

1                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 381.4018, F.S.; authorizing the Department of  
4           Health to adopt rules to implement a federal program  
5           to further encourage qualified physicians to relocate  
6           to and practice in underserved areas; amending s.  
7           456.013, F.S.; revising health care practitioner  
8           licensure application requirements; amending s.  
9           456.024, F.S.; revising licensure eligibility  
10          requirements; repealing s. 460.4166, F.S., relating to  
11          registered chiropractic assistants; amending s.  
12          463.006, F.S.; revising examination requirements for  
13          licensure and certification by examination; creating  
14          s. 463.0061, F.S.; authorizing licensure of optometry  
15          by endorsement and providing requirements therefor;  
16          defining the term "active licensed practice of  
17          optometry" amending s. 464.006, F.S.; authorizing the  
18          board to establish certain standards of care; amending  
19          s. 464.202, F.S.; requiring the board to establish  
20          discipline and standards of care under the scope of  
21          practice of certified nursing assistants; amending s.  
22          464.203, F.S.; revising certification requirements for  
23          nursing assistants; amending s. 464.204, F.S.;  
24          revising grounds for board-imposed disciplinary  
25          sanctions; amending s. 465.019, F.S.; requiring an

26 | institutional pharmacy to pass inspection by the board  
27 | for certain permits; amending s. 465.0193, F.S.;  
28 | requiring a nuclear pharmacy to pass a specified  
29 | inspection by the department within a specified time  
30 | before issuance of certain permits; creating s.  
31 | 465.0195, F.S.; requiring certain pharmacies and  
32 | outsourcing facilities to obtain a permit in order to  
33 | create, ship, mail, deliver, or dispense compounded  
34 | sterile products into this state; providing  
35 | application requirements; providing inspection  
36 | requirements; providing permit requirements;  
37 | authorizing the board to adopt rules; providing  
38 | applicability; amending s. 465.0196, F.S.; requiring a  
39 | special pharmacy to pass inspection by the board for  
40 | certain permits; amending s. 465.0197, F.S.; requiring  
41 | an Internet pharmacy to pass inspection by the board  
42 | for certain permits; amending s. 466.006, F.S.;  
43 | revising certain requirements for examinations  
44 | completed by applicants seeking dental licensure;  
45 | amending s. 466.007, F.S.; revising requirements for  
46 | examinations of a dental hygienist; amending s.  
47 | 466.017, F.S.; providing adverse incident reporting  
48 | requirements; defining the term "adverse incident";  
49 | providing for disciplinary action by the board;  
50 | authorizing the Board of Dentistry to adopt rules;

51 | repealing s. 466.032, F.S., relating to registration;  
52 | repealing s. 466.033, F.S., relating to registration  
53 | certificates; repealing s. 466.034, F.S., relating to  
54 | change of ownership or address; repealing s. 466.035,  
55 | F.S., relating to advertising; repealing s. 466.036,  
56 | F.S., relating to information, periodic inspections,  
57 | and equipment and supplies; repealing s. 466.037,  
58 | F.S., relating to suspension and revocation and  
59 | administrative fines; repealing s. 466.038, F.S.,  
60 | relating to rules; repealing s. 466.039, F.S.,  
61 | relating to violations; amending s. 468.505, F.S.;  
62 | providing that certain persons are not prohibited or  
63 | restricted from practice, services, or activities;  
64 | amending s. 468.701, F.S.; revising a definition;  
65 | amending s. 468.707, F.S.; revising athletic trainer  
66 | licensure requirements; amending s. 468.711, F.S.;  
67 | revising requirements for the renewal of license  
68 | related to continuing education; amending s. 468.723,  
69 | F.S.; revising a definition; amending s. 468.803,  
70 | F.S.; revising orthotic, prosthetic, and pedorthic  
71 | licensure, registration, and examination requirements;  
72 | amending s. 480.033, F.S.; revising a definition;  
73 | amending s. 480.041, F.S.; revising qualifications for  
74 | licensure as a massage therapist; repealing s.  
75 | 480.042, F.S., relating to examinations; amending s.

76 | 480.046, F.S.; revising instances under which  
77 | disciplinary action may be taken against massage  
78 | establishments; amending s. 483.824, F.S.; revising  
79 | qualification requirements for a clinical laboratory  
80 | director; amending s. 490.003, F.S.; revising  
81 | definitions; amending s. 490.005, F.S.; revising  
82 | examination requirements for licensure of a  
83 | psychologist; amending s. 490.006, F.S.; revising  
84 | requirements for licensure by endorsement of certain  
85 | psychologists; amending s. 491.0045, F.S.; providing  
86 | an exemption for intern registration requirements  
87 | under certain circumstances; amending s. 491.005,  
88 | F.S.; revising education requirements for the  
89 | licensure of marriage and family therapists; revising  
90 | examination requirements for the licensure of mental  
91 | health counselors; amending s. 491.006, F.S.; revising  
92 | requirements for licensure or certification by  
93 | endorsement for certain professions; amending s.  
94 | 491.007, F.S.; removing a biennial intern registration  
95 | fee; amending s. 491.009, F.S.; authorizing the Board  
96 | of Clinical Social Work, Marriage and Family Therapy,  
97 | and Mental Health Counseling to enter an order denying  
98 | licensure or imposing penalties against an applicant  
99 | for licensure under certain circumstances; providing  
100 | penalties; amending ss. 463.0057, 491.0046, and

101 945.42, F.S.; conforming provisions to changes made by  
102 the act; providing an effective date.  
103

104 Be It Enacted by the Legislature of the State of Florida:  
105

106 Section 1. Paragraph (f) of subsection (3) of section  
107 381.4018, Florida Statutes, is amended to read:

108 381.4018 Physician workforce assessment and development.—

109 (3) GENERAL FUNCTIONS.—The department shall maximize the  
110 use of existing programs under the jurisdiction of the  
111 department and other state agencies and coordinate governmental  
112 and nongovernmental stakeholders and resources in order to  
113 develop a state strategic plan and assess the implementation of  
114 such strategic plan. In developing the state strategic plan, the  
115 department shall:

116 (f) Develop strategies to maximize federal and state  
117 programs that provide for the use of incentives to attract  
118 physicians to this state or retain physicians within the state.  
119 Such strategies should explore and maximize federal-state  
120 partnerships that provide incentives for physicians to practice  
121 in federally designated shortage areas. Strategies shall also  
122 consider the use of state programs, such as the Medical  
123 Education Reimbursement and Loan Repayment Program pursuant to  
124 s. 1009.65, which provide for education loan repayment or loan  
125 forgiveness and provide monetary incentives for physicians to

126 | relocate to underserved areas of the state. To further encourage  
127 | qualified physicians to relocate to and practice in underserved  
128 | areas, the department, following federal requirements, shall  
129 | adopt any rules necessary for the implementation of the Conrad  
130 | 30 Waiver Program established under s. 214(1) of the Immigration  
131 | and Nationality Act.

132 |       Section 2. Paragraph (a) of subsection (1) of section  
133 | 456.013, Florida Statutes, is amended to read:

134 |       456.013 Department; general licensing provisions.—

135 |       (1) (a) Any person desiring to be licensed in a profession  
136 | within the jurisdiction of the department shall apply to the  
137 | department in writing ~~to take the licensure examination.~~ The  
138 | application shall be made on a form prepared and furnished by  
139 | the department. The application form must be available on the  
140 | World Wide Web and the department may accept electronically  
141 | submitted applications beginning July 1, 2001. The application  
142 | shall require the social security number and date of birth of  
143 | the applicant, except as provided in paragraphs (b) and (c). The  
144 | form shall be supplemented as needed to reflect any material  
145 | change in any circumstance or condition stated in the  
146 | application which takes place between the initial filing of the  
147 | application and the final grant or denial of the license and  
148 | which might affect the decision of the department. If an  
149 | application is submitted electronically, the department may  
150 | require supplemental materials, including an original signature

151 of the applicant and verification of credentials, to be  
 152 submitted in a nonelectronic format. An incomplete application  
 153 shall expire 1 year after initial filing. In order to further  
 154 the economic development goals of the state, and notwithstanding  
 155 any law to the contrary, the department may enter into an  
 156 agreement with the county tax collector for the purpose of  
 157 appointing the county tax collector as the department's agent to  
 158 accept applications for licenses and applications for renewals  
 159 of licenses. The agreement must specify the time within which  
 160 the tax collector must forward any applications and accompanying  
 161 application fees to the department.

162 Section 3. Paragraphs (a) and (b) of subsection (3) and  
 163 paragraph (j) of subsection (4) of section 456.024, Florida  
 164 Statutes, are amended to read:

165 456.024 Members of Armed Forces in good standing with  
 166 administrative boards or the department; spouses; licensure.—

167 (3) (a) A person is eligible for licensure as a health care  
 168 practitioner in this state if he or she:

169 1. Serves or has served as a health care practitioner in  
 170 the United States Armed Forces, the United States Reserve  
 171 Forces, or the National Guard;

172 2. Serves or has served on active duty with the United  
 173 States Armed Forces as a health care practitioner in the United  
 174 States Public Health Service; or

175 3. Is a health care practitioner, ~~other than a dentist,~~ in

176 another state, the District of Columbia, or a possession or  
177 territory of the United States and is the spouse of a person  
178 serving on active duty with the United States Armed Forces.  
179

180 The department shall develop an application form, and each  
181 board, or the department if there is no board, shall waive the  
182 application fee, licensure fee, and unlicensed activity fee for  
183 such applicants. For purposes of this subsection, "health care  
184 practitioner" means a health care practitioner as defined in s.  
185 456.001 and a person licensed under part III of chapter 401 or  
186 part IV of chapter 468.

187 (b) The board, or the department if there is no board,  
188 shall issue a license to practice in this state to a person who:

189 1. Submits a complete application.

