

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 381.0042, F.S.; revising the purpose of patient
4 care networks from serving patients with acquired
5 immune deficiency syndrome to serving those with human
6 immunodeficiency virus; conforming provisions to
7 changes made by the act; deleting obsolete language;
8 amending s. 381.4018, F.S.; requiring the Department
9 of Health to develop strategies to maximize federal-
10 state partnerships that provide incentives for
11 physicians to practice in medically underserved or
12 rural areas; authorizing the department to adopt
13 certain rules; amending s. 401.35, F.S.; revising
14 provisions relating to the applicability of rules to
15 certain licensees; deleting a requirement that the
16 department base rules governing medical supplies and
17 equipment required in ambulances and emergency medical
18 services vehicles on a certain association's
19 standards; deleting a requirement that the department
20 base rules governing ambulance or vehicle design and
21 construction on a certain agency's standards and
22 instead requiring the department to base such rules on
23 national standards recognized by the department;
24 amending s. 456.013, F.S.; revising health care
25 practitioner licensure application requirements;

26 | authorizing the board or department to issue a
27 | temporary license to certain applicants which expires
28 | after 60 days; amending s. 456.072, F.S.; conforming
29 | provisions to changes made by the act; repealing s.
30 | 456.0721, F.S., relating to health care practitioners
31 | in default on student loan or scholarship obligations;
32 | amending s. 456.074, F.S.; conforming provisions to
33 | changes made by the act; amending s. 458.3145, F.S.;
34 | revising the list of individuals who may be issued a
35 | medical faculty certificate without examination;
36 | amending s. 458.3312, F.S.; removing a prohibition
37 | against physicians representing themselves as board-
38 | certified specialists in dermatology unless the
39 | recognizing agency is reviewed and reauthorized on a
40 | specified basis by the Board of Medicine; amending s.
41 | 459.0055, F.S.; revising licensure requirements for a
42 | person seeking licensure or certification as an
43 | osteopathic physician; repealing s. 460.4166, F.S.,
44 | relating to registered chiropractic assistants;
45 | amending s. 464.019, F.S.; extending through 2025 the
46 | Florida Center for Nursing's responsibility to study
47 | and issue an annual report on the implementation of
48 | nursing education programs; amending s. 464.202, F.S.;
49 | requiring the Board of Nursing to adopt rules that
50 | include disciplinary procedures and standards of

51 practice for certified nursing assistants; amending s.
52 464.203, F.S.; revising certification requirements for
53 nursing assistants; amending s. 464.204, F.S.;
54 revising grounds for board-imposed disciplinary
55 sanctions; amending s. 466.006, F.S.; revising certain
56 examination requirements for applicants seeking dental
57 licensure; reviving, reenacting, and amending s.
58 466.0067, F.S., relating to the application for a
59 health access dental license; reviving, reenacting,
60 and amending s. 466.00671, F.S., relating to the
61 renewal of such a license; reviving and reenacting s.
62 466.00672, F.S., relating to the revocation of such a
63 license; providing for retroactive application;
64 amending s. 466.007, F.S.; revising requirements for
65 examinations of dental hygienists; amending s.
66 466.017, F.S.; requiring dentists and certified
67 registered dental hygienists to report in writing
68 certain adverse incidents to the department within a
69 specified timeframe; providing for disciplinary action
70 by the Board of Dentistry for violations; defining the
71 term "adverse incident"; authorizing the board to
72 adopt rules; amending s. 466.031, F.S.; making
73 technical changes; authorizing an employee or an
74 independent contractor of a dental laboratory, acting
75 as an agent of that dental laboratory, to engage in

76 onsite consultation with a licensed dentist during a
77 dental procedure; amending s. 466.036, F.S.; revising
78 the frequency of dental laboratory inspections during
79 a specified period; amending s. 468.701, F.S.;
80 revising the definition of the term "athletic
81 trainer"; deleting a requirement that is relocated to
82 another section; amending s. 468.707, F.S.; revising
83 athletic trainer licensure requirements; amending s.
84 468.711, F.S.; requiring certain licensees to maintain
85 certification in good standing without lapse as a
86 condition of renewal of their athletic trainer
87 licenses; amending s. 468.713, F.S.; requiring that an
88 athletic trainer work within a specified scope of
89 practice; relocating an existing requirement that was
90 stricken from another section; amending s. 468.723,
91 F.S.; requiring the direct supervision of an athletic
92 training student to be in accordance with rules
93 adopted by the Board of Athletic Training; amending s.
94 468.803, F.S.; revising orthotic, prosthetic, and
95 pedorthic licensure, registration, and examination
96 requirements; amending s. 480.033, F.S.; revising the
97 definition of the term "apprentice"; amending s.
98 480.041, F.S.; revising qualifications for licensure
99 as a massage therapist; specifying that massage
100 apprentices licensed before a specified date may

101 continue to perform massage therapy as authorized
102 under their licenses; authorizing massage apprentices
103 to apply for full licensure upon completion of their
104 apprenticeships, under certain conditions; repealing
105 s. 480.042, F.S., relating to examinations for
106 licensure as a massage therapist; amending s. 490.003,
107 F.S.; revising the definition of the terms "doctoral-
108 level psychological education" and "doctoral degree in
109 psychology"; amending s. 490.005, F.S.; revising
110 requirements for licensure by examination of
111 psychologists and school psychologists; amending s.
112 490.006, F.S.; revising requirements for licensure by
113 endorsement of psychologists and school psychologists;
114 amending s. 491.0045, F.S.; exempting clinical social
115 worker interns, marriage and family therapist interns,
116 and mental health counselor interns from registration
117 requirements, under certain circumstances; amending s.
118 491.005, F.S.; revising requirements for the licensure
119 by examination of marriage and family therapists;
120 revising requirements for the licensure by examination
121 of mental health counselors; amending s. 491.006,
122 F.S.; revising requirements for licensure by
123 endorsement or certification for specified
124 professions; amending s. 491.007, F.S.; removing a
125 biennial intern registration fee; amending s. 491.009,

126 F.S.; authorizing the Board of Clinical Social Work,
 127 Marriage and Family Therapy, and Mental Health
 128 Counseling or, under certain circumstances, the
 129 department to enter an order denying licensure or
 130 imposing penalties against an applicant for licensure
 131 under certain circumstances; amending ss. 491.0046 and
 132 945.42, F.S.; conforming cross-references; providing
 133 an effective date.

