
19 an applicant who does not pass the licensing examination after  
20 five attempts to complete additional remedial education or  
21 training. The board shall prescribe the additional  
22 requirements in a manner that permits the applicant to  
23 complete the requirements and be reexamined within 2 years  
24 after the date the applicant petitions the board to retake the  
25 examination a sixth or subsequent time.

26 (3) The department and the board shall ensure that  
27 applicants for licensure meet the criteria in subsection (1)  
28 through an investigative process. When the investigation is  
29 not completed within the time set out in s. 120.60(1) and the  
30 department or board has reason to believe that the applicant  
31 does not meet the criteria, the secretary or the secretary's

1 designee may issue a 90-day licensure delay, which must be in  
2 writing and sufficient to notify the applicant of the reason  
3 for the delay. This subsection controls over any conflicting  
4 provisions of s. 120.60(1).

5 (4) The board may not certify to the department for  
6 licensure any applicant who is under investigation in another  
7 jurisdiction for an offense that would constitute a violation  
8 of this chapter until the investigation has been completed.  
9 Upon completion of the investigation, s. 462.14 applies.  
10 Furthermore, the department may not issue an unrestricted  
11 license to any individual who has committed an act or offense  
12 in any jurisdiction which would constitute the basis for  
13 disciplining a doctor of naturopathic medicine, naturopathic  
14 doctor, or naturopathic physician under s. 462.14. If the  
15 board finds that an individual has committed an act or offense  
16 in any jurisdiction which would constitute the basis for  
17 disciplining a doctor of naturopathic medicine, naturopathic  
18 doctor, or naturopathic physician under s. 462.14, the board  
19 may enter an order imposing one or more of the sanctions set  
20 forth in subsection (7).

21 (5) Each applicant who meets the requirements of this  
22 chapter shall be licensed as a doctor of naturopathic  
23 medicine, naturopathic doctor, or naturopathic physician, with  
24 rights as defined by law.

25 (6) Upon certification by the board, the department  
26 shall impose conditions, limitations, or restrictions on a  
27 license if the applicant is on probation in another  
28 jurisdiction for an act that would constitute a violation of  
29 this chapter.

30 (7) If the board determines that an applicant for  
31 licensure has failed to meet, to the board's satisfaction, any

1 of the applicable requirements set forth in this section, it  
2 may enter an order that imposes one or more of the following  
3 sanctions:

4 (a) Refusal to certify to the department an  
5 application for licensure.

6 (b) Certification to the department of an application  
7 for licensure with restrictions on the scope of practice of  
8 the doctor of naturopathic medicine, naturopathic doctor, or  
9 naturopathic physician.

10 (c) Certification to the department of an application  
11 for licensure with placement of the doctor of naturopathic  
12 medicine, naturopathic doctor, or naturopathic physician on  
13 probation for a period of time and subject to such conditions  
14 as the board specifies, including, but not limited to,  
15 requiring the doctor of naturopathic medicine, naturopathic  
16 doctor, or naturopathic physician to submit to treatment,  
17 attend continuing education courses, submit to reexamination,  
18 or work under the supervision of another doctor of  
19 naturopathic medicine, naturopathic doctor, or naturopathic  
20 physician.

21 (8) A physician who holds the doctor of medicine or  
22 doctor of osteopathy degree, who has completed a 1-year  
23 internship approved by the American Medical Association or the  
24 American Osteopathic Association, and who is licensed under  
25 this section as a doctor of naturopathic medicine,  
26 naturopathic doctor, or naturopathic physician has rights and  
27 privileges equal to those of physicians licensed under chapter  
28 458 or chapter 459.