190 2. If he or she is a member of the United States Armed  
191 Forces, the United States Reserve Forces, or the National Guard,  
192 submits proof that he or she has received an honorable discharge  
193 within 6 months before, or will receive an honorable discharge  
194 within 6 months after, the date of submission of the  
195 application.

196 3.a. Holds an active, unencumbered license issued by  
197 another state, the District of Columbia, or a possession or  
198 territory of the United States and who has not had disciplinary  
199 action taken against him or her in the 5 years preceding the  
200 date of submission of the application;



201           b. Is a military health care practitioner in a profession  
 202 for which licensure in a state or jurisdiction is not required  
 203 to practice in the United States Armed Forces, if he or she  
 204 submits to the department evidence of military training or  
 205 experience substantially equivalent to the requirements for  
 206 licensure in this state in that profession and evidence that he  
 207 or she has obtained a passing score on the appropriate  
 208 examination of a national or regional standards organization if  
 209 required for licensure in this state; or

210           c. Is the spouse of a person serving on active duty in the  
 211 United States Armed Forces and is a health care practitioner in  
 212 a profession, ~~excluding dentistry,~~ for which licensure in  
 213 another state or jurisdiction is not required, if he or she  
 214 submits to the department evidence of training or experience  
 215 substantially equivalent to the requirements for licensure in  
 216 this state in that profession and evidence that he or she has  
 217 obtained a passing score on the appropriate examination of a  
 218 national or regional standards organization if required for  
 219 licensure in this state.

220           4. Attests that he or she is not, at the time of  
 221 submission of the application, the subject of a disciplinary  
 222 proceeding in a jurisdiction in which he or she holds a license  
 223 or by the United States Department of Defense for reasons  
 224 related to the practice of the profession for which he or she is  
 225 applying.

226           5. Actively practiced the profession for which he or she  
 227 is applying for the 3 years preceding the date of submission of  
 228 the application.

229           6. Submits a set of fingerprints for a background  
 230 screening pursuant to s. 456.0135, if required for the  
 231 profession for which he or she is applying.

232  
 233 The department shall verify information submitted by the  
 234 applicant under this subsection using the National Practitioner  
 235 Data Bank.

236           (4)

237           ~~(j) An applicant who is issued a temporary professional~~  
 238 ~~license to practice as a dentist pursuant to this section must~~  
 239 ~~practice under the indirect supervision, as defined in s.~~  
 240 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

241           Section 4. Section 460.4166, Florida Statutes, is  
 242 repealed.

243           Section 5. Section 463.006, Florida Statutes, is amended  
 244 to read:

245           463.006 Licensure and certification by examination.—

246           (1) Any person desiring to be a licensed practitioner  
 247 pursuant to this chapter shall apply to the department ~~to take~~  
 248 ~~the licensure and certification examinations.~~ The department  
 249 shall license ~~examine~~ each applicant who the board determines  
 250 has:

251 (a) Completed the application forms as required by the  
252 board, remitted an application fee for certification not to  
253 exceed \$250, ~~remitted an examination fee for certification not~~  
254 ~~to exceed \$250,~~ and remitted a ~~an examination~~ fee for licensure  
255 not to exceed \$325, all as set by the board.

256 (b) Submitted proof satisfactory to the department that  
257 she or he:

258 1. Is at least 18 years of age.

259 2. Has graduated from an accredited school or college of  
260 optometry approved by rule of the board.

261 ~~3. Is of good moral character.~~

262 3.4. Has successfully completed at least 110 hours of  
263 transcript-quality coursework and clinical training in general  
264 and ocular pharmacology as determined by the board, at an  
265 institution that:

266 a. Has facilities for both didactic and clinical  
267 instructions in pharmacology; and

268 b. Is accredited by a regional or professional accrediting  
269 organization that is recognized and approved by the Commission  
270 on Recognition of Postsecondary Accreditation or the United  
271 States Department of Education.

272 4.5. Has completed at least 1 year of supervised  
273 experience in differential diagnosis of eye disease or disorders  
274 as part of the optometric training or in a clinical setting as  
275 part of the optometric experience.

276           5. Has obtained a passing score, as established by rule of  
 277 the board, on the licensure examination of the National Board of  
 278 Examiners in Optometry or a similar nationally recognized  
 279 examination approved by the board.

280           ~~(2) The examination shall consist of the appropriate~~  
 281 ~~subjects, including applicable state laws and rules and general~~  
 282 ~~and ocular pharmacology with emphasis on the use and side~~  
 283 ~~effects of ocular pharmaceutical agents. The board may by rule~~  
 284 ~~substitute a national examination as part or all of the~~  
 285 ~~examination and may by rule offer a practical examination in~~  
 286 ~~addition to the written examination.~~

287           (2)~~(3)~~ Each applicant who successfully passes the  
 288 examination and otherwise meets the requirements of this chapter  
 289 is entitled to be licensed as a practitioner and to be certified  
 290 to administer and prescribe ocular pharmaceutical agents in the  
 291 diagnosis and treatment of ocular conditions.

292           Section 6. Section 463.0061, Florida Statutes, is created  
 293 to read:

294           463.0061 Licensure by endorsement; requirements; fees.—

295           (1) Any person desiring to be a licensed practitioner  
 296 pursuant to this chapter shall apply to the department. The  
 297 department shall issue a license by endorsement to any applicant  
 298 who, upon applying to the department on forms furnished by the  
 299 department and remitting a nonrefundable application fee set by  
 300 the board not to exceed \$250 and a licensure fee not to exceed

301 \$325, the board certifies:

302 (a) Has graduated from an accredited school or college of  
303 optometry accredited by a regional or professional accrediting  
304 organization that is recognized and approved by the Commission  
305 on Recognition of Postsecondary Accreditation or the United  
306 States Department of Education.

307 (b) Has obtained an overall passing score, as established  
308 by rule of the board, on the licensure examination of the  
309 National Board of Examiners in Optometry or a similar nationally  
310 recognized examination approved by the board.

311 (c) Has submitted evidence of an active, licensed practice  
312 of optometry in another jurisdiction, for at least 5 of the  
313 immediately preceding 7 years, or evidence of successful  
314 completion of a board-approved clinical competency examination  
315 within the year preceding the filing of an application for  
316 licensure. For purposes of this paragraph, "active licensed  
317 practice of optometry" means that practice of optometry by  
318 optometrists, including those employed by any federal or state  
319 governmental entity in community or public health.

320 (d) Has successfully completed the clinical skills portion  
321 of the examination developed by the National Board of Examiners  
322 in Optometry. In addition to an overall passing score on the  
323 clinical skills portion, an applicant must obtain a score of 75  
324 percent or better on each of the biomicroscopy, binocular  
325 indirect ophthalmoscopy, and dilated biomicroscopy and

326 noncontact fundus lens evaluation skills individually.

327 (e) Has successfully completed a written examination on  
328 applicable general laws and rules governing the practice of  
329 optometry.

330 (f) Has obtained a passing score on either the Treatment  
331 and Management of Ocular Disease examination in the Patient  
332 Assessment and Management portion of the examination developed  
333 by the National Board of Examiners in Optometry or the stand  
334 alone Treatment and Management of Ocular Disease examination  
335 developed by the National Board of Examiners in Optometry.

336 (2) The applicant shall submit evidence of completing a  
337 total of at least 30 hours of board-approved continuing  
338 education for the 2 calendar years immediately preceding  
339 application.

340 (3) The department shall not issue a license by  
341 endorsement to any applicant who is under investigation in any  
342 jurisdiction for an act or offense which would constitute a  
343 violation of this chapter until such time as the investigation  
344 is complete, at which time the provisions of s. 463.016 shall  
345 apply. Furthermore, the department may not issue an unrestricted  
346 license to any individual who has committed any act or offense  
347 in any jurisdiction constituting the basis for disciplining an  
348 optometrist pursuant to s. 463.016. If the board finds that an  
349 individual has committed an act or offense constituting the  
350 basis for disciplining an optometrist pursuant to s. 463.016,

351 the board may enter an order imposing one or more of the terms  
 352 set forth in subsection (4).

353 (4) When the board determines that an applicant for  
 354 licensure by endorsement has failed to satisfy each of the  
 355 appropriate requirements in this section, it may enter an order  
 356 requiring one or more of the following:

357 (a) Refusal to certify to the department an application  
 358 for licensure or certification;

359 (b) Certify to the department an application for licensure  
 360 or certification with restrictions on the scope of practice of  
 361 the licensee; or

362 (c) Certify to the department an application for licensure  
 363 or certification with a probationary period subject to  
 364 conditions specified by the board, including, but not limited  
 365 to, requiring the optometrist to submit to treatment, attend  
 366 continuing education courses, submit to reexamination, or work  
 367 under the supervision of another licensed optometrist.

368 Section 7. Section 464.006, Florida Statutes, is amended  
 369 to read:

370 464.006 Rulemaking authority.—The board may ~~has authority~~  
 371 ~~to~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to  
 372 implement the provisions of this part conferring duties upon it  
 373 and establish standards of care.

374 Section 8. Section 464.202, Florida Statutes, is amended  
 375 to read:

376 464.202 Duties and powers of the board.—The board shall  
377 maintain, or contract with or approve another entity to  
378 maintain, a state registry of certified nursing assistants. The  
379 registry must consist of the name of each certified nursing  
380 assistant in this state; other identifying information defined  
381 by board rule; certification status; the effective date of  
382 certification; other information required by state or federal  
383 law; information regarding any crime or any abuse, neglect, or  
384 exploitation as provided under chapter 435; and any disciplinary  
385 action taken against the certified nursing assistant. The  
386 registry shall be accessible to the public, the  
387 certificateholder, employers, and other state agencies. The  
388 board shall adopt by rule testing procedures for use in  
389 certifying nursing assistants and shall adopt rules regulating  
390 the practice of certified nursing assistants, including  
391 discipline and establishing standards of care and specifying the  
392 scope of practice authorized and the level of supervision  
393 required for the practice of certified nursing assistants. The  
394 board may contract with or approve another entity or  
395 organization to provide the examination services, including the  
396 development and administration of examinations. The board shall  
397 require that the contract provider offer certified nursing  
398 assistant applications via the Internet, and may require the  
399 contract provider to accept certified nursing assistant  
400 applications for processing via the Internet. The board shall



401 require the contract provider to provide the preliminary results  
 402 of the certified nursing examination on the date the test is  
 403 administered. The provider shall pay all reasonable costs and  
 404 expenses incurred by the board in evaluating the provider's  
 405 application and performance during the delivery of services,  
 406 including examination services and procedures for maintaining  
 407 the certified nursing assistant registry.