134

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

136

137 Section 1. Section 381.0042, Florida Statutes, is amended
 138 to read:

139 381.0042 Patient care for persons with HIV infection.—The
 140 department may establish human immunodeficiency virus acquired
 141 ~~immune deficiency syndrome~~ patient care networks in each region
 142 of the state where the number ~~numbers~~ of cases of acquired
 143 ~~immune deficiency syndrome and other~~ human immunodeficiency
 144 virus transmission infections justifies the establishment of
 145 cost-effective regional patient care networks. Such networks
 146 shall be delineated by rule of the department which shall take
 147 into account natural trade areas and centers of medical
 148 excellence that specialize in the treatment of human
 149 immunodeficiency virus acquired ~~immune deficiency syndrome~~, as
 150 well as available federal, state, and other funds. Each patient

151 care network shall include representation of persons with human
152 immunodeficiency virus infection; health care providers;
153 business interests; the department, including, but not limited
154 to, county health departments; and local units of government.
155 Each network shall plan for the care and treatment of persons
156 with human immunodeficiency virus ~~acquired immune deficiency~~
157 ~~syndrome and acquired immune deficiency syndrome related complex~~
158 in a cost-effective, dignified manner that ~~which~~ emphasizes
159 outpatient and home care. Once per ~~each~~ year, ~~beginning April~~
160 ~~1989~~, each network shall make its recommendations concerning the
161 needs for patient care to the department.

162 Section 2. Subsection (3) of section 381.4018, Florida
163 Statutes, is amended to read:

164 381.4018 Physician workforce assessment and development.—

165 (3) GENERAL FUNCTIONS.—The department shall maximize the
166 use of existing programs under the jurisdiction of the
167 department and other state agencies and coordinate governmental
168 and nongovernmental stakeholders and resources in order to
169 develop a state strategic plan and assess the implementation of
170 such strategic plan. In developing the state strategic plan, the
171 department shall:

172 (a) Monitor, evaluate, and report on the supply and
173 distribution of physicians licensed under chapter 458 or chapter
174 459. The department shall maintain a database to serve as a
175 statewide source of data concerning the physician workforce.

176 (b) Develop a model and quantify, on an ongoing basis, the
177 adequacy of the state's current and future physician workforce
178 as reliable data becomes available. Such model must take into
179 account demographics, physician practice status, place of
180 education and training, generational changes, population growth,
181 economic indicators, and issues concerning the "pipeline" into
182 medical education.

183 (c) Develop and recommend strategies to determine whether
184 the number of qualified medical school applicants who might
185 become competent, practicing physicians in this state will be
186 sufficient to meet the capacity of the state's medical schools.
187 If appropriate, the department shall, working with
188 representatives of appropriate governmental and nongovernmental
189 entities, develop strategies and recommendations and identify
190 best practice programs that introduce health care as a
191 profession and strengthen skills needed for medical school
192 admission for elementary, middle, and high school students, and
193 improve premedical education at the precollege and college level
194 in order to increase this state's potential pool of medical
195 students.

196 (d) Develop strategies to ensure that the number of
197 graduates from the state's public and private allopathic and
198 osteopathic medical schools is adequate to meet physician
199 workforce needs, based on the analysis of the physician
200 workforce data, so as to provide a high-quality medical

201 education to students in a manner that recognizes the uniqueness
202 of each new and existing medical school in this state.

203 (e) Pursue strategies and policies to create, expand, and
204 maintain graduate medical education positions in the state based
205 on the analysis of the physician workforce data. Such strategies
206 and policies must take into account the effect of federal
207 funding limitations on the expansion and creation of positions
208 in graduate medical education. The department shall develop
209 options to address such federal funding limitations. The
210 department shall consider options to provide direct state
211 funding for graduate medical education positions in a manner
212 that addresses requirements and needs relative to accreditation
213 of graduate medical education programs. The department shall
214 consider funding residency positions as a means of addressing
215 needed physician specialty areas, rural areas having a shortage
216 of physicians, and areas of ongoing critical need, and as a
217 means of addressing the state's physician workforce needs based
218 on an ongoing analysis of physician workforce data.

219 (f) Develop strategies to maximize federal and state
220 programs that provide for the use of incentives to attract
221 physicians to this state or retain physicians within the state.
222 Such strategies should explore and maximize federal-state
223 partnerships that provide incentives for physicians to practice
224 in federally designated shortage areas, in otherwise medically
225 underserved areas, or in rural areas. Strategies shall also

226 consider the use of state programs, such as the Medical
227 Education Reimbursement and Loan Repayment Program pursuant to
228 s. 1009.65, which provide for education loan repayment or loan
229 forgiveness and provide monetary incentives for physicians to
230 relocate to underserved areas of the state.

231 (g) Coordinate and enhance activities relative to
232 physician workforce needs, undergraduate medical education,
233 graduate medical education, and reentry of retired military and
234 other physicians into the physician workforce provided by the
235 Division of Medical Quality Assurance, area health education
236 center networks established pursuant to s. 381.0402, and other
237 offices and programs within the department as designated by the
238 State Surgeon General.

239 (h) Work in conjunction with and act as a coordinating
240 body for governmental and nongovernmental stakeholders to
241 address matters relating to the state's physician workforce
242 assessment and development for the purpose of ensuring an
243 adequate supply of well-trained physicians to meet the state's
244 future needs. Such governmental stakeholders shall include, but
245 need not be limited to, the State Surgeon General or his or her
246 designee, the Commissioner of Education or his or her designee,
247 the Secretary of Health Care Administration or his or her
248 designee, and the Chancellor of the State University System or
249 his or her designee, and, at the discretion of the department,
250 other representatives of state and local agencies that are

251 involved in assessing, educating, or training the state's
252 current or future physicians. Other stakeholders shall include,
253 but need not be limited to, organizations representing the
254 state's public and private allopathic and osteopathic medical
255 schools; organizations representing hospitals and other
256 institutions providing health care, particularly those that
257 currently provide or have an interest in providing accredited
258 medical education and graduate medical education to medical
259 students and medical residents; organizations representing
260 allopathic and osteopathic practicing physicians; and, at the
261 discretion of the department, representatives of other
262 organizations or entities involved in assessing, educating, or
263 training the state's current or future physicians.

264 (i) Serve as a liaison with other states and federal
265 agencies and programs in order to enhance resources available to
266 the state's physician workforce and medical education continuum.

267 (j) Act as a clearinghouse for collecting and
268 disseminating information concerning the physician workforce and
269 medical education continuum in this state.

270
271 The department may adopt rules to implement this subsection,
272 including rules that establish guidelines to implement the
273 federal Conrad 30 Waiver Program created under s. 214(1) of the
274 Immigration and Nationality Act.

275 Section 3. Paragraphs (c) and (d) of subsection (1) of
276 section 401.35, Florida Statutes, are amended to read:

277 401.35 Rules.—The department shall adopt rules, including
278 definitions of terms, necessary to carry out the purposes of
279 this part.

280 (1) The rules must provide at least minimum standards
281 governing:

282 (c) Ground ambulance and vehicle equipment and supplies
283 that a licensee with a valid vehicle permit under s. 401.26 is
284 required to maintain to provide basic or advanced life support
285 services at least as comprehensive as those published in the
286 most current edition of the American College of Surgeons,
287 Committee on Trauma, list of essential equipment for ambulances,
288 as interpreted by rules of the department.

289 (d) Ground ambulance or vehicle design and construction
290 based on national standards recognized by the department and at
291 least equal to those most currently recommended by the United
292 States General Services Administration as interpreted by
293 department rules of the department.