29 Section 14. Section 462.195, Florida Statutes, is  
30 created to read:  
31

1           462.195 Exemptions from naturopathic licensure  
2 requirements.--Licensure requirements for practitioners of  
3 naturopathic medicine under this chapter do not apply to:  
4           (1) A person licensed, certified, or registered in  
5 this state who is engaging in the profession or occupation for  
6 which he or she is licensed, certified, or registered.  
7           (2)(a) Any person providing health care services who  
8 is not licensed under chapter 462 and who does not use the  
9 title or claim to be a "licensed naturopathic physician,"  
10 "naturopathic physician," "doctor of naturopathic medicine,"  
11 "licensed doctor of naturopathic medicine," or "naturopathic  
12 medicine doctor" in connection with providing health care  
13 services or a title after the person's name which signifies  
14 completing the requirements of a doctorate degree, in  
15 violation of s. 817.567.  
16           (b) The use of the terms "natureopathy,"  
17 "naturopathy," "naturopathic practitioner," and "naturopath"  
18 by a person providing health care services who is not licensed  
19 under chapter 462 is not prohibited.  
20           (3) Any individual who is:  
21           (a) Engaged in good faith in the practice of the  
22 religious tenets of any church or religious belief, without  
23 the use of prescription drugs; or  
24           (b) Acting in good faith for religious reasons as a  
25 matter of conscience or on the basis of a personal belief when  
26 obtaining or providing information regarding health care and  
27 the use of any product.  
28           (4) Any individual who is administering a domestic or  
29 family remedy.  
30           (5) No provision of this chapter shall be construed to  
31 prohibit a physician licensed under chapter 458; an

1 osteopathic physician licensed under chapter 459; a  
2 chiropractic physician licensed under chapter 460; a podiatric  
3 physician licensed under chapter 461; an optometrist licensed  
4 under chapter 463; an advanced registered nurse practitioner,  
5 registered nurse, or licensed practical nurse licensed under  
6 part I of chapter 464; an occupational therapist licensed  
7 under part III of chapter 468; a massage therapist licensed  
8 under chapter 480; a physical therapist licensed under chapter  
9 486; a psychologist licensed under chapter 490; or a clinical  
10 social worker, marriage and family therapist, or mental health  
11 counselor licensed under chapter 491 from the lawful practice  
12 of her or his profession.

13 (6) This section does not limit or restrict the sale,  
14 use, or recommending the use of a dietary supplement or  
15 homeopathic remedy.

16 Section 15. Section 462.2001, Florida Statutes, is  
17 amended to read:

18 462.2001 Saving clause.--All licenses to practice  
19 naturopathic medicine ~~naturopathy~~ issued pursuant to this  
20 chapter and valid on July 1, 2005 ~~October 1, 1985~~, shall  
21 remain in full force and effect.

22 Section 16. Doctors of naturopathic medicine,  
23 naturopathic doctors, or naturopathic physicians who hold a  
24 license on the effective date of this act shall retain the  
25 same rights and privileges as they had before implementation  
26 of the amendments to chapter 462, Florida Statutes, by this  
27 act.

28 Section 17. Paragraph (g) of subsection (3) of section  
29 20.43, Florida Statutes, is amended to read:

30 20.43 Department of Health.--There is created a  
31 Department of Health.



1           (3) The following divisions of the Department of  
2 Health are established:

3           (g) Division of Medical Quality Assurance, which is  
4 responsible for the following boards and professions  
5 established within the division:

6           1. The Board of Acupuncture, created under chapter  
7 457.

8           2. The Board of Medicine, created under chapter 458.

9           3. The Board of Osteopathic Medicine, created under  
10 chapter 459.

11           4. The Board of Chiropractic Medicine, created under  
12 chapter 460.

13           5. The Board of Podiatric Medicine, created under  
14 chapter 461.

15           6. The Board of Naturopathic Medicine ~~Naturopathy~~,  
16 created as provided under chapter 462.

17           7. The Board of Optometry, created under chapter 463.

18           8. The Board of Nursing, created under part I of  
19 chapter 464.

20           9. Nursing assistants, as provided under part II of  
21 chapter 464.

22           10. The Board of Pharmacy, created under chapter 465.

23           11. The Board of Dentistry, created under chapter 466.

24           12. Midwifery, as provided under chapter 467.

25           13. The Board of Speech-Language Pathology and  
26 Audiology, created under part I of chapter 468.