408 Section 9. Paragraph (c) of subsection (1) of section  
 409 464.203, Florida Statutes, is amended to read:

410 464.203 Certified nursing assistants; certification  
 411 requirement.—

412 (1) The board shall issue a certificate to practice as a  
 413 certified nursing assistant to any person who demonstrates a  
 414 minimum competency to read and write and successfully passes the  
 415 required background screening pursuant to s. 400.215. If the  
 416 person has successfully passed the required background screening  
 417 pursuant to s. 400.215 or s. 408.809 within 90 days before  
 418 applying for a certificate to practice and the person's  
 419 background screening results are not retained in the  
 420 clearinghouse created under s. 435.12, the board shall waive the  
 421 requirement that the applicant successfully pass an additional  
 422 background screening pursuant to s. 400.215. The person must  
 423 also meet one of the following requirements:

424 (c) Is currently certified in another state or territory,  
 425 and the District of Columbia; is listed on that state's

426 certified nursing assistant registry; and has not been found to  
 427 have committed abuse, neglect, or exploitation in that state.

428 Section 10. Subsection (1) of section 464.204, Florida  
 429 Statutes, is amended to read:

430 464.204 Denial, suspension, or revocation of  
 431 certification; disciplinary actions.—

432 (1) The following acts constitute grounds for which the  
 433 board may impose disciplinary sanctions as specified in  
 434 subsection (2):

435 (a) Obtaining or attempting to obtain certification or an  
 436 exemption, or possessing or attempting to possess certification  
 437 or a letter of exemption, by bribery, misrepresentation, deceit,  
 438 or through an error of the board.

439 (b) ~~Intentionally~~ Violating any provision of this chapter,  
 440 chapter 456, or the rules adopted by the board.

441 Section 11. Subsection (7) is added to section 465.019,  
 442 Florida Statutes, to read:

443 465.019 Institutional pharmacies; permits.—

444 (7) An institutional pharmacy must pass an onsite  
 445 inspection by the department as a prerequisite to the issuance  
 446 of an initial permit or a permit for a change of location. The  
 447 inspection must be completed within 90 days before the issuance  
 448 of the permit.

449 Section 12. Section 465.0193, Florida Statutes, is amended  
 450 to read:

451           465.0193 Nuclear pharmacy permits.—Any person desiring a  
452 permit to operate a nuclear pharmacy shall apply to the  
453 department. If the board certifies that the application complies  
454 with applicable law, the department shall issue the permit. No  
455 permit shall be issued unless a duly licensed and qualified  
456 nuclear pharmacist is designated as being responsible for  
457 activities described in s. 465.0126. A nuclear pharmacy must  
458 pass an onsite inspection by the department as a prerequisite to  
459 the issuance of an initial permit or a permit for a change of  
460 location. The inspection must be completed within 90 days before  
461 the issuance of the permit. The permittee shall notify the  
462 department within 10 days of any change of the licensed  
463 pharmacist responsible for the compounding and dispensing of  
464 nuclear pharmaceuticals.

465           Section 13. Section 465.0195, Florida Statutes, is created  
466 to read:

467           465.0195 Pharmacy or outsourcing facility; sterile  
468 compounding permit.—Before a pharmacy or outsourcing facility  
469 located in this state dispenses, creates, delivers, ships, or  
470 mails, in any manner, a compounded sterile product, the pharmacy  
471 or outsourcing facility must hold a sterile compounding permit.

472           (1) An application for a sterile compounding permit shall  
473 be submitted on a form furnished by the board. The board may  
474 require such information as it deems reasonably necessary to  
475 carry out the purposes of this section.

476        (2) If the board certifies that the application complies  
477 with applicable laws and rules of the board governing  
478 pharmacies, the department shall issue the permit.

479        (3) A pharmacy or outsourcing facility must pass an onsite  
480 inspection by the department as a prerequisite to the issuance  
481 of an initial permit or a permit for a change of location. The  
482 inspection must be completed within 90 days prior to the  
483 issuance of the permit. The board may adopt by rule, standards  
484 for the conducting of an onsite inspection for issuance of a  
485 sterile compounding permit.

486        (4) A permit may not be issued unless a licensed  
487 pharmacist is designated to undertake the professional  
488 supervision of the compounding and dispensing of all drugs  
489 dispensed by the permittee.

490        (5) A permittee must notify the department within 10 days  
491 after any change of the licensed pharmacist under subsection  
492 (4). Each permittee that employs or otherwise uses registered  
493 pharmacy technicians shall have a written policy and procedures  
494 manual specifying those duties, tasks, and functions that a  
495 registered pharmacy technician is authorized to perform.

496        (6) The board may adopt by rule, standards of practice for  
497 sterile compounding. In adopting such rules, the board shall  
498 give due consideration to the standards and requirements  
499 provided in chapter 797 of the United States Pharmacopeia, or  
500 other professionally accepted standards deemed authoritative by

501 the board. In adopting such rules for an outsourcing facility,  
502 the board shall consider the standards and requirements of  
503 current good manufacturing practices as set forth by federal law  
504 and any other professionally accepted standards deemed  
505 authoritative by the board.

506 (7) All provisions relating to pharmacy permits found in  
507 ss. 465.022 and 465.023, are applicable to permits issued  
508 pursuant to this section.

509 Section 14. Section 465.0196, Florida Statutes, is amended  
510 to read:

511 465.0196 Special pharmacy permits.—Any person desiring a  
512 permit to operate a special pharmacy shall apply to the  
513 department for a special pharmacy permit. If the board certifies  
514 that the application complies with the applicable laws and rules  
515 of the board governing the practice of the profession of  
516 pharmacy, the department shall issue the permit. A special  
517 pharmacy must pass an onsite inspection by the department as a  
518 prerequisite to the issuance of an initial permit or a permit  
519 for a change of location. The inspection must be completed  
520 within 90 days before the issuance of the permit. A permit may  
521 not be issued unless a licensed pharmacist is designated to  
522 undertake the professional supervision of the compounding and  
523 dispensing of all drugs dispensed by the pharmacy. The licensed  
524 pharmacist shall be responsible for maintaining all drug records  
525 and for providing for the security of the area in the facility

526 | in which the compounding, storing, and dispensing of medicinal  
527 | drugs occurs. The permittee shall notify the department within  
528 | 10 days after any change of the licensed pharmacist responsible  
529 | for such duties. Each permittee that employs or otherwise uses  
530 | registered pharmacy technicians shall have a written policy and  
531 | procedures manual specifying those duties, tasks, and functions  
532 | that a registered pharmacy technician is allowed to perform.

533 | Section 15. Subsection (2) of section 465.0197, Florida  
534 | Statutes, is amended to read:

535 | 465.0197 Internet pharmacy permits.—

536 | (2) An Internet pharmacy must obtain a permit under this  
537 | section to sell medicinal drugs to persons in this state. An  
538 | Internet pharmacy must pass an onsite inspection by the  
539 | department as a prerequisite to the issuance of an initial  
540 | permit or a permit for a change of location. The inspection must  
541 | be completed within 90 days prior to the issuance of the permit.

542 | Section 16. Subsection (4) of section 466.006, Florida  
543 | Statutes, is amended to read:

544 | 466.006 Examination of dentists.—

545 | (4) Notwithstanding any other provision of law in chapter  
546 | 456 pertaining to the clinical dental licensure examination or  
547 | national examinations, to be licensed as a dentist in this  
548 | state, an applicant must successfully complete the following:

549 | (a) A written examination on the laws and rules of the  
550 | state regulating the practice of dentistry;

551 (b)1. A practical or clinical examination, which shall be  
552 the American Dental Licensing Examination produced by the  
553 American Board of Dental Examiners, Inc., or its successor  
554 entity, if any, that is administered in this state ~~and graded by~~  
555 ~~dentists licensed in this state and employed by the department~~  
556 ~~for just such purpose~~, provided that the board has attained, and  
557 continues to maintain thereafter, representation on the board of  
558 directors of the American Board of Dental Examiners, the  
559 examination development committee of the American Board of  
560 Dental Examiners, and such other committees of the American  
561 Board of Dental Examiners as the board deems appropriate by rule  
562 to assure that the standards established herein are maintained  
563 organizationally. A passing score on the American Dental  
564 Licensing Examination administered in this state ~~and graded by~~  
565 ~~dentists who are licensed in this state~~ is valid for 365 days  
566 after the date the official examination results are published.

567 2.a. As an alternative to the requirements of subparagraph  
568 1., an applicant may submit scores from an American Dental  
569 Licensing Examination previously administered in a jurisdiction  
570 other than this state after October 1, 2011, and such  
571 examination results shall be recognized as valid for the purpose  
572 of licensure in this state. A passing score on the American  
573 Dental Licensing Examination administered out-of-state shall be  
574 the same as the passing score for the American Dental Licensing  
575 Examination administered in this state ~~and graded by dentists~~

576 ~~who are licensed in this state.~~ The examination results are  
577 valid for 365 days after the date the official examination  
578 results are published. The applicant must have completed the  
579 examination after October 1, 2011.

580       b. This subparagraph may not be given retroactive  
581 application.