294 Section 4. Paragraphs (a) and (b) of subsection (1) of
295 section 456.013, Florida Statutes, are amended to read:

296 456.013 Department; general licensing provisions.—

297 (1) (a) Any person desiring to be licensed in a profession
298 within the jurisdiction of the department must ~~shall~~ apply to
299 the department in writing ~~to take the licensure examination.~~ The

300 application must ~~shall~~ be made on a form prepared and furnished
301 by the department. The application form must be available on the
302 Internet, ~~World Wide Web~~ and the department may accept
303 electronically submitted applications. The application shall
304 require the social security number and date of birth of the
305 applicant, except as provided in paragraphs (b) and (c). The
306 form shall be supplemented as needed to reflect any material
307 change in any circumstance or condition stated in the
308 application which takes place between the initial filing of the
309 application and the final grant or denial of the license and
310 which might affect the decision of the department. If an
311 application is submitted electronically, the department may
312 require supplemental materials, including an original signature
313 of the applicant and verification of credentials, to be
314 submitted in a nonelectronic format. An incomplete application
315 shall expire 1 year after initial filing. In order to further
316 the economic development goals of the state, and notwithstanding
317 any law to the contrary, the department may enter into an
318 agreement with the county tax collector for the purpose of
319 appointing the county tax collector as the department's agent to
320 accept applications for licenses and applications for renewals
321 of licenses. The agreement must specify the time within which
322 the tax collector must forward any applications and accompanying
323 application fees to the department.

324 (b) If an applicant has not been issued a social security

325 number by the Federal Government at the time of application
326 because the applicant is not a citizen or resident of this
327 country, the department may process the application using a
328 unique personal identification number. If such an applicant is
329 otherwise eligible for licensure, the board, or the department
330 when there is no board, may issue a temporary license to the
331 applicant, which shall expire 30 days after issuance unless a
332 social security number is obtained and submitted in writing to
333 the department. A temporary license issued under this paragraph
334 to an applicant who has accepted a position with an accredited
335 residency, internship, or fellowship program in this state and
336 is applying for registration under s. 458.345 or s. 459.021
337 shall expire 60 days after issuance unless the applicant obtains
338 a social security number and submits it in writing to the
339 department. Upon receipt of the applicant's social security
340 number, the department shall issue a new license, which shall
341 expire at the end of the current biennium.

342 Section 5. Paragraph (k) of subsection (1) of section
343 456.072, Florida Statutes, is amended to read:

344 456.072 Grounds for discipline; penalties; enforcement.—

345 (1) The following acts shall constitute grounds for which
346 the disciplinary actions specified in subsection (2) may be
347 taken:

348 (k) Failing to perform any statutory or legal obligation
349 placed upon a licensee. For purposes of this section, failing to

350 repay a student loan issued or guaranteed by the state or the
351 Federal Government in accordance with the terms of the loan is
352 not ~~or failing to comply with service scholarship obligations~~
353 ~~shall be~~ considered a failure to perform a statutory or legal
354 obligation, ~~and the minimum disciplinary action imposed shall be~~
355 ~~a suspension of the license until new payment terms are agreed~~
356 ~~upon or the scholarship obligation is resumed, followed by~~
357 ~~probation for the duration of the student loan or remaining~~
358 ~~scholarship obligation period, and a fine equal to 10 percent of~~
359 ~~the defaulted loan amount.~~ Fines collected shall be deposited
360 into the Medical Quality Assurance Trust Fund.

361 Section 6. Section 456.0721, Florida Statutes, is
362 repealed.

363 Section 7. Subsection (4) of section 456.074, Florida
364 Statutes, is amended to read:

365 456.074 Certain health care practitioners; immediate
366 suspension of license.—

367 ~~(4) Upon receipt of information that a Florida-licensed~~
368 ~~health care practitioner has defaulted on a student loan issued~~
369 ~~or guaranteed by the state or the Federal Government, the~~
370 ~~department shall notify the licensee by certified mail that he~~
371 ~~or she shall be subject to immediate suspension of license~~
372 ~~unless, within 45 days after the date of mailing, the licensee~~
373 ~~provides proof that new payment terms have been agreed upon by~~
374 ~~all parties to the loan. The department shall issue an emergency~~

375 ~~order suspending the license of any licensee who, after 45 days~~
376 ~~following the date of mailing from the department, has failed to~~
377 ~~provide such proof. Production of such proof shall not prohibit~~
378 ~~the department from proceeding with disciplinary action against~~
379 ~~the licensee pursuant to s. 456.073.~~

380 Section 8. Subsection (1) of section 458.3145, Florida
381 Statutes, is amended to read:

382 458.3145 Medical faculty certificate.—

383 (1) A medical faculty certificate may be issued without
384 examination to an individual who:

385 (a) Is a graduate of an accredited medical school or its
386 equivalent, or is a graduate of a foreign medical school listed
387 with the World Health Organization;

388 (b) Holds a valid, current license to practice medicine in
389 another jurisdiction;

390 (c) Has completed the application form and remitted a
391 nonrefundable application fee not to exceed \$500;

392 (d) Has completed an approved residency or fellowship of
393 at least 1 year or has received training which has been
394 determined by the board to be equivalent to the 1-year residency
395 requirement;

396 (e) Is at least 21 years of age;

397 (f) Is of good moral character;

398 (g) Has not committed any act in this or any other
399 jurisdiction which would constitute the basis for disciplining a

400 physician under s. 458.331;

401 (h) For any applicant who has graduated from medical
402 school after October 1, 1992, has completed, before entering
403 medical school, the equivalent of 2 academic years of
404 preprofessional, postsecondary education, as determined by rule
405 of the board, which must include, at a minimum, courses in such
406 fields as anatomy, biology, and chemistry; and

407 (i) Has been offered and has accepted a full-time faculty
408 appointment to teach in a program of medicine at:

- 409 1. The University of Florida;
- 410 2. The University of Miami;
- 411 3. The University of South Florida;
- 412 4. The Florida State University;
- 413 5. The Florida International University;
- 414 6. The University of Central Florida;
- 415 7. The Mayo Clinic College of Medicine and Science in
416 Jacksonville, Florida;
- 417 8. The Florida Atlantic University; ~~or~~
- 418 9. The Johns Hopkins All Children's Hospital in St.
419 Petersburg, Florida;
- 420 10. Nova Southeastern University; or
- 421 11. Lake Erie College of Osteopathic Medicine.