27           14. The Board of Nursing Home Administrators, created  
28 under part II of chapter 468.

29           15. The Board of Occupational Therapy, created under  
30 part III of chapter 468.

31

- 1           16. Respiratory therapy, as provided under part V of  
2 chapter 468.
- 3           17. Dietetics and nutrition practice, as provided  
4 under part X of chapter 468.
- 5           18. The Board of Athletic Training, created under part  
6 XIII of chapter 468.
- 7           19. The Board of Orthotists and Prosthetists, created  
8 under part XIV of chapter 468.
- 9           20. Electrolysis, as provided under chapter 478.
- 10          21. The Board of Massage Therapy, created under  
11 chapter 480.
- 12          22. The Board of Clinical Laboratory Personnel,  
13 created under part III of chapter 483.
- 14          23. Medical physicists, as provided under part IV of  
15 chapter 483.
- 16          24. The Board of Opticianry, created under part I of  
17 chapter 484.
- 18          25. The Board of Hearing Aid Specialists, created  
19 under part II of chapter 484.
- 20          26. The Board of Physical Therapy Practice, created  
21 under chapter 486.
- 22          27. The Board of Psychology, created under chapter  
23 490.
- 24          28. School psychologists, as provided under chapter  
25 490.
- 26          29. The Board of Clinical Social Work, Marriage and  
27 Family Therapy, and Mental Health Counseling, created under  
28 chapter 491.
- 29          Section 18. Subsection (1) of section 381.0031,  
30 Florida Statutes, is amended to read:  
31

1           381.0031 Report of diseases of public health  
2 significance to department.--

3           (1) Any practitioner licensed in this state to  
4 practice medicine, osteopathic medicine, chiropractic  
5 medicine, naturopathic medicine ~~naturopathy~~, or veterinary  
6 medicine; any hospital licensed under part I of chapter 395;  
7 or any laboratory licensed under chapter 483 that diagnoses or  
8 suspects the existence of a disease of public health  
9 significance shall immediately report the fact to the  
10 Department of Health.

11  
12 This section does not affect s. 384.25.

13           Section 19. Subsection (10) of section 468.301,  
14 Florida Statutes, is amended to read:

15           468.301 Definitions.--As used in this part, the term:

16           (10) "Licensed practitioner" means a person who is  
17 licensed or otherwise authorized by law to practice medicine,  
18 podiatric medicine, chiropody, osteopathic medicine,  
19 naturopathic medicine ~~naturopathy~~, or chiropractic medicine in  
20 this state.

21           Section 20. Section 476.044, Florida Statutes, is  
22 amended to read:

23           476.044 Exemptions.--This chapter does not apply to  
24 the following persons when practicing pursuant to their  
25 professional responsibilities and duties:

26           (1) Persons authorized under the laws of this state to  
27 practice medicine, surgery, osteopathic medicine, chiropractic  
28 medicine, naturopathic medicine ~~naturopathy~~, or podiatric  
29 medicine;

30           (2) Commissioned medical or surgical officers of the  
31 United States Armed Forces hospital service;

1 (3) Licensed nurses under the laws of this state;

2 (4) Persons practicing cosmetology under the laws of  
3 this state;

4 (5) Persons employed in federal, state, or local  
5 institutions, hospitals, or military bases as barbers whose  
6 practice is limited to the inmates, patients, or authorized  
7 military personnel of such institutions, hospitals, or bases;

8 (6) Persons who practice only shampooing as defined in  
9 s. 477.013 and whose practice is limited to the acts described  
10 therein; or

11 (7) Persons whose occupation or practice is confined  
12 solely to cutting, trimming, polishing, or cleansing the  
13 fingernails of any person when said cutting, trimming,  
14 polishing, or cleansing is done in a barbershop licensed  
15 pursuant to this chapter which is carrying on a regular and  
16 customary business of barbering, and such individual has been  
17 practicing the activities set forth in this subsection prior  
18 to October 1, 1985.