582       3. If the date of an applicant's passing American Dental  
583 Licensing Examination scores from an examination previously  
584 administered in a jurisdiction other than this state under  
585 subparagraph 2. is older than 365 days, then such scores shall  
586 nevertheless be recognized as valid for the purpose of licensure  
587 in this state, but only if the applicant demonstrates that all  
588 of the following additional standards have been met:

589       a.(I) The applicant completed the American Dental  
590 Licensing Examination after October 1, 2011.

591       (II) This sub-subparagraph may not be given retroactive  
592 application;

593       b. The applicant graduated from a dental school accredited  
594 by the American Dental Association Commission on Dental  
595 Accreditation or its successor entity, if any, or any other  
596 dental accrediting organization recognized by the United States  
597 Department of Education. Provided, however, if the applicant did  
598 not graduate from such a dental school, the applicant may submit  
599 proof of having successfully completed a full-time supplemental  
600 general dentistry program accredited by the American Dental



601 Association Commission on Dental Accreditation of at least 2  
602 consecutive academic years at such accredited sponsoring  
603 institution. Such program must provide didactic and clinical  
604 education at the level of a D.D.S. or D.M.D. program accredited  
605 by the American Dental Association Commission on Dental  
606 Accreditation;

607 c. The applicant currently possesses a valid and active  
608 dental license in good standing, with no restriction, which has  
609 never been revoked, suspended, restricted, or otherwise  
610 disciplined, from another state or territory of the United  
611 States, the District of Columbia, or the Commonwealth of Puerto  
612 Rico;

613 d. The applicant submits proof that he or she has never  
614 been reported to the National Practitioner Data Bank, the  
615 Healthcare Integrity and Protection Data Bank, or the American  
616 Association of Dental Boards Clearinghouse. This sub-  
617 subparagraph does not apply if the applicant successfully  
618 appealed to have his or her name removed from the data banks of  
619 these agencies;

620 e.(I) In the 5 years immediately preceding the date of  
621 application for licensure in this state, the applicant must  
622 submit proof of having been consecutively engaged in the full-  
623 time practice of dentistry in another state or territory of the  
624 United States, the District of Columbia, or the Commonwealth of  
625 Puerto Rico, or, if the applicant has been licensed in another

626 state or territory of the United States, the District of  
627 Columbia, or the Commonwealth of Puerto Rico for less than 5  
628 years, the applicant must submit proof of having been engaged in  
629 the full-time practice of dentistry since the date of his or her  
630 initial licensure.

631 (II) As used in this section, "full-time practice" is  
632 defined as a minimum of 1,200 hours per year for each and every  
633 year in the consecutive 5-year period or, where applicable, the  
634 period since initial licensure, and must include any combination  
635 of the following:

636 (A) Active clinical practice of dentistry providing direct  
637 patient care.

638 (B) Full-time practice as a faculty member employed by a  
639 dental or dental hygiene school approved by the board or  
640 accredited by the American Dental Association Commission on  
641 Dental Accreditation.

642 (C) Full-time practice as a student at a postgraduate  
643 dental education program approved by the board or accredited by  
644 the American Dental Association Commission on Dental  
645 Accreditation.

646 (III) The board shall develop rules to determine what type  
647 of proof of full-time practice is required and to recoup the  
648 cost to the board of verifying full-time practice under this  
649 section. Such proof must, at a minimum, be:

650 (A) Admissible as evidence in an administrative

651 proceeding;

652 (B) Submitted in writing;

653 (C) Submitted by the applicant under oath with penalties  
654 of perjury attached;

655 (D) Further documented by an affidavit of someone  
656 unrelated to the applicant who is familiar with the applicant's  
657 practice and testifies with particularity that the applicant has  
658 been engaged in full-time practice; and

659 (E) Specifically found by the board to be both credible  
660 and admissible.

661 (IV) An affidavit of only the applicant is not acceptable  
662 proof of full-time practice unless it is further attested to by  
663 someone unrelated to the applicant who has personal knowledge of  
664 the applicant's practice. If the board deems it necessary to  
665 assess credibility or accuracy, the board may require the  
666 applicant or the applicant's witnesses to appear before the  
667 board and give oral testimony under oath;

668 f. The applicant must submit documentation that he or she  
669 has completed, or will complete, prior to licensure in this  
670 state, continuing education equivalent to this state's  
671 requirements for the last full reporting biennium;

672 g. The applicant must prove that he or she has never been  
673 convicted of, or pled nolo contendere to, regardless of  
674 adjudication, any felony or misdemeanor related to the practice  
675 of a health care profession in any jurisdiction;

676 h. The applicant must successfully pass a written  
677 examination on the laws and rules of this state regulating the  
678 practice of dentistry and must successfully pass the computer-  
679 based diagnostic skills examination; and

680 i. The applicant must submit documentation that he or she  
681 has successfully completed the National Board of Dental  
682 Examiners dental examination.

683 Section 17. Paragraph (b) of subsection (4) and paragraph  
684 (a) of subsection (6) of section 466.007, Florida Statutes, are  
685 amended to read:

686 466.007 Examination of dental hygienists.—

687 (4) Effective July 1, 2012, to be licensed as a dental  
688 hygienist in this state, an applicant must successfully complete  
689 the following:

690 (b) A practical or clinical examination approved by the  
691 board. The examination shall be the Dental Hygiene Examination  
692 produced by the American Board of Dental Examiners, Inc. (ADEX)  
693 or its successor entity, if any, if the board finds that the  
694 successor entity's clinical examination meets or exceeds the  
695 provisions of this section. The board shall approve the ADEX  
696 Dental Hygiene Examination if the board has attained and  
697 continues to maintain representation on the ADEX House of  
698 Representatives, the ADEX Dental Hygiene Examination Development  
699 Committee, and such other ADEX Dental Hygiene committees as the  
700 board deems appropriate through rulemaking to ensure that the

701 standards established in this section are maintained  
702 organizationally. The ADEX Dental Hygiene Examination or the  
703 examination produced by its successor entity is a comprehensive  
704 examination in which an applicant must demonstrate skills within  
705 the dental hygiene scope of practice on a live patient and any  
706 other components that the board deems necessary for the  
707 applicant to successfully demonstrate competency for the purpose  
708 of licensure. ~~The ADEX Dental Hygiene Examination or the~~  
709 ~~examination by the successor entity administered in this state~~  
710 ~~shall be graded by dentists and dental hygienists licensed in~~  
711 ~~this state who are employed by the department for this purpose.~~

712 (6) (a) A passing score on the ADEX Dental Hygiene  
713 Examination administered out of state shall be considered the  
714 same as a passing score for the ADEX Dental Hygiene Examination  
715 administered in this state ~~and graded by licensed dentists and~~  
716 ~~dental hygienists.~~

717 Section 18. Subsections (9) through (15) are added to  
718 section 466.017, Florida Statutes, to read:

719 466.017 Prescription of drugs; anesthesia.—

720 (9) Any adverse incident that occurs in an office  
721 maintained by a dentist must be reported to the department. The  
722 required notification to the department must be submitted in  
723 writing by certified mail and postmarked within 48 hours after  
724 the incident occurs.

725 (10) A dentist practicing in this state must notify the

726 board in writing by certified mail within 48 hours of any  
727 mortality or other adverse incident that occurs in the dentist's  
728 outpatient facility. A complete written report must be filed  
729 with the board within 30 days after the mortality or other  
730 adverse incident.

731 (11) For purposes of notification to the department  
732 pursuant to this section, the term "adverse incident" means any  
733 mortality that occurs during or as the result of a dental  
734 procedure, or an incident that results in the temporary or  
735 permanent physical or mental injury that requires  
736 hospitalization or emergency room treatment of a dental patient  
737 that occurred during or as a direct result of the use of general  
738 anesthesia, deep sedation, conscious sedation, pediatric  
739 conscious sedation, oral sedation, minimal sedation  
740 (anxiolysis), nitrous oxide, or local anesthesia.

741 (12) Any certified registered dental hygienist  
742 administering local anesthesia must notify the board, in writing  
743 by registered mail within 48 hours of any adverse incident that  
744 was related to or the result of the administration of local  
745 anesthesia. A complete written report must be filed with the  
746 board within 30 days after the mortality or other adverse  
747 incident.

748 (13) A failure by the dentist or dental hygienist to  
749 timely and completely comply with all the reporting requirements  
750 in this section is the basis for disciplinary action by the

751 board pursuant to s. 466.028(1).

752 (14) The department shall review each incident and  
753 determine whether it involved conduct by a health care  
754 professional subject to disciplinary action, in which case s.  
755 456.073 applies. Disciplinary action, if any, shall be taken by  
756 the board under which the health care professional is licensed.

757 (15) The board may adopt rules to administer this section.

758 Section 19. Paragraph (n) is added to subsection (1) of  
759 section 468.505, Florida Statutes, to read:

760 468.505 Exemptions; exceptions.—

761 (1) Nothing in this part may be construed as prohibiting  
762 or restricting the practice, services, or activities of:

763 (n) A person who provides information, recommendations, or  
764 advice concerning nutrition, or who markets food, food  
765 materials, or dietary supplements for remuneration, if that  
766 person does not represent himself or herself as a dietitian,  
767 licensed dietitian, registered dietitian, licensed nutritionist,  
768 nutrition counselor, or licensed nutrition counselor, or use any  
769 word, letter, symbol, or insignia indicating or implying that he  
770 or she is a dietitian, nutritionist, or nutrition counselor.

771 Section 20. Sections 466.032, 466.033, 466.034, 466.035,  
772 466.036, 466.037, 466.038, and 466.039, Florida Statutes, are  
773 repealed.