422 Section 9. Section 458.3312, Florida Statutes, is amended
423 to read:

424 458.3312 Specialties.—A physician licensed under this

425 chapter may not hold himself or herself out as a board-certified
 426 specialist unless the physician has received formal recognition
 427 as a specialist from a specialty board of the American Board of
 428 Medical Specialties or other recognizing agency that has been
 429 approved by the board. However, a physician may indicate the
 430 services offered and may state that his or her practice is
 431 limited to one or more types of services when this accurately
 432 reflects the scope of practice of the physician. ~~A physician may~~
 433 ~~not hold himself or herself out as a board-certified specialist~~
 434 ~~in dermatology unless the recognizing agency, whether authorized~~
 435 ~~in statute or by rule, is triennially reviewed and reauthorized~~
 436 ~~by the Board of Medicine.~~

437 Section 10. Subsection (1) of section 459.0055, Florida
 438 Statutes, is amended to read:

439 459.0055 General licensure requirements.—

440 (1) Except as otherwise provided herein, any person
 441 desiring to be licensed or certified as an osteopathic physician
 442 pursuant to this chapter shall:

443 (a) Complete an application form and submit the
 444 appropriate fee to the department;

445 (b) Be at least 21 years of age;

446 (c) Be of good moral character;

447 (d) Have completed at least 3 years of preprofessional
 448 postsecondary education;

449 (e) Have not previously committed any act that would

450 constitute a violation of this chapter, unless the board
451 determines that such act does not adversely affect the
452 applicant's present ability and fitness to practice osteopathic
453 medicine;

454 (f) Not be under investigation in any jurisdiction for an
455 act that would constitute a violation of this chapter. If, upon
456 completion of such investigation, it is determined that the
457 applicant has committed an act that would constitute a violation
458 of this chapter, the applicant is ineligible for licensure
459 unless the board determines that such act does not adversely
460 affect the applicant's present ability and fitness to practice
461 osteopathic medicine;

462 (g) Have not had an application for a license to practice
463 osteopathic medicine denied or a license to practice osteopathic
464 medicine revoked, suspended, or otherwise acted against by the
465 licensing authority of any jurisdiction unless the board
466 determines that the grounds on which such action was taken do
467 not adversely affect the applicant's present ability and fitness
468 to practice osteopathic medicine. A licensing authority's
469 acceptance of a physician's relinquishment of license,
470 stipulation, consent order, or other settlement, offered in
471 response to or in anticipation of the filing of administrative
472 charges against the osteopathic physician, shall be considered
473 action against the osteopathic physician's license;

474 (h) Not have received less than a satisfactory evaluation

475 from an internship, residency, or fellowship training program,
476 unless the board determines that such act does not adversely
477 affect the applicant's present ability and fitness to practice
478 osteopathic medicine. Such evaluation shall be provided by the
479 director of medical education from the medical training
480 facility;

481 (i) Have met the criteria set forth in s. 459.0075, s.
482 459.0077, or s. 459.021, whichever is applicable;

483 (j) Submit to the department a set of fingerprints on a
484 form and under procedures specified by the department, along
485 with a payment in an amount equal to the costs incurred by the
486 Department of Health for the criminal background check of the
487 applicant;

488 (k) Demonstrate that ~~he or~~ she or he is a graduate of a
489 medical college recognized and approved by the American
490 Osteopathic Association;

491 (l) Demonstrate that she or he has successfully completed
492 an internship or residency ~~a resident internship~~ of not less
493 than 12 months in a program accredited ~~hospital approved~~ for
494 this purpose by ~~the Board of Trustees of~~ the American
495 Osteopathic Association or the Accreditation Council for
496 Graduate Medical Education ~~any other internship program approved~~
497 ~~by the board upon a showing of good cause by the applicant.~~ This
498 requirement may be waived for an applicant who matriculated in a
499 college of osteopathic medicine during or before 1948; and

500 (m) Demonstrate that she or he has obtained a passing
 501 score, as established by rule of the board, on all parts of the
 502 examination conducted by the National Board of Osteopathic
 503 Medical Examiners or other examination approved by the board no
 504 more than 5 years before making application in this state or, if
 505 holding a valid active license in another state, that the
 506 initial licensure in the other state occurred no more than 5
 507 years after the applicant obtained a passing score on the
 508 examination conducted by the National Board of Osteopathic
 509 Medical Examiners or other substantially similar examination
 510 approved by the board.

511 Section 11. Section 460.4166, Florida Statutes, is
 512 repealed.

513 Section 12. Subsection (10) of section 464.019, Florida
 514 Statutes, is amended to read:

515 464.019 Approval of nursing education programs.—

516 (10) IMPLEMENTATION STUDY.—The Florida Center for Nursing
 517 shall study the administration of this section and submit
 518 reports to the Governor, the President of the Senate, and the
 519 Speaker of the House of Representatives annually by January 30,
 520 through January 30, 2025 ~~2020~~. The annual reports shall address
 521 the previous academic year; provide data on the measures
 522 specified in paragraphs (a) and (b), as such data becomes
 523 available; and include an evaluation of such data for purposes
 524 of determining whether this section is increasing the

525 availability of nursing education programs and the production of
 526 quality nurses. The department and each approved program or
 527 accredited program shall comply with requests for data from the
 528 Florida Center for Nursing.

529 (a) The Florida Center for Nursing shall evaluate program-
 530 specific data for each approved program and accredited program
 531 conducted in the state, including, but not limited to:

532 1. The number of programs and student slots available.

533 2. The number of student applications submitted, the
 534 number of qualified applicants, and the number of students
 535 accepted.

536 3. The number of program graduates.

537 4. Program retention rates of students tracked from
 538 program entry to graduation.

539 5. Graduate passage rates on the National Council of State
 540 Boards of Nursing Licensing Examination.

541 6. The number of graduates who become employed as
 542 practical or professional nurses in the state.

543 (b) The Florida Center for Nursing shall evaluate the
 544 board's implementation of the:

545 1. Program application approval process, including, but
 546 not limited to, the number of program applications submitted
 547 under subsection (1) 1 the number of program applications
 548 approved and denied by the board under subsection (2) 1 the
 549 number of denials of program applications reviewed under chapter

550 120,~~+~~ and a description of the outcomes of those reviews.

551 2. Accountability processes, including, but not limited
552 to, the number of programs on probationary status, the number of
553 approved programs for which the program director is required to
554 appear before the board under subsection (5), the number of
555 approved programs terminated by the board, the number of
556 terminations reviewed under chapter 120, and a description of
557 the outcomes of those reviews.

558 (c) The Florida Center for Nursing shall complete an
559 annual assessment of compliance by programs with the
560 accreditation requirements of subsection (11), include in the
561 assessment a determination of the accreditation process status
562 for each program, and submit the assessment as part of the
563 reports required by this subsection.

564 Section 13. Section 464.202, Florida Statutes, is amended
565 to read:

566 464.202 Duties and powers of the board.—The board shall
567 maintain, or contract with or approve another entity to
568 maintain, a state registry of certified nursing assistants. The
569 registry must consist of the name of each certified nursing
570 assistant in this state; other identifying information defined
571 by board rule; certification status; the effective date of
572 certification; other information required by state or federal
573 law; information regarding any crime or any abuse, neglect, or
574 exploitation as provided under chapter 435; and any disciplinary

575 | action taken against the certified nursing assistant. The
576 | registry shall be accessible to the public, the
577 | certificateholder, employers, and other state agencies. The
578 | board shall adopt by rule testing procedures for use in
579 | certifying nursing assistants and shall adopt rules regulating
580 | the practice of certified nursing assistants, including
581 | disciplinary procedures and standards of practice, and
582 | specifying the scope of practice authorized and the level of
583 | supervision required for the practice of certified nursing
584 | assistants. The board may contract with or approve another
585 | entity or organization to provide the examination services,
586 | including the development and administration of examinations.
587 | The board shall require that the contract provider offer
588 | certified nursing assistant applications via the Internet, and
589 | may require the contract provider to accept certified nursing
590 | assistant applications for processing via the Internet. The
591 | board shall require the contract provider to provide the
592 | preliminary results of the certified nursing examination on the
593 | date the test is administered. The provider shall pay all
594 | reasonable costs and expenses incurred by the board in
595 | evaluating the provider's application and performance during the
596 | delivery of services, including examination services and
597 | procedures for maintaining the certified nursing assistant
598 | registry.