19 Section 21. Paragraph (a) of subsection (1) of section  
20 477.0135, Florida Statutes, is amended to read:

21 477.0135 Exemptions.--

22 (1) This chapter does not apply to the following  
23 persons when practicing pursuant to their professional or  
24 occupational responsibilities and duties:

25 (a) Persons authorized under the laws of this state to  
26 practice medicine, surgery, osteopathic medicine, chiropractic  
27 medicine, massage, naturopathic medicine ~~naturopathy~~, or  
28 podiatric medicine.

29 Section 22. Subsections (2) and (3) of section  
30 485.003, Florida Statutes, are amended to read:

31

1           485.003 Definitions.--In construing this chapter, the  
2 words, phrases, or terms, unless the context otherwise  
3 indicates, shall have the following meanings:

4           (2) "Healing arts" shall mean the practice of  
5 medicine, surgery, psychiatry, dentistry, osteopathic  
6 medicine, chiropractic medicine, naturopathic medicine  
7 ~~naturopathy~~, podiatric medicine, chiropody, psychology,  
8 clinical social work, marriage and family therapy, mental  
9 health counseling, and optometry.

10           (3) "Practitioner of the healing arts" shall mean a  
11 person licensed under the laws of the state to practice  
12 medicine, surgery, psychiatry, dentistry, osteopathic  
13 medicine, chiropractic medicine, naturopathic medicine  
14 ~~naturopathy~~, podiatric medicine, chiropody, psychology,  
15 clinical social work, marriage and family therapy, mental  
16 health counseling, or optometry within the scope of his or her  
17 professional training and competence and within the purview of  
18 the statutes applicable to his or her respective profession,  
19 and who may refer a patient for treatment by a qualified  
20 person, who shall employ hypnotic techniques under the  
21 supervision, direction, prescription, and responsibility of  
22 such referring practitioner.

23           Section 23. Subsection (1) of section 486.161, Florida  
24 Statutes, is amended to read:

25           486.161 Exemptions.--

26           (1) No provision of this chapter shall be construed to  
27 prohibit any person licensed in this state from using any  
28 physical agent as a part of, or incidental to, the lawful  
29 practice of her or his profession under the statutes  
30 applicable to the profession of chiropractic physician,  
31 podiatric physician, doctor of medicine, massage therapist,

1 nurse, osteopathic physician or surgeon, occupational  
2 therapist, or doctor of naturopathic medicine, naturopathic  
3 doctor, or naturopathic physician ~~naturopath~~.

4 Section 24. Paragraph (h) of subsection (4) of section  
5 627.351, Florida Statutes, is amended to read:

6 627.351 Insurance risk apportionment plans.--

7 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT.--

8 (h) As used in this subsection:

9 1. "Health care provider" means hospitals licensed  
10 under chapter 395; physicians licensed under chapter 458;  
11 osteopathic physicians licensed under chapter 459; podiatric  
12 physicians licensed under chapter 461; dentists licensed under  
13 chapter 466; chiropractic physicians licensed under chapter  
14 460; doctors of naturopathic medicine, naturopathic doctors,  
15 or naturopathic physicians ~~naturopaths~~ licensed under chapter  
16 462; nurses licensed under part I of chapter 464; midwives  
17 licensed under chapter 467; clinical laboratories registered  
18 under chapter 483; physician assistants licensed under chapter  
19 458 or chapter 459; physical therapists and physical therapist  
20 assistants licensed under chapter 486; health maintenance  
21 organizations certificated under part I of chapter 641;  
22 ambulatory surgical centers licensed under chapter 395; other  
23 medical facilities as defined in subparagraph 2.; blood banks,  
24 plasma centers, industrial clinics, and renal dialysis  
25 facilities; or professional associations, partnerships,  
26 corporations, joint ventures, or other associations for  
27 professional activity by health care providers.

28 2. "Other medical facility" means a facility the  
29 primary purpose of which is to provide human medical  
30 diagnostic services or a facility providing nonsurgical human  
31 medical treatment, to which facility the patient is admitted

1 and from which facility the patient is discharged within the  
2 same working day, and which facility is not part of a  
3 hospital. However, a facility existing for the primary purpose  
4 of performing terminations of pregnancy or an office  
5 maintained by a physician or dentist for the practice of  
6 medicine shall not be construed to be an "other medical  
7 facility."