774 Section 21. Subsection (1) of section 468.701, Florida  
775 Statutes, is amended to read:

776 468.701 Definitions.—As used in this part, the term:

777 (1) "Athletic trainer" means a person licensed under this  
 778 part who has met the requirements under this part, including  
 779 education requirements as set forth by the Commission on  
 780 Accreditation of Athletic Training Education or its successor  
 781 and necessary credentials from the Board of Certification. An  
 782 athletic trainer must work within his or her scope of practice  
 783 as established in the rules adopted by the board under s.

784 468.705. An individual who is licensed as an athletic trainer  
 785 may not otherwise provide, offer to provide, or represent that  
 786 he or she is qualified to provide any care or services beyond  
 787 his or her scope of practice, or that he or she lacks the  
 788 education, training, or experience to provide, or that he or she  
 789 is otherwise prohibited by law from providing.

790 Section 22. Section 468.707, Florida Statutes, is amended  
 791 to read:

792 468.707 Licensure requirements.—Any person desiring to be  
 793 licensed as an athletic trainer shall apply to the department on  
 794 a form approved by the department. An applicant shall also  
 795 provide records or other evidence, as determined by the board,  
 796 to prove he or she has met the requirements of this section. The  
 797 department shall license each applicant who:

798 (1) Has completed the application form and remitted the  
 799 required fees.

800 (2) ~~For a person who applies on or after July 1, 2016,~~ Has



801 submitted to background screening pursuant to s. 456.0135. The  
802 board may require a background screening for an applicant whose  
803 license has expired or who is undergoing disciplinary action.

804       (3) (a) Has obtained a baccalaureate or higher degree from  
805 a college or university professional athletic training degree  
806 program accredited by the Commission on Accreditation of  
807 Athletic Training Education or its successor recognized and  
808 approved by the United States Department of Education or the  
809 Commission on Recognition of Postsecondary Accreditation,  
810 approved by the board, or recognized by the Board of  
811 Certification, and has passed the national examination to be  
812 certified by the Board of Certification, or.

813       (b) (4) Has obtained, at a minimum, a bachelor's degree and  
814 has completed the Board of Certification internship requirements  
815 and if graduated before 2004, has a current certification from  
816 the Board of Certification.

817       (4) (5) Has current certification in both cardiopulmonary  
818 resuscitation and the use of an automated external defibrillator  
819 set forth in the continuing education requirements as determined  
820 by the board pursuant to s. 468.711.

821       (5) (6) Has completed any other requirements as determined  
822 by the department and approved by the board.

823       Section 23. Subsection (3) of section 468.711, Florida  
824 Statutes, is amended to read:

825       468.711 Renewal of license; continuing education.—

826 (3) If initially licensed after January 1, 1998, the  
827 licensee must be currently certified by the Board of  
828 Certification or its successor agency and maintain that  
829 certification in good standing without lapse.

830 Section 24. Subsection (2) of section 468.723, Florida  
831 Statutes, is amended to read:

832 468.723 Exemptions.—This part does not prevent or  
833 restrict:

834 (2) An athletic training student acting under the direct  
835 supervision of a licensed athletic trainer. For purposes of this  
836 subsection, "direct supervision" means the physical presence of  
837 an athletic trainer so that the athletic trainer is immediately  
838 available to the athletic training student and able to intervene  
839 on behalf of the athletic training student. The supervision must  
840 be in accordance with rules adopted by the board ~~the standards~~  
841 ~~set forth by the Commission on Accreditation of Athletic~~  
842 ~~Training Education or its successor.~~

843 Section 25. Subsections (1), (3), and (4) of section  
844 468.803, Florida Statutes, are amended to read:

845 468.803 License, registration, and examination  
846 requirements.—

847 (1) The department shall issue a license to practice  
848 orthotics, prosthetics, or pedorthics, or a registration for a  
849 resident to practice orthotics or prosthetics, to qualified  
850 applicants. Licenses shall be granted independently in

851 orthotics, prosthetics, or pedorthics, but a person may be  
852 licensed in more than one such discipline, and a prosthetist-  
853 orthotist license may be granted to persons meeting the  
854 requirements for both a prosthetist and an orthotist license.  
855 Registrations shall be granted independently in orthotics or  
856 prosthetics, and a person may be registered in both fields at  
857 the same time or jointly in orthotics and prosthetics as a dual  
858 registration.

859 (3) A person seeking to attain the required orthotics or  
860 prosthetics experience in this state must be approved by the  
861 board and registered as a resident by the department. Although a  
862 registration may be held in both practice fields, for  
863 independent registrations the board shall not approve a second  
864 registration until at least 1 year after the issuance of the  
865 first registration. Notwithstanding subsection (2), an applicant  
866 for independent registrations who has been approved by the board  
867 and registered by the department in one practice field may apply  
868 for registration in the second practice field without an  
869 additional state or national criminal history check during the  
870 period in which the first registration is valid. Each  
871 independent registration or dual registration is valid for 2  
872 years from the date of issuance unless otherwise revoked by the  
873 department upon recommendation of the board. The board shall set  
874 a registration fee not to exceed \$500 to be paid by the  
875 applicant. A registration may be renewed once by the department

876 upon recommendation of the board for a period no longer than 1  
 877 year, as such renewal is defined by the board by rule. The  
 878 registration renewal fee shall not exceed one-half the current  
 879 registration fee. To be considered by the board for approval of  
 880 registration as a resident, the applicant must have:

881 (a) A Bachelor of Science or higher-level postgraduate  
 882 degree in Orthotics and Prosthetics from a regionally accredited  
 883 college or university recognized by the Commission on  
 884 Accreditation of Allied Health Education Programs or, at a  
 885 minimum, a bachelor's degree from a regionally accredited  
 886 college or university and a certificate in orthotics from a  
 887 program recognized by the Commission on Accreditation of Allied  
 888 Health Education Programs, or its equivalent, as determined by  
 889 the board; ~~or~~

890 (b) A Bachelor of Science or higher-level postgraduate  
 891 degree in Orthotics and Prosthetics from a regionally accredited  
 892 college or university recognized by the Commission on  
 893 Accreditation of Allied Health Education Programs or, at a  
 894 minimum, a bachelor's degree from a regionally accredited  
 895 college or university and a certificate in prosthetics from a  
 896 program recognized by the Commission on Accreditation of Allied  
 897 Health Education Programs, or its equivalent, as determined by  
 898 the board; or

899 (c) A Bachelor of Science or higher-level postgraduate  
 900 degree in Orthotics and Prosthetics from a regionally accredited

901 college or university recognized by the Commission on  
902 Accreditation of Allied Health Education Programs or, at a  
903 minimum, a bachelor's degree from a regionally accredited  
904 college or university and a dual certificate in both orthotics  
905 and prosthetics from programs recognized by the Commission on  
906 Accreditation of Allied Health Education Programs, or its  
907 equivalent, as determined by the board.

908 (4) The department may develop and administer a state  
909 examination for an orthotist or a prosthetist license, or the  
910 board may approve the existing examination of a national  
911 standards organization. The examination must be predicated on a  
912 minimum of a baccalaureate-level education and formalized  
913 specialized training in the appropriate field. Each examination  
914 must demonstrate a minimum level of competence in basic  
915 scientific knowledge, written problem solving, and practical  
916 clinical patient management. The board shall require an  
917 examination fee not to exceed the actual cost to the board in  
918 developing, administering, and approving the examination, which  
919 fee must be paid by the applicant. To be considered by the board  
920 for examination, the applicant must have:

921 (a) For an examination in orthotics:

922 1. A Bachelor of Science or higher-level postgraduate  
923 degree in Orthotics and Prosthetics from a regionally accredited  
924 college or university recognized by the Commission on  
925 Accreditation of Allied Health Education Programs or, at a

926 | minimum, a bachelor's degree from a regionally accredited  
 927 | college or university and a certificate in orthotics from a  
 928 | program recognized by the Commission on Accreditation of Allied  
 929 | Health Education Programs, or its equivalent, as determined by  
 930 | the board; and

931 |         2. An approved orthotics internship of 1 year of qualified  
 932 | experience, as determined by the board, or an orthotic residency  
 933 | program or dual residency program recognized by the board.

934 |         (b) For an examination in prosthetics:

935 |             1. A Bachelor of Science or higher-level postgraduate  
 936 | degree in Orthotics and Prosthetics from a regionally accredited  
 937 | college or university recognized by the Commission on  
 938 | Accreditation of Allied Health Education Programs or, at a  
 939 | minimum, a bachelor's degree from a regionally accredited  
 940 | college or university and a certificate in prosthetics from a  
 941 | program recognized by the Commission on Accreditation of Allied  
 942 | Health Education Programs, or its equivalent, as determined by  
 943 | the board; and

944 |             2. An approved prosthetics internship of 1 year of  
 945 | qualified experience, as determined by the board, or a  
 946 | prosthetic residency program or dual residency program  
 947 | recognized by the board.

948 |         Section 26. Subsection (5) of section 480.033, Florida  
 949 | Statutes, is amended to read:

950 |             480.033 Definitions.—As used in this act:

951 (5) "Apprentice" means a person approved by the board to  
 952 study colonic irrigation ~~massage~~ under the instruction of a  
 953 licensed massage therapist practicing colonic irrigation.

954 Section 27. Subsections (1) and (2) of section 480.041,  
 955 Florida Statutes, are amended, and subsection (8) is added to  
 956 that section, to read:

957 480.041 Massage therapists; qualifications; licensure;  
 958 endorsement.—

959 (1) Any person is qualified for licensure as a massage  
 960 therapist under this act who:

961 (a) Is at least 18 years of age or has received a high  
 962 school diploma or high school equivalency diploma;

963 (b) Has completed a course of study at a board-approved  
 964 massage school ~~or has completed an apprenticeship program~~ that  
 965 meets standards adopted by the board; and

966 (c) Has received a passing grade on a national ~~an~~  
 967 examination designated ~~administered~~ by the board ~~department~~.