599 | Section 14. Paragraph (c) of subsection (1) of section

600 464.203, Florida Statutes, is amended to read:

601 464.203 Certified nursing assistants; certification
602 requirement.—

603 (1) The board shall issue a certificate to practice as a
604 certified nursing assistant to any person who demonstrates a
605 minimum competency to read and write and successfully passes the
606 required background screening pursuant to s. 400.215. If the
607 person has successfully passed the required background screening
608 pursuant to s. 400.215 or s. 408.809 within 90 days before
609 applying for a certificate to practice and the person's
610 background screening results are not retained in the
611 clearinghouse created under s. 435.12, the board shall waive the
612 requirement that the applicant successfully pass an additional
613 background screening pursuant to s. 400.215. The person must
614 also meet one of the following requirements:

615 (c) Is currently certified in another state or territory
616 of the United States or in the District of Columbia; is listed
617 on that jurisdiction's ~~state's~~ certified nursing assistant
618 registry; and has not been found to have committed abuse,
619 neglect, or exploitation in that jurisdiction ~~state~~.

620 Section 15. Paragraph (b) of subsection (1) of section
621 464.204, Florida Statutes, is amended to read:

622 464.204 Denial, suspension, or revocation of
623 certification; disciplinary actions.—

624 (1) The following acts constitute grounds for which the

625 board may impose disciplinary sanctions as specified in
626 subsection (2):

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

629 Section 16. Subsections (3) and (4) of section 466.006,
630 Florida Statutes, are amended to read:

631 466.006 Examination of dentists.—

632 (3) If an applicant is a graduate of a dental college or
633 school not accredited in accordance with paragraph (2)(b) or of
634 a dental college or school not approved by the board, the
635 applicant is not entitled to take the examinations required in
636 this section to practice dentistry until she or he satisfies one
637 of the following:

638 (a) Completes a program of study, as defined by the board
639 by rule, at an accredited American dental school and
640 demonstrates receipt of a D.D.S. or D.M.D. from said school; or

641 (b) Submits proof of having successfully completed at
642 least 2 consecutive academic years at a full-time supplemental
643 general dentistry program accredited by the American Dental
644 Association Commission on Dental Accreditation. This program
645 must provide didactic and clinical education at the level of a
646 D.D.S. or D.M.D. program accredited by the American Dental
647 Association Commission on Dental Accreditation. For purposes of
648 this paragraph, a supplemental general dentistry program does
649 not include an advanced education program in a dental specialty.

650 (4) Notwithstanding any other provision of law in chapter
651 456 pertaining to the clinical dental licensure examination or
652 national examinations, to be licensed as a dentist in this
653 state, an applicant must successfully complete both of the
654 following:

655 (a) A written examination on the laws and rules of the
656 state regulating the practice of dentistry.~~†~~

657 ~~1.~~ (b) A practical or clinical examination, which must
658 ~~shall~~ be the American Dental Licensing Examination produced by
659 the American Board of Dental Examiners, Inc., or its successor
660 entity, if any, that is administered in this state ~~and graded by~~
661 ~~dentists licensed in this state and employed by the department~~
662 ~~for just such purpose~~, provided that the board has attained, and
663 continues to maintain thereafter, representation on the board of
664 directors of the American Board of Dental Examiners, the
665 examination development committee of the American Board of
666 Dental Examiners, and such other committees of the American
667 Board of Dental Examiners as the board deems appropriate by rule
668 to assure that the standards established herein are maintained
669 organizationally. A passing score on the American Dental
670 Licensing Examination administered in this state ~~and graded by~~
671 ~~dentists who are licensed in this state~~ is valid for 365 days
672 after the date the official examination results are published.

673 1.2.a. As an alternative to such practical or clinical
674 examination ~~the requirements of subparagraph 1.~~, an applicant

675 | may submit scores from an American Dental Licensing Examination
676 | previously administered in a jurisdiction other than this state
677 | after October 1, 2011, and such examination results shall be
678 | recognized as valid for the purpose of licensure in this state.
679 | A passing score on the American Dental Licensing Examination
680 | administered out of state ~~out-of-state~~ shall be the same as the
681 | passing score for the American Dental Licensing Examination
682 | administered in this state ~~and graded by dentists who are~~
683 | ~~licensed in this state~~. The examination results are valid for
684 | 365 days after the date the official examination results are
685 | published. The applicant must have completed the examination
686 | after October 1, 2011.

687 | ~~b.~~ This subparagraph may not be given retroactive
688 | application.

689 | 2.3. If the date of an applicant's passing American Dental
690 | Licensing Examination scores from an examination previously
691 | administered in a jurisdiction other than this state under
692 | subparagraph 1. ~~subparagraph 2.~~ is older than 365 days, ~~then~~
693 | such scores are ~~shall~~ nevertheless ~~be recognized as~~ valid for
694 | the purpose of licensure in this state, but only if the
695 | applicant demonstrates that all of the following additional
696 | standards have been met:

697 | a.~~(I)~~ The applicant completed the American Dental
698 | Licensing Examination after October 1, 2011.

699 | ~~(II)~~ This sub-subparagraph may not be given retroactive

700 application;

701 b. The applicant graduated from a dental school accredited
702 by the American Dental Association Commission on Dental
703 Accreditation or its successor entity, if any, or any other
704 dental accrediting organization recognized by the United States
705 Department of Education. Provided, however, if the applicant did
706 not graduate from such a dental school, the applicant may submit
707 proof of having successfully completed a full-time supplemental
708 general dentistry program accredited by the American Dental
709 Association Commission on Dental Accreditation of at least 2
710 consecutive academic years at such accredited sponsoring
711 institution. Such program must provide didactic and clinical
712 education at the level of a D.D.S. or D.M.D. program accredited
713 by the American Dental Association Commission on Dental
714 Accreditation. For purposes of this sub-subparagraph, a
715 supplemental general dentistry program does not include an
716 advanced education program in a dental specialty;

717 c. The applicant currently possesses a valid and active
718 dental license in good standing, with no restriction, which has
719 never been revoked, suspended, restricted, or otherwise
720 disciplined, from another state or territory of the United
721 States, the District of Columbia, or the Commonwealth of Puerto
722 Rico;