8           3. "Health care facility" means any hospital licensed  
9 under chapter 395, health maintenance organization  
10 certificated under part I of chapter 641, ambulatory surgical  
11 center licensed under chapter 395, or other medical facility  
12 as defined in subparagraph 2.

13           Section 25. Subsection (19) of section 893.02, Florida  
14 Statutes, is amended to read:

15           893.02 Definitions.--The following words and phrases  
16 as used in this chapter shall have the following meanings,  
17 unless the context otherwise requires:

18           (19) "Practitioner" means a physician licensed  
19 pursuant to chapter 458, a dentist licensed pursuant to  
20 chapter 466, a veterinarian licensed pursuant to chapter 474,  
21 an osteopathic physician licensed pursuant to chapter 459, a  
22 doctor of naturopathic medicine, naturopathic doctor, or  
23 naturopathic physician ~~naturopath~~ licensed pursuant to chapter  
24 462, or a podiatric physician licensed pursuant to chapter  
25 461, provided such practitioner holds a valid federal  
26 controlled substance registry number.

27           Section 26. Paragraph (g) of subsection (3) of section  
28 921.0022, Florida Statutes, is amended to read:

29           921.0022 Criminal Punishment Code; offense severity  
30 ranking chart.--

31           (3) OFFENSE SEVERITY RANKING CHART

	Florida Statute	Felony Degree	Description
1			
2			
3			
4			
5			(g) LEVEL 7
6	316.027(1)(b)	2nd	Accident involving death, failure
7			to stop; leaving scene.
8	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
9			injury.
10	316.1935(3)(b)	1st	Causing serious bodily injury or
11			death to another person; driving
12			at high speed or with wanton
13			disregard for safety while
14			fleeing or attempting to elude
15			law enforcement officer who is in
16			a patrol vehicle with siren and
17			lights activated.
18	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
19			bodily injury.
20	402.319(2)	2nd	Misrepresentation and negligence
21			or intentional act resulting in
22			great bodily harm, permanent
23			disfiguration, permanent
24			disability, or death.
25	409.920(2)	3rd	Medicaid provider fraud.
26	456.065(2)	3rd	Practicing a health care
27			profession without a license.
28	456.065(2)	2nd	Practicing a health care
29			profession without a license
30			which results in serious bodily
31			injury.



1	458.327(1)	3rd	Practicing medicine without a
2			license.
3	459.013(1)	3rd	Practicing osteopathic medicine
4			without a license.
5	460.411(1)	3rd	Practicing chiropractic medicine
6			without a license.
7	461.012(1)	3rd	Practicing podiatric medicine
8			without a license.
9	462.17	3rd	Practicing <u>naturopathic medicine</u>
10			<del>naturopathy</del> without a license.
11	463.015(1)	3rd	Practicing optometry without a
12			license.
13	464.016(1)	3rd	Practicing nursing without a
14			license.
15	465.015(2)	3rd	Practicing pharmacy without a
16			license.
17	466.026(1)	3rd	Practicing dentistry or dental
18			hygiene without a license.
19	467.201	3rd	Practicing midwifery without a
20			license.
21	468.366	3rd	Delivering respiratory care
22			services without a license.
23	483.828(1)	3rd	Practicing as clinical laboratory
24			personnel without a license.
25	483.901(9)	3rd	Practicing medical physics
26			without a license.
27	484.013(1)(c)	3rd	Preparing or dispensing optical
28			devices without a prescription.
29	484.053	3rd	Dispensing hearing aids without a
30			license.
31			