968 (2) Every person desiring to be examined for licensure as  
 969 a massage therapist shall apply to the department in writing  
 970 upon forms prepared and furnished by the department. Such  
 971 applicants shall be subject to the provisions of s. 480.046(1).  
 972 ~~Applicants may take an examination administered by the~~  
 973 ~~department only upon meeting the requirements of this section as~~  
 974 ~~determined by the board.~~

975 (8) A person issued a license as a massage apprentice

976 before July 1, 2018, may continue that apprenticeship and  
977 perform massage therapy as permitted under that license until it  
978 expires. Upon completion of the apprenticeship, before July 1,  
979 2021, a massage apprentice may apply to the board for full  
980 licensure and be granted a license if all other applicable  
981 licensure requirements are met.

982 Section 28. Section 480.042, Florida Statutes, is  
983 repealed.

984 Section 29. Subsection (3) of section 480.046, Florida  
985 Statutes, is amended, and subsection (5) is added to that  
986 section, to read:

987 480.046 Grounds for disciplinary action by the board.—

988 (3) The board may ~~shall have the power to~~ revoke or  
989 suspend the license of a massage establishment licensed under  
990 this act, or ~~to~~ deny subsequent licensure of such an  
991 establishment, if the establishment is owned by an individual or  
992 entity who has a prior establishment license revoked, in either  
993 of the following cases:

994 (a) Upon proof that a license has been obtained by fraud  
995 or misrepresentation.

996 (b) Upon proof that the holder of a license is guilty of  
997 fraud or deceit or of gross negligence, incompetency, or  
998 misconduct in the operation of the establishment so licensed.

999 (c) Upon proof that the owner of a massage establishment  
1000 or any individual or individuals providing massage therapy



1001 services within the establishment, in the aggregate or  
 1002 individually, have had three convictions of, or pleas of guilty  
 1003 or nolo contendere to, or dismissals of a criminal action after  
 1004 a successful completion of a pretrial intervention, diversion,  
 1005 or substance abuse program for any misdemeanor or felony,  
 1006 regardless of adjudication, a crime in any jurisdiction related  
 1007 to prostitution and related acts as defined in s. 796.07, which  
 1008 occurred at or within the establishment.

1009 (5) An establishment may not apply for relicensure if  
 1010 disciplined under this section unless there is a change in  
 1011 ownership.

1012 Section 30. Section 483.824, Florida Statutes, is amended  
 1013 to read:

1014 483.824 Qualifications of clinical laboratory director.—A  
 1015 clinical laboratory director must qualify as a clinical  
 1016 laboratory director according to Title 42, part 493, Code of  
 1017 Federal Regulations, must be a currently licensed laboratory  
 1018 director, have 4 years of clinical laboratory experience with 2  
 1019 years of experience in the specialty to be directed or be  
 1020 nationally board certified in the specialty to be directed, and  
 1021 must meet one of the following requirements:

1022 (1) Be a physician licensed under chapter 458 or chapter  
 1023 459;

1024 (2) Hold an earned doctoral degree in a chemical,  
 1025 physical, or biological science from a regionally accredited

1026 institution and maintain national certification requirements  
 1027 equal to those required by the federal Centers for Medicare and  
 1028 Medicaid Services or the federal Health Care Financing  
 1029 Administration; or

1030 (3) For the subspecialty of oral pathology, be a physician  
 1031 licensed under chapter 458 or chapter 459 or a dentist licensed  
 1032 under chapter 466. The laboratory director, if qualified, may  
 1033 perform the duties of the technical supervisor, clinical  
 1034 consultant, general supervisor, and testing personnel, or  
 1035 delegate these responsibilities to personnel meeting the  
 1036 qualifications under 42 C.F.R. ss. 493.1447, 493.1453, 493.1459,  
 1037 and 493.1487.

1038 Section 31. Subsection (3) of section 490.003, Florida  
 1039 Statutes, is amended to read:

1040 490.003 Definitions.—As used in this chapter:

1041 (3) (a) ~~Prior to July 1, 1999, "doctoral-level~~  
 1042 ~~psychological education" and "doctoral degree in psychology"~~  
 1043 ~~mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology~~  
 1044 ~~from:~~

1045 ~~1. An educational institution which, at the time the~~  
 1046 ~~applicant was enrolled and graduated, had institutional~~  
 1047 ~~accreditation from an agency recognized and approved by the~~  
 1048 ~~United States Department of Education or was recognized as a~~  
 1049 ~~member in good standing with the Association of Universities and~~  
 1050 ~~Colleges of Canada; and~~

1051           ~~2. A psychology program within that educational~~  
 1052 ~~institution which, at the time the applicant was enrolled and~~  
 1053 ~~graduated, had programmatic accreditation from an accrediting~~  
 1054 ~~agency recognized and approved by the United States Department~~  
 1055 ~~of Education or was comparable to such programs.~~

1056           ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological  
 1057 education" and "doctoral degree in psychology" mean a Psy.D., an  
 1058 Ed.D. in psychology, or a Ph.D. in psychology from:

1059           (a)1. An educational institution which, at the time the  
 1060 applicant was enrolled and graduated, had institutional  
 1061 accreditation from an agency recognized and approved by the  
 1062 United States Department of Education or was recognized as a  
 1063 member in good standing with the Association of Universities and  
 1064 Colleges of Canada; and

1065           (b)2. A psychology program within that educational  
 1066 institution which, at the time the applicant was enrolled and  
 1067 graduated, had programmatic accreditation from the American  
 1068 Psychological Association ~~an agency recognized and approved by~~  
 1069 ~~the United States Department of Education.~~

1070           Section 32. Paragraph (b) of subsection (1) and paragraph  
 1071 (b) of subsection (2) of section 490.005, Florida Statutes, are  
 1072 amended to read:

1073           490.005 Licensure by examination.—

1074           (1) Any person desiring to be licensed as a psychologist  
 1075 shall apply to the department to take the licensure examination.

1076 The department shall license each applicant who the board  
 1077 certifies has:

1078 (b) Submitted proof satisfactory to the board that the  
 1079 applicant has:

1080 1. Received doctoral-level psychological education, as  
 1081 defined in s. 490.003(3);

1082 2. Received the equivalent of a doctoral-level  
 1083 psychological education, as defined in s. 490.003(3), from a  
 1084 program at a school or university located outside the United  
 1085 States of America ~~and Canada~~, which was officially recognized by  
 1086 the government of the country in which it is located as an  
 1087 institution or program to train students to practice  
 1088 professional psychology. The burden of establishing that the  
 1089 requirements of this provision have been met shall be upon the  
 1090 applicant;

1091 ~~3. Received and submitted to the board, prior to July 1,~~  
 1092 ~~1999, certification of an augmented doctoral-level psychological~~  
 1093 ~~education from the program director of a doctoral-level~~  
 1094 ~~psychology program accredited by a programmatic agency~~  
 1095 ~~recognized and approved by the United States Department of~~  
 1096 ~~Education; or~~

1097 ~~4. Received and submitted to the board, prior to August~~  
 1098 ~~31, 2001, certification of a doctoral-level program that at the~~  
 1099 ~~time the applicant was enrolled and graduated maintained a~~  
 1100 ~~standard of education and training comparable to the standard of~~

1101 ~~training of programs accredited by a programmatic agency~~  
1102 ~~recognized and approved by the United States Department of~~  
1103 ~~Education. Such certification of comparability shall be provided~~  
1104 ~~by the program director of a doctoral-level psychology program~~  
1105 ~~accredited by a programmatic agency recognized and approved by~~  
1106 ~~the United States Department of Education.~~

1107 (2) Any person desiring to be licensed as a school  
1108 psychologist shall apply to the department to take the licensure  
1109 examination. The department shall license each applicant who the  
1110 department certifies has:

1111 (b) Submitted satisfactory proof to the department that  
1112 the applicant:

1113 1. Has received a doctorate, specialist, or equivalent  
1114 degree from a program primarily psychological in nature and has  
1115 completed 60 semester hours or 90 quarter hours of graduate  
1116 study, in areas related to school psychology as defined by rule  
1117 of the department, from a college or university which at the  
1118 time the applicant was enrolled and graduated was accredited by  
1119 an accrediting agency recognized and approved by the Council for  
1120 Higher Education Accreditation, its successor, Commission on  
1121 Recognition of Postsecondary Accreditation or an institution  
1122 which is publicly recognized as a member in good standing with  
1123 the Association of Universities and Colleges of Canada.

1124 2. Has had a minimum of 3 years of experience in school  
1125 psychology, 2 years of which must be supervised by an individual

1126 | who is a licensed school psychologist or who has otherwise  
 1127 | qualified as a school psychologist supervisor, by education and  
 1128 | experience, as set forth by rule of the department. A doctoral  
 1129 | internship may be applied toward the supervision requirement.

1130 |         3. Has passed an examination provided by the department.

1131 |         Section 33. Subsection (1) of section 490.006, Florida  
 1132 | Statutes, is amended to read:

1133 |             490.006 Licensure by endorsement.—

1134 |             (1) The department shall license a person as a  
 1135 | psychologist or school psychologist who, upon applying to the  
 1136 | department and remitting the appropriate fee, demonstrates to  
 1137 | the department or, in the case of psychologists, to the board  
 1138 | that the applicant:

1139 |             ~~(a) Holds a valid license or certificate in another state~~  
 1140 | ~~to practice psychology or school psychology, as applicable,~~  
 1141 | ~~provided that, when the applicant secured such license or~~  
 1142 | ~~certificate, the requirements were substantially equivalent to~~  
 1143 | ~~or more stringent than those set forth in this chapter at that~~  
 1144 | ~~time; and, if no Florida law existed at that time, then the~~  
 1145 | ~~requirements in the other state must have been substantially~~  
 1146 | ~~equivalent to or more stringent than those set forth in this~~  
 1147 | ~~chapter at the present time;~~

1148 |             (a) ~~(b)~~ Is a diplomate in good standing with the American  
 1149 | Board of Professional Psychology, Inc.; or

1150 |             (b) ~~(e)~~ Possesses a doctoral degree in psychology ~~as~~

1151 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of  
1152 experience as a licensed psychologist in any jurisdiction or  
1153 territory of the United States within 25 years preceding the  
1154 date of application.