723 d. The applicant submits proof that he or she has never
724 been reported to the National Practitioner Data Bank, the

725 Healthcare Integrity and Protection Data Bank, or the American
 726 Association of Dental Boards Clearinghouse. This sub-
 727 subparagraph does not apply if the applicant successfully
 728 appealed to have his or her name removed from the data banks of
 729 these agencies;

730 e. (I) (A) ~~In the 5 years immediately preceding the date of~~
 731 ~~application for licensure in this state,~~ The applicant submits
 732 ~~must submit~~ proof of having been consecutively engaged in the
 733 full-time practice of dentistry in another state or territory of
 734 the United States, the District of Columbia, or the Commonwealth
 735 of Puerto Rico in the 5 years immediately preceding the date of
 736 application for licensure in this state; ~~or~~

737 (B) If the applicant has been licensed in another state or
 738 territory of the United States, the District of Columbia, or the
 739 Commonwealth of Puerto Rico for less than 5 years, the applicant
 740 submits ~~must submit~~ proof of having been engaged in the full-
 741 time practice of dentistry since the date of his or her initial
 742 licensure.

743 (II) As used in this section, "full-time practice" is
 744 defined as a minimum of 1,200 hours per year for each and every
 745 year in the consecutive 5-year period or, when ~~where~~ applicable,
 746 the period since initial licensure, and must include any
 747 combination of the following:

748 (A) Active clinical practice of dentistry providing direct
 749 patient care.

750 (B) Full-time practice as a faculty member employed by a
 751 dental or dental hygiene school approved by the board or
 752 accredited by the American Dental Association Commission on
 753 Dental Accreditation.

754 (C) Full-time practice as a student at a postgraduate
 755 dental education program approved by the board or accredited by
 756 the American Dental Association Commission on Dental
 757 Accreditation.

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

762 (A) Admissible as evidence in an administrative
 763 proceeding;

764 (B) Submitted in writing;

765 (C) Submitted by the applicant under oath with penalties
 766 of perjury attached;

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

771 (E) Specifically found by the board to be both credible
 772 and admissible.

773 (IV) An affidavit of only the applicant is not acceptable
 774 proof of full-time practice unless it is further attested to by

775 someone unrelated to the applicant who has personal knowledge of
 776 the applicant's practice. If the board deems it necessary to
 777 assess credibility or accuracy, the board may require the
 778 applicant or the applicant's witnesses to appear before the
 779 board and give oral testimony under oath;

780 f. The applicant submits ~~must submit~~ documentation that he
 781 or she has completed, or will complete before he or she is
 782 licensed, ~~prior to licensure~~ in this state, continuing education
 783 equivalent to this state's requirements for the last full
 784 reporting biennium;

785 g. The applicant proves ~~must prove~~ that he or she has
 786 never been convicted of, or pled nolo contendere to, regardless
 787 of adjudication, any felony or misdemeanor related to the
 788 practice of a health care profession in any jurisdiction;

789 h. The applicant has ~~must~~ successfully passed ~~pass~~ a
 790 written examination on the laws and rules of this state
 791 regulating the practice of dentistry and ~~must successfully pass~~
 792 the computer-based diagnostic skills examination; and

793 i. The applicant submits ~~must submit~~ documentation that he
 794 or she has successfully completed the applicable examination
 795 administered by the Joint Commission on National Dental
 796 Examinations or its successor organization ~~National Board of~~
 797 ~~Dental Examiners dental examination.~~

798 Section 17. Notwithstanding the January 1, 2020, repeal of
 799 section 466.0067, Florida Statutes, that section is revived,

800 reenacted, and amended, to read:

801 466.0067 Application for health access dental license.—The
802 Legislature finds that there is an important state interest in
803 attracting dentists to practice in underserved health access
804 settings in this state and further, that allowing out-of-state
805 dentists who meet certain criteria to practice in health access
806 settings without the supervision of a dentist licensed in this
807 state is substantially related to achieving this important state
808 interest. Therefore, notwithstanding the requirements of s.
809 466.006, the board shall grant a health access dental license to
810 practice dentistry in this state in health access settings as
811 defined in s. 466.003 to an applicant who ~~that~~:

812 (1) Files an appropriate application approved by the
813 board;

814 (2) Pays an application license fee for a health access
815 dental license, laws-and-rule exam fee, and an initial licensure
816 fee. The fees specified in this subsection may not differ from
817 an applicant seeking licensure pursuant to s. 466.006;

818 (3) Has not been convicted of or pled nolo contendere to,
819 regardless of adjudication, any felony or misdemeanor related to
820 the practice of a health care profession;

821 (4) Submits proof of graduation from a dental school
822 accredited by the Commission on Dental Accreditation of the
823 American Dental Association or its successor agency;

824 (5) Submits documentation that she or he has completed, or

825 will obtain before ~~prior~~ to licensure, continuing education
 826 equivalent to this state's requirement for dentists licensed
 827 under s. 466.006 for the last full reporting biennium before
 828 applying for a health access dental license;

829 (6) Submits proof of her or his successful completion of
 830 parts I and II of the dental examination by the National Board
 831 of Dental Examiners and a state or regional clinical dental
 832 licensing examination that the board has determined effectively
 833 measures the applicant's ability to practice safely;

834 (7) Currently holds a valid, active, dental license in
 835 good standing which has not been revoked, suspended, restricted,
 836 or otherwise disciplined from another of the United States, the
 837 District of Columbia, or a United States territory;

838 (8) Has never had a license revoked from another of the
 839 United States, the District of Columbia, or a United States
 840 territory;

841 (9) Has never failed the examination specified in s.
 842 466.006, unless the applicant was reexamined pursuant to s.
 843 466.006 and received a license to practice dentistry in this
 844 state;

845 (10) Has not been reported to the National Practitioner
 846 Data Bank, unless the applicant successfully appealed to have
 847 his or her name removed from the data bank;

848 (11) Submits proof that he or she has been engaged in the
 849 active, clinical practice of dentistry providing direct patient

850 care for 5 years immediately preceding the date of application,
 851 or in instances when the applicant has graduated from an
 852 accredited dental school within the preceding 5 years, submits
 853 proof of continuous clinical practice providing direct patient
 854 care since graduation; and

855 (12) Has passed an examination covering the laws and rules
 856 of the practice of dentistry in this state as described in s.
 857 466.006(4)(a).

858 Section 18. Notwithstanding the January 1, 2020, repeal of
 859 section 466.00671, Florida Statutes, that section is revived,
 860 reenacted, and amended to read:

861 466.00671 Renewal of the health access dental license.—

862 (1) A health access dental licensee shall apply for
 863 renewal each biennium. At the time of renewal, the licensee
 864 shall sign a statement that she or he has complied with all
 865 continuing education requirements of an active dentist licensee.
 866 The board shall renew a health access dental license for an
 867 applicant who ~~that~~:

868 (a) Submits documentation, as approved by the board, from
 869 the employer in the health access setting that the licensee has
 870 at all times pertinent remained an employee;

871 (b) Has not been convicted of or pled nolo contendere to,
 872 regardless of adjudication, any felony or misdemeanor related to
 873 the practice of a health care profession;

874 (c) Has paid a renewal fee set by the board. The fee

875 | specified herein may not differ from the renewal fee adopted by
 876 | the board pursuant to s. 466.013. The department may provide
 877 | payment for these fees through the dentist's salary, benefits,
 878 | or other department funds;

879 | (d) Has not failed the examination specified in s. 466.006
 880 | since initially receiving a health access dental license or
 881 | since the last renewal; and

882 | (e) Has not been reported to the National Practitioner
 883 | Data Bank, unless the applicant successfully appealed to have
 884 | his or her name removed from the data bank.