1	494.0018(2)	1st	Conviction of any violation of
2			ss. 494.001-494.0077 in which the
3			total money and property
4			unlawfully obtained exceeded
5			\$50,000 and there were five or
6			more victims.
7	560.123(8)(b)1.	3rd	Failure to report currency or
8			payment instruments exceeding
9			\$300 but less than \$20,000 by
10			money transmitter.
11	560.125(5)(a)	3rd	Money transmitter business by
12			unauthorized person, currency or
13			payment instruments exceeding
14			\$300 but less than \$20,000.
15	655.50(10)(b)1.	3rd	Failure to report financial
16			transactions exceeding \$300 but
17			less than \$20,000 by financial
18			institution.
19	782.051(3)	2nd	Attempted felony murder of a
20			person by a person other than the
21			perpetrator or the perpetrator of
22			an attempted felony.
23	782.07(1)	2nd	Killing of a human being by the
24			act, procurement, or culpable
25			negligence of another
26			(manslaughter).
27	782.071	2nd	Killing of human being or viable
28			fetus by the operation of a motor
29			vehicle in a reckless manner
30			(vehicular homicide).
31			

1	782.072	2nd	Killing of a human being by the
2			operation of a vessel in a
3			reckless manner (vessel
4			homicide).
5	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
6			causing great bodily harm or
7			disfigurement.
8	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
9			weapon.
10	784.045(1)(b)	2nd	Aggravated battery; perpetrator
11			aware victim pregnant.
12	784.048(4)	3rd	Aggravated stalking; violation of
13			injunction or court order.
14	784.048(7)	3rd	Aggravated stalking; violation of
15			court order.
16	784.07(2)(d)	1st	Aggravated battery on law
17			enforcement officer.
18	784.074(1)(a)	1st	Aggravated battery on sexually
19			violent predators facility staff.
20	784.08(2)(a)	1st	Aggravated battery on a person 65
21			years of age or older.
22	784.081(1)	1st	Aggravated battery on specified
23			official or employee.
24	784.082(1)	1st	Aggravated battery by detained
25			person on visitor or other
26			detainee.
27	784.083(1)	1st	Aggravated battery on code
28			inspector.
29	790.07(4)	1st	Specified weapons violation
30			subsequent to previous conviction
31			of s. 790.07(1) or (2).

1	790.16(1)	1st	Discharge of a machine gun under
2			specified circumstances.
3	790.165(2)	2nd	Manufacture, sell, possess, or
4			deliver hoax bomb.
5	790.165(3)	2nd	Possessing, displaying, or
6			threatening to use any hoax bomb
7			while committing or attempting to
8			commit a felony.
9	790.166(3)	2nd	Possessing, selling, using, or
10			attempting to use a hoax weapon
11			of mass destruction.
12	790.166(4)	2nd	Possessing, displaying, or
13			threatening to use a hoax weapon
14			of mass destruction while
15			committing or attempting to
16			commit a felony.
17	796.03	2nd	Procuring any person under 16
18			years for prostitution.
19	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
20			victim less than 12 years of age;
21			offender less than 18 years.
22	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
23			victim 12 years of age or older
24			but less than 16 years; offender
25			18 years or older.
26	806.01(2)	2nd	Maliciously damage structure by
27			fire or explosive.
28	810.02(3)(a)	2nd	Burglary of occupied dwelling;
29			unarmed; no assault or battery.
30	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
31			unarmed; no assault or battery.

1	810.02(3)(d)	2nd	Burglary of occupied conveyance;
2			unarmed; no assault or battery.
3	812.014(2)(a)1.	1st	Property stolen, valued at
4			\$100,000 or more; property stolen
5			while causing other property
6			damage; 1st degree grand theft.
7	812.014(2)(b)2.	2nd	Property stolen, cargo valued at
8			less than \$50,000, grand theft in
9			2nd degree.
10	812.014(2)(b)3.	2nd	Property stolen, emergency
11			medical equipment; 2nd degree
12			grand theft.
13	812.0145(2)(a)	1st	Theft from person 65 years of age
14			or older; \$50,000 or more.
15	812.019(2)	1st	Stolen property; initiates,
16			organizes, plans, etc., the theft
17			of property and traffics in
18			stolen property.
19	812.131(2)(a)	2nd	Robbery by sudden snatching.
20	812.133(2)(b)	1st	Carjacking; no firearm, deadly
21			weapon, or other weapon.
22	817.234(8)(a)	2nd	Solicitation of motor vehicle
23			accident victims with intent to
24			defraud.
25	817.234(9)	2nd	Organizing, planning, or
26			participating in an intentional
27			motor vehicle collision.
28	817.234(11)(c)	1st	Insurance fraud; property value
29			\$100,000 or more.
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31			