1155 Section 34. Subsection (6) of section 491.0045, Florida  
1156 Statutes, as amended by chapter 2016-80 and chapter 2016-241,  
1157 Laws of Florida, is reenacted to read:

1158 491.0045 Intern registration; requirements.—

1159 (6) A registration issued on or before March 31, 2017,  
1160 expires March 31, 2022, and may not be renewed or reissued. Any  
1161 registration issued after March 31, 2017, expires 60 months  
1162 after the date it is issued. The board may make a one-time  
1163 exception from the requirements of this section in emergency or  
1164 hardship cases, as defined by board rule, if ~~A subsequent intern~~  
1165 registration may not be issued unless the candidate has passed  
1166 the theory and practice examination described in s.  
1167 491.005(1)(d), (3)(d), and (4)(d).

1168 Section 35. Subsections (3) and (4) of section 491.005,  
1169 Florida Statutes, are amended to read:

1170 491.005 Licensure by examination.—

1171 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
1172 documentation and payment of a fee not to exceed \$200, as set by  
1173 board rule, plus the actual cost ~~to the department~~ for the  
1174 purchase of the examination from the Association of Marital and  
1175 Family Therapy Regulatory Board, or similar national

1176 organization, the department shall issue a license as a marriage  
1177 and family therapist to an applicant who the board certifies:

1178 (a) Has submitted an application and paid the appropriate  
1179 fee.

1180 (b)1. Has a minimum of a master's degree with major  
1181 emphasis in marriage and family therapy from a program  
1182 accredited by the Commission of Accreditation for Marriage and  
1183 Family Therapy Education or from a Florida university program  
1184 accredited by the Council for Accreditation of Counseling and  
1185 Related Educational Programs, or a closely related field, and  
1186 graduate courses approved by the Board of Clinical Social Work,  
1187 Marriage and Family Therapy, and Mental Health Counseling. ~~has~~  
1188 ~~completed all of the following requirements:~~

1189 ~~a. Thirty-six semester hours or 48 quarter hours of~~  
1190 ~~graduate coursework, which must include a minimum of 3 semester~~  
1191 ~~hours or 4 quarter hours of graduate-level course credits in~~  
1192 ~~each of the following nine areas: dynamics of marriage and~~  
1193 ~~family systems; marriage therapy and counseling theory and~~  
1194 ~~techniques; family therapy and counseling theory and techniques;~~  
1195 ~~individual human development theories throughout the life cycle;~~  
1196 ~~personality theory or general counseling theory and techniques;~~  
1197 ~~psychopathology; human sexuality theory and counseling~~  
1198 ~~techniques; psychosocial theory; and substance abuse theory and~~  
1199 ~~counseling techniques. Courses in research, evaluation,~~  
1200 ~~appraisal, assessment, or testing theories and procedures;~~



1201 ~~thesis or dissertation work; or practicums, internships, or~~  
1202 ~~fieldwork may not be applied toward this requirement.~~

1203 ~~b. A minimum of one graduate-level course of 3 semester~~  
1204 ~~hours or 4 quarter hours in legal, ethical, and professional~~  
1205 ~~standards issues in the practice of marriage and family therapy~~  
1206 ~~or a course determined by the board to be equivalent.~~

1207 ~~e. A minimum of one graduate-level course of 3 semester~~  
1208 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~  
1209 ~~and testing for individual or interpersonal disorder or~~  
1210 ~~dysfunction; and a minimum of one 3 semester-hour or 4 quarter-~~  
1211 ~~hour graduate-level course in behavioral research which focuses~~  
1212 ~~on the interpretation and application of research data as it~~  
1213 ~~applies to clinical practice. Credit for thesis or dissertation~~  
1214 ~~work, practicums, internships, or fieldwork may not be applied~~  
1215 ~~toward this requirement.~~

1216 ~~d. A minimum of one supervised clinical practicum,~~  
1217 ~~internship, or field experience in a marriage and family~~  
1218 ~~counseling setting, during which the student provided 180 direct~~  
1219 ~~client contact hours of marriage and family therapy services~~  
1220 ~~under the supervision of an individual who met the requirements~~  
1221 ~~for supervision under paragraph (c). This requirement may be met~~  
1222 ~~by a supervised practice experience which took place outside the~~  
1223 ~~academic arena, but which is certified as equivalent to a~~  
1224 ~~graduate-level practicum or internship program which required a~~  
1225 ~~minimum of 180 direct client contact hours of marriage and~~

1226 ~~family therapy services currently offered within an academic~~  
1227 ~~program of a college or university accredited by an accrediting~~  
1228 ~~agency approved by the United States Department of Education, or~~  
1229 ~~an institution which is publicly recognized as a member in good~~  
1230 ~~standing with the Association of Universities and Colleges of~~  
1231 ~~Canada or a training institution accredited by the Commission on~~  
1232 ~~Accreditation for Marriage and Family Therapy Education~~  
1233 ~~recognized by the United States Department of Education.~~  
1234 ~~Certification shall be required from an official of such~~  
1235 ~~college, university, or training institution.~~

1236         2. If the course title which appears on the applicant's  
1237 transcript does not clearly identify the content of the  
1238 coursework, the applicant shall be required to provide  
1239 additional documentation, including, but not limited to, a  
1240 syllabus or catalog description published for the course.

1241  
1242 The required master's degree must have been received in an  
1243 institution of higher education which at the time the applicant  
1244 graduated was: fully accredited by a regional accrediting body  
1245 recognized by the Commission on Recognition of Postsecondary  
1246 Accreditation; publicly recognized as a member in good standing  
1247 with the Association of Universities and Colleges of Canada; or  
1248 an institution of higher education located outside the United  
1249 States and Canada, which at the time the applicant was enrolled  
1250 and at the time the applicant graduated maintained a standard of

1251 training substantially equivalent to the standards of training  
1252 of those institutions in the United States which are accredited  
1253 by a regional accrediting body recognized by the Commission on  
1254 Recognition of Postsecondary Accreditation. Such foreign  
1255 education and training must have been received in an institution  
1256 or program of higher education officially recognized by the  
1257 government of the country in which it is located as an  
1258 institution or program to train students to practice as  
1259 professional marriage and family therapists or psychotherapists.  
1260 The burden of establishing that the requirements of this  
1261 provision have been met shall be upon the applicant, and the  
1262 board shall require documentation, such as, but not limited to,  
1263 an evaluation by a foreign equivalency determination service, as  
1264 evidence that the applicant's graduate degree program and  
1265 education were equivalent to an accredited program in this  
1266 country. An applicant with a master's degree from a program  
1267 which did not emphasize marriage and family therapy may complete  
1268 the coursework requirement in a training institution fully  
1269 accredited by the Commission on Accreditation for Marriage and  
1270 Family Therapy Education recognized by the United States  
1271 Department of Education.

1272 (c) Has had at least 2 years of clinical experience during  
1273 which 50 percent of the applicant's clients were receiving  
1274 marriage and family therapy services, which must be at the post-  
1275 master's level under the supervision of a licensed marriage and

1276 family therapist with at least 5 years of experience, or the  
1277 equivalent, who is a qualified supervisor as determined by the  
1278 board. An individual who intends to practice in Florida to  
1279 satisfy the clinical experience requirements must register  
1280 pursuant to s. 491.0045 before commencing practice. If a  
1281 graduate has a master's degree with a major emphasis in marriage  
1282 and family therapy or a closely related field that did not  
1283 include all the coursework required under subparagraph (b)1.  
1284 ~~sub-subparagraphs (b)1.a.-c.~~, credit for the post-master's level  
1285 clinical experience shall not commence until the applicant has  
1286 completed a minimum of 10 of the courses required under  
1287 subparagraph (b)1. ~~sub-subparagraphs (b)1.a.-c.~~, as determined  
1288 by the board, and at least 6 semester hours or 9 quarter hours  
1289 of the course credits must have been completed in the area of  
1290 marriage and family systems, theories, or techniques. Within the  
1291 2 ~~3~~ years of required experience, the applicant shall provide  
1292 direct individual, group, or family therapy and counseling, to  
1293 include the following categories of cases: unmarried dyads,  
1294 married couples, separating and divorcing couples, and family  
1295 groups including children. A doctoral internship may be applied  
1296 toward the clinical experience requirement. A licensed mental  
1297 health professional must be on the premises when clinical  
1298 services are provided by a registered intern in a private  
1299 practice setting.

1300 (d) Has passed a theory and practice examination provided

1301 by the department for this purpose.

1302 (e) Has demonstrated, in a manner designated by rule of  
 1303 the board, knowledge of the laws and rules governing the  
 1304 practice of clinical social work, marriage and family therapy,  
 1305 and mental health counseling.

1306 (f) For the purposes of dual licensure, the department  
 1307 shall license as a marriage and family therapist any person who  
 1308 meets the requirements of s. 491.0057. Fees for dual licensure  
 1309 shall not exceed those stated in this subsection.

1310 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
 1311 documentation and payment of a fee not to exceed \$200, as set by  
 1312 board rule, plus the actual per applicant cost to the department  
 1313 for purchase of the examination from the National Board of  
 1314 Certified Counselors or its successor ~~Professional Examination~~  
 1315 ~~Service for the National Academy of Certified Clinical Mental~~  
 1316 ~~Health Counselors or a similar national organization,~~ the  
 1317 department shall issue a license as a mental health counselor to  
 1318 an applicant who the board certifies:

1319 (a) Has submitted an application and paid the appropriate  
 1320 fee.