885 | (2) The board may undertake measures to independently
 886 | verify the health access dental licensee's ongoing employment
 887 | status in the health access setting.

888 | Section 19. Notwithstanding the January 1, 2020, repeal of
 889 | section 466.00672, Florida Statutes, that section is revived and
 890 | reenacted to read:

891 | 466.00672 Revocation of health access dental license.—

892 | (1) The board shall revoke a health access dental license
 893 | upon:

894 | (a) The licensee's termination from employment from a
 895 | qualifying health access setting;

896 | (b) Final agency action determining that the licensee has
 897 | violated any provision of s. 466.027 or s. 466.028, other than
 898 | infractions constituting citation offenses or minor violations;
 899 | or

900 (c) Failure of the Florida dental licensure examination.
 901 (2) Failure of an individual licensed pursuant to s.
 902 466.0067 to limit the practice of dentistry to health access
 903 settings as defined in s. 466.003 constitutes the unlicensed
 904 practice of dentistry.

905 Section 20. The amendments and reenactments made by this
 906 act to ss. 466.0067, 466.00671, and 466.00672, Florida Statutes,
 907 are remedial in nature and apply retroactively to January 1,
 908 2020.

909 Section 21. Paragraph (b) of subsection (4) and paragraph
 910 (a) of subsection (6) of section 466.007, Florida Statutes, are
 911 amended to read:

912 466.007 Examination of dental hygienists.-

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

916 (b) A practical or clinical examination approved by the
 917 board. The examination shall be the Dental Hygiene Examination
 918 produced by the American Board of Dental Examiners, Inc. (ADEX)
 919 or its successor entity, if any, if the board finds that the
 920 successor entity's clinical examination meets or exceeds the
 921 provisions of this section. The board shall approve the ADEX
 922 Dental Hygiene Examination if the board has attained and
 923 continues to maintain representation on the ADEX House of
 924 Representatives, the ADEX Dental Hygiene Examination Development

925 Committee, and such other ADEX Dental Hygiene committees as the
 926 board deems appropriate through rulemaking to ensure that the
 927 standards established in this section are maintained
 928 organizationally. The ADEX Dental Hygiene Examination or the
 929 examination produced by its successor entity is a comprehensive
 930 examination in which an applicant must demonstrate skills within
 931 the dental hygiene scope of practice on a live patient and any
 932 other components that the board deems necessary for the
 933 applicant to successfully demonstrate competency for the purpose
 934 of licensure. ~~The ADEX Dental Hygiene Examination or the~~
 935 ~~examination by the successor entity administered in this state~~
 936 ~~shall be graded by dentists and dental hygienists licensed in~~
 937 ~~this state who are employed by the department for this purpose.~~

938 (6) (a) A passing score on the ADEX Dental Hygiene
 939 Examination administered out of state must ~~shall~~ be considered
 940 the same as a passing score for the ADEX Dental Hygiene
 941 Examination administered in this state ~~and graded by licensed~~
 942 ~~dentists and dental hygienists.~~

943 Section 22. Subsections (9) through (15) are added to
 944 section 466.017, Florida Statutes, to read:

945 466.017 Prescription of drugs; anesthesia.—

946 (9) Any adverse incident that occurs in an office
 947 maintained by a dentist must be reported to the department. The
 948 required notification to the department must be submitted in
 949 writing by certified mail and postmarked within 48 hours after

950 the incident occurs.

951 (10) A dentist practicing in this state must notify the
952 board in writing by certified mail within 48 hours after any
953 adverse incident that occurs in the dentist's outpatient
954 facility. A complete written report must be filed with the board
955 within 30 days after the incident occurs.

956 (11) Any certified registered dental hygienist
957 administering local anesthesia must notify the board in writing
958 by registered mail within 48 hours after any adverse incident
959 that was related to or the result of the administration of local
960 anesthesia. A complete written report must be filed with the
961 board within 30 days after the mortality or other adverse
962 incident.

963 (12) A failure by the dentist or dental hygienist to
964 timely and completely comply with all the reporting requirements
965 in this section is the basis for disciplinary action by the
966 board pursuant to s. 466.028(1).

967 (13) The department shall review each adverse incident and
968 determine whether it involved conduct by a health care
969 professional subject to disciplinary action, in which case s.
970 456.073 applies. Disciplinary action, if any, shall be taken by
971 the board under which the health care professional is licensed.

972 (14) As used in subsections (9)-(13), the term "adverse
973 incident" means any mortality that occurs during or as the
974 result of a dental procedure, or an incident that results in a

975 temporary or permanent physical or mental injury that requires
 976 hospitalization or emergency room treatment of a dental patient
 977 which occurs during or as a direct result of the use of general
 978 anesthesia, deep sedation, moderate sedation, pediatric moderate
 979 sedation, oral sedation, minimal sedation (anxiolysis), nitrous
 980 oxide, or local anesthesia.

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

982 Section 23. Section 466.031, Florida Statutes, is amended
 983 to read:

984 466.031 "Dental laboratories ~~laboratory~~" defined.—

985 (1) As used in this chapter, the term "dental laboratory"
 986 ~~as used in this chapter:~~

987 ~~(1)~~ includes any person, firm, or corporation that ~~who~~
 988 performs for a fee of any kind, gratuitously, or otherwise,
 989 directly or through an agent or an employee, by any means or
 990 method, or ~~who in any way~~ supplies or manufactures artificial
 991 substitutes for the natural teeth; ~~or who~~ furnishes, supplies,
 992 constructs, or reproduces or repairs any prosthetic denture,
 993 bridge, or appliance to be worn in the human mouth; ~~or who~~ in
 994 any way represents ~~holds itself out~~ as a dental laboratory.

995 ~~(2)~~ The term does not include a ~~Excludes any~~ dental
 996 laboratory technician who constructs or repairs dental
 997 prosthetic appliances in the office of a licensed dentist
 998 exclusively for that ~~such~~ dentist ~~only and~~ under her or his
 999 supervision and work order.

1000 (2) An employee or independent contractor of a dental
 1001 laboratory, acting as an agent of that dental laboratory, may
 1002 engage in onsite consultation with a licensed dentist during a
 1003 dental procedure.