1	817.2341(2)(b)&		
2	(3)(b)	1st	Making false entries of material
3			fact or false statements
4			regarding property values
5			relating to the solvency of an
6			insuring entity which are a
7			significant cause of the
8			insolvency of that entity.
9	825.102(3)(b)	2nd	Neglecting an elderly person or
10			disabled adult causing great
11			bodily harm, disability, or
12			disfigurement.
13	825.103(2)(b)	2nd	Exploiting an elderly person or
14			disabled adult and property is
15			valued at \$20,000 or more, but
16			less than \$100,000.
17	827.03(3)(b)	2nd	Neglect of a child causing great
18			bodily harm, disability, or
19			disfigurement.
20	827.04(3)	3rd	Impregnation of a child under 16
21			years of age by person 21 years
22			of age or older.
23	837.05(2)	3rd	Giving false information about
24			alleged capital felony to a law
25			enforcement officer.
26	838.015	2nd	Bribery.
27	838.016	2nd	Unlawful compensation or reward
28			for official behavior.
29	838.021(3)(a)	2nd	Unlawful harm to a public
30			servant.
31	838.22	2nd	Bid tampering.

1	872.06	2nd	Abuse of a dead human body.
2	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
3			cocaine (or other drug prohibited
4			under s. 893.03(1)(a), (1)(b),
5			(1)(d), (2)(a), (2)(b), or
6			(2)(c)4.) within 1,000 feet of a
7			child care facility, school, or
8			state, county, or municipal park
9			or publicly owned recreational
10			facility or community center.
11	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
12			cocaine or other drug prohibited
13			under s. 893.03(1)(a), (1)(b),
14			(1)(d), (2)(a), (2)(b), or
15			(2)(c)4., within 1,000 feet of
16			property used for religious
17			services or a specified business
18			site.
19	893.13(4)(a)	1st	Deliver to minor cocaine (or
20			other s. 893.03(1)(a), (1)(b),
21			(1)(d), (2)(a), (2)(b), or
22			(2)(c)4. drugs).
23	893.135(1)(a)1.	1st	Trafficking in cannabis, more
24			than 25 lbs., less than 2,000
25			lbs.
26	893.135		
27	(1)(b)1.a.	1st	Trafficking in cocaine, more than
28			28 grams, less than 200 grams.
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31			

1	893.135		
2	(1)(c)1.a.	1st	Trafficking in illegal drugs,
3			more than 4 grams, less than 14
4			grams.
5	893.135		
6	(1)(d)1.	1st	Trafficking in phencyclidine,
7			more than 28 grams, less than 200
8			grams.
9	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
10			than 200 grams, less than 5
11			kilograms.
12	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
13			than 14 grams, less than 28
14			grams.
15	893.135		
16	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
17			grams or more, less than 14
18			grams.
19	893.135		
20	(1)(h)1.a.	1st	Trafficking in
21			gamma-hydroxybutyric acid (GHB),
22			1 kilogram or more, less than 5
23			kilograms.
24	893.135		
25	(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1
26			kilogram or more, less than 5
27			kilograms.
28	893.135		
29	(1)(k)2.a.	1st	Trafficking in Phenethylamines,
30			10 grams or more, less than 200
31			grams.



1 896.101(5)(a) 3rd Money laundering, financial  
2 transactions exceeding \$300 but  
3 less than \$20,000.  
4 896.104(4)(a)1. 3rd Structuring transactions to evade  
5 reporting or registration  
6 requirements, financial  
7 transactions exceeding \$300 but  
8 less than \$20,000.  
9 Section 27. This act shall take effect July 1, 2005.  
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