1321 (b)1. Has a minimum of an earned master's degree from a  
 1322 mental health counseling program accredited by the Council for  
 1323 the Accreditation of Counseling and Related Educational Programs  
 1324 that consists of at least 60 semester hours or 80 quarter hours  
 1325 of clinical and didactic instruction, including a course in

1326 human sexuality and a course in substance abuse. If the master's  
1327 degree is earned from a program related to the practice of  
1328 mental health counseling that is not accredited by the Council  
1329 for the Accreditation of Counseling and Related Educational  
1330 Programs, then the coursework and practicum, internship, or  
1331 fieldwork must consist of at least 60 semester hours or 80  
1332 quarter hours and meet the following requirements:

1333       a. Thirty-three semester hours or 44 quarter hours of  
1334 graduate coursework, which must include a minimum of 3 semester  
1335 hours or 4 quarter hours of graduate-level coursework in each of  
1336 the following 11 content areas: counseling theories and  
1337 practice; human growth and development; diagnosis and treatment  
1338 of psychopathology; human sexuality; group theories and  
1339 practice; individual evaluation and assessment; career and  
1340 lifestyle assessment; research and program evaluation; social  
1341 and cultural foundations; counseling in community settings; and  
1342 substance abuse. Courses in research, thesis or dissertation  
1343 work, practicums, internships, or fieldwork may not be applied  
1344 toward this requirement.

1345       b. A minimum of 3 semester hours or 4 quarter hours of  
1346 graduate-level coursework in legal, ethical, and professional  
1347 standards issues in the practice of mental health counseling,  
1348 which includes goals, objectives, and practices of professional  
1349 counseling organizations, codes of ethics, legal considerations,  
1350 standards of preparation, certifications and licensing, and the

1351 role identity and professional obligations of mental health  
 1352 counselors. Courses in research, thesis or dissertation work,  
 1353 practicums, internships, or fieldwork may not be applied toward  
 1354 this requirement.

1355 c. The equivalent, as determined by the board, of at least  
 1356 700 ~~1,000~~ hours of university-sponsored supervised clinical  
 1357 practicum, internship, or field experience as required in the  
 1358 accrediting standards of the Council for Accreditation of  
 1359 Counseling and Related Educational Programs for mental health  
 1360 counseling programs. This experience may not be used to satisfy  
 1361 the post-master's clinical experience requirement.

1362 2. If the course title which appears on the applicant's  
 1363 transcript does not clearly identify the content of the  
 1364 coursework, the applicant shall be required to provide  
 1365 additional documentation, including, but not limited to, a  
 1366 syllabus or catalog description published for the course.

1367  
 1368 Education and training in mental health counseling must have  
 1369 been received in an institution of higher education which at the  
 1370 time the applicant graduated was: fully accredited by a regional  
 1371 accrediting body recognized by the Commission on Recognition of  
 1372 Postsecondary Accreditation; publicly recognized as a member in  
 1373 good standing with the Association of Universities and Colleges  
 1374 of Canada; or an institution of higher education located outside  
 1375 the United States and Canada, which at the time the applicant

1376 | was enrolled and at the time the applicant graduated maintained  
1377 | a standard of training substantially equivalent to the standards  
1378 | of training of those institutions in the United States which are  
1379 | accredited by a regional accrediting body recognized by the  
1380 | Commission on Recognition of Postsecondary Accreditation. Such  
1381 | foreign education and training must have been received in an  
1382 | institution or program of higher education officially recognized  
1383 | by the government of the country in which it is located as an  
1384 | institution or program to train students to practice as mental  
1385 | health counselors. The burden of establishing that the  
1386 | requirements of this provision have been met shall be upon the  
1387 | applicant, and the board shall require documentation, such as,  
1388 | but not limited to, an evaluation by a foreign equivalency  
1389 | determination service, as evidence that the applicant's graduate  
1390 | degree program and education were equivalent to an accredited  
1391 | program in this country.

1392 |       (c) Has had at least 2 years of clinical experience in  
1393 | mental health counseling, which must be at the post-master's  
1394 | level under the supervision of a licensed mental health  
1395 | counselor or the equivalent who is a qualified supervisor as  
1396 | determined by the board. An individual who intends to practice  
1397 | in Florida to satisfy the clinical experience requirements must  
1398 | register pursuant to s. 491.0045 before commencing practice. If  
1399 | a graduate has a master's degree with a major related to the  
1400 | practice of mental health counseling that did not include all



1401 the coursework required under sub-subparagraphs (b)1.a.-b.,  
 1402 credit for the post-master's level clinical experience shall not  
 1403 commence until the applicant has completed a minimum of seven of  
 1404 the courses required under sub-subparagraphs (b)1.a.-b., as  
 1405 determined by the board, one of which must be a course in  
 1406 psychopathology or abnormal psychology. A doctoral internship  
 1407 may be applied toward the clinical experience requirement. A  
 1408 licensed mental health professional must be on the premises when  
 1409 clinical services are provided by a registered intern in a  
 1410 private practice setting.

1411 (d) Has passed a theory and practice examination provided  
 1412 by the department for this purpose.

1413 (e) Has demonstrated, in a manner designated by rule of  
 1414 the board, knowledge of the laws and rules governing the  
 1415 practice of clinical social work, marriage and family therapy,  
 1416 and mental health counseling.

1417 Section 36. Paragraph (b) of subsection (1) of section  
 1418 491.006, Florida Statutes, is amended to read:

1419 491.006 Licensure or certification by endorsement.—

1420 (1) The department shall license or grant a certificate to  
 1421 a person in a profession regulated by this chapter who, upon  
 1422 applying to the department and remitting the appropriate fee,  
 1423 demonstrates to the board that he or she:

1424 (b)1. Holds an active valid license to practice and has  
 1425 actively practiced the profession for which licensure is applied

1426 | in another state for 3 of the last 5 years immediately preceding  
 1427 | licensure.

1428 | ~~2. Meets the education requirements of this chapter for~~  
 1429 | ~~the profession for which licensure is applied.~~

1430 | 2.3. Has passed a substantially equivalent licensing  
 1431 | examination in another state or has passed the licensure  
 1432 | examination in this state in the profession for which the  
 1433 | applicant seeks licensure.

1434 | 3.4. Holds a license in good standing, is not under  
 1435 | investigation for an act that would constitute a violation of  
 1436 | this chapter, and has not been found to have committed any act  
 1437 | that would constitute a violation of this chapter. The fees paid  
 1438 | by any applicant for certification as a master social worker  
 1439 | under this section are nonrefundable.

1440 | Section 37. Subsection (3) of section 491.007, Florida  
 1441 | Statutes, is amended to read:

1442 | 491.007 Renewal of license, registration, or certificate.—  
 1443 | ~~(3) The board or department shall prescribe by rule a~~  
 1444 | ~~method for the biennial renewal of an intern registration at a~~  
 1445 | ~~fee set by rule, not to exceed \$100.~~

1446 | Section 38. Subsection (2) of section 491.009, Florida  
 1447 | Statutes, is amended to read:

1448 | 491.009 Discipline.—  
 1449 | (2) The board ~~department~~, or, in the case of certified  
 1450 | master social workers ~~psychologists~~, the department ~~board~~, may

1451 enter an order denying licensure or imposing any of the  
 1452 penalties in s. 456.072(2) against any applicant for licensure  
 1453 or licensee who is found guilty of violating any provision of  
 1454 subsection (1) of this section or who is found guilty of  
 1455 violating any provision of s. 456.072(1).

1456 Section 39. Subsection (3) of section 463.0057, Florida  
 1457 Statutes, is amended to read:

1458 463.0057 Optometric faculty certificate.—

1459 (3) The holder of a faculty certificate may engage in the  
 1460 practice of optometry as permitted by this section but may not  
 1461 administer or prescribe topical ocular pharmaceutical agents  
 1462 unless the certificateholder has satisfied the requirements of  
 1463 s. 463.006(1)(b)3. and 4. ~~s. 463.006(1)(b)4. and 5.~~ If a  
 1464 certificateholder wishes to administer or prescribe oral ocular  
 1465 pharmaceutical agents, the certificateholder must also satisfy  
 1466 the requirements of s. 463.0055(1)(b).

1467 Section 40. Paragraph (c) of subsection (2) of section  
 1468 491.0046, Florida Statutes, is amended to read:

1469 491.0046 Provisional license; requirements.—

1470 (2) The department shall issue a provisional clinical  
 1471 social worker license, provisional marriage and family therapist  
 1472 license, or provisional mental health counselor license to each  
 1473 applicant who the board certifies has:

1474 (c) Has met the following minimum coursework requirements:

1475 1. For clinical social work, a minimum of 15 semester

1476 hours or 22 quarter hours of the coursework required by s.  
1477 491.005(1)(b)2.b.

1478 2. For marriage and family therapy, 10 of the courses  
1479 required by s. 491.005(3)(b)1. ~~s. 491.005(3)(b)1.a.-c.~~, as  
1480 determined by the board, and at least 6 semester hours or 9  
1481 quarter hours of the course credits must have been completed in  
1482 the area of marriage and family systems, theories, or  
1483 techniques.

1484 3. For mental health counseling, a minimum of seven of the  
1485 courses required under s. 491.005(3)(b)1. ~~s. 491.005(4)(b)1.a.-~~  
1486 ~~e.~~

1487 Section 41. Subsection (11) of section 945.42, Florida  
1488 Statutes, is amended to read:

1489 945.42 Definitions; ss. 945.40-945.49.—As used in ss.  
1490 945.40-945.49, the following terms shall have the meanings  
1491 ascribed to them, unless the context shall clearly indicate  
1492 otherwise:

1493 (11) "Psychological professional" means a behavioral  
1494 practitioner who has an approved doctoral degree in psychology  
1495 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by  
1496 the department or who is licensed as a psychologist pursuant to  
1497 chapter 490.

1498 Section 42. This act shall take effect July 1, 2018.