1004 Section 24. Section 466.036, Florida Statutes, is amended
 1005 to read:

1006 466.036 Information; periodic inspections; equipment and
 1007 supplies.—The department may require from the applicant for a
 1008 registration certificate to operate a dental laboratory any
 1009 information necessary to carry out the purpose of this chapter,
 1010 including proof that the applicant has the equipment and
 1011 supplies necessary to operate as determined by rule of the
 1012 department, and shall require periodic inspection of all dental
 1013 laboratories operating in this state at least once each biennial
 1014 registration period. Such inspections must ~~shall~~ include, but
 1015 need not be limited to, inspection of sanitary conditions,
 1016 equipment, supplies, and facilities on the premises. The
 1017 department shall specify dental equipment and supplies that are
 1018 not allowed ~~permitted~~ in a registered dental laboratory.

1019 Section 25. Subsection (1) of section 468.701, Florida
 1020 Statutes, is amended to read:

1021 468.701 Definitions.—As used in this part, the term:

1022 (1) "Athletic trainer" means a person licensed under this
 1023 part who has met the requirements of ~~under~~ this part, including
 1024 the education requirements established ~~as set forth~~ by the

1025 Commission on Accreditation of Athletic Training Education or
 1026 its successor organization and necessary credentials from the
 1027 Board of Certification. ~~An individual who is licensed as an~~
 1028 ~~athletic trainer may not provide, offer to provide, or represent~~
 1029 ~~that he or she is qualified to provide any care or services that~~
 1030 ~~he or she lacks the education, training, or experience to~~
 1031 ~~provide, or that he or she is otherwise prohibited by law from~~
 1032 ~~providing.~~

1033 Section 26. Section 468.707, Florida Statutes, is amended
 1034 to read:

1035 468.707 Licensure requirements.—Any person desiring to be
 1036 licensed as an athletic trainer shall apply to the department on
 1037 a form approved by the department. An applicant shall also
 1038 provide records or other evidence, as determined by the board,
 1039 to prove he or she has met the requirements of this section. The
 1040 department shall license each applicant who:

1041 (1) Has completed the application form and remitted the
 1042 required fees.

1043 (2) ~~For a person who applies on or after July 1, 2016,~~ Has
 1044 submitted to background screening pursuant to s. 456.0135. The
 1045 board may require a background screening for an applicant whose
 1046 license has expired or who is undergoing disciplinary action.

1047 (3) (a) Has obtained, at a minimum, a bachelor's
 1048 ~~baccalaureate or higher~~ degree from a college or university
 1049 professional athletic training degree program accredited by the

1050 Commission on Accreditation of Athletic Training Education or
1051 its successor organization recognized and approved by the United
1052 States Department of Education or the Commission on Recognition
1053 of Postsecondary Accreditation, approved by the board, or
1054 recognized by the Board of Certification, and has passed the
1055 national examination to be certified by the Board of
1056 Certification; or-

1057 (b)(4) Has obtained, at a minimum, a bachelor's degree,
1058 has completed the Board of Certification internship
1059 requirements, and holds ~~If graduated before 2004, has~~ a current
1060 certification from the Board of Certification.

1061 (4)(5) Has current certification in both cardiopulmonary
1062 resuscitation and the use of an automated external defibrillator
1063 set forth in the continuing education requirements as determined
1064 by the board pursuant to s. 468.711.

1065 (5)(6) Has completed any other requirements as determined
1066 by the department and approved by the board.

1067 Section 27. Subsection (3) of section 468.711, Florida
1068 Statutes, is amended to read:

1069 468.711 Renewal of license; continuing education.—

1070 (3) If initially licensed after January 1, 1998, the
1071 licensee must be currently certified by the Board of
1072 Certification or its successor agency and maintain that
1073 certification in good standing without lapse.

1074 Section 28. Section 468.713, Florida Statutes, is amended

1075 | to read:

1076 | 468.713 Responsibilities of athletic trainers.—

1077 | (1) An athletic trainer shall practice under the direction
 1078 | of a physician licensed under chapter 458, chapter 459, chapter
 1079 | 460, or otherwise authorized by Florida law to practice
 1080 | medicine. The physician shall communicate his or her direction
 1081 | through oral or written prescriptions or protocols as deemed
 1082 | appropriate by the physician for the provision of services and
 1083 | care by the athletic trainer. An athletic trainer shall provide
 1084 | service or care in the manner dictated by the physician.

1085 | (2) An athletic trainer shall work within his or her
 1086 | allowable scope of practice as specified in board rule under s.
 1087 | 468.705. An athletic trainer may not provide, offer to provide,
 1088 | or represent that he or she is qualified to provide any care or
 1089 | services that he or she lacks the education, training, or
 1090 | experience to provide or that he or she is otherwise prohibited
 1091 | by law from providing.

1092 | Section 29. Subsection (2) of section 468.723, Florida
 1093 | Statutes, is amended to read:

1094 | 468.723 Exemptions.—This part does not prohibit ~~prevent~~ or
 1095 | restrict:

1096 | (2) An athletic training student acting under the direct
 1097 | supervision of a licensed athletic trainer. For purposes of this
 1098 | subsection, "direct supervision" means the physical presence of
 1099 | an athletic trainer so that the athletic trainer is immediately

1100 available to the athletic training student and able to intervene
 1101 on behalf of the athletic training student. The supervision must
 1102 comply with board rule ~~in accordance with the standards set~~
 1103 ~~forth by the Commission on Accreditation of Athletic Training~~
 1104 ~~Education or its successor.~~

1105 Section 30. Subsections (1), (3), and (4) of section
 1106 468.803, Florida Statutes, are amended to read:

1107 468.803 License, registration, and examination
 1108 requirements.—

1109 (1) The department shall issue a license to practice
 1110 orthotics, prosthetics, or pedorthics, or a registration for a
 1111 resident to practice orthotics or prosthetics, to qualified
 1112 applicants. Licenses to practice ~~shall be granted independently~~
 1113 ~~in~~ orthotics, prosthetics, or pedorthics must be granted
 1114 independently, but a person may be licensed in more than one
 1115 such discipline, and a prosthetist-orthotist license may be
 1116 granted to persons meeting the requirements for licensure both
 1117 as a prosthetist and as an orthotist ~~license~~. Registrations to
 1118 practice ~~shall be granted independently in~~ orthotics or
 1119 prosthetics must be granted independently, and a person may be
 1120 registered in both disciplines ~~fields~~ at the same time or
 1121 jointly in orthotics and prosthetics as a dual registration.

1122 (3) A person seeking to attain the ~~required~~ orthotics or
 1123 prosthetics experience required for licensure in this state must
 1124 be approved by the board and registered as a resident by the

1125 department. Although a registration may be held in both
 1126 disciplines ~~practice fields~~, for independent registrations the
 1127 board may ~~shall~~ not approve a second registration until at least
 1128 1 year after the issuance of the first registration.
 1129 Notwithstanding subsection (2), a person ~~an applicant~~ who has
 1130 been approved by the board and registered by the department in
 1131 one discipline ~~practice field~~ may apply for registration in the
 1132 second discipline ~~practice field~~ without an additional state or
 1133 national criminal history check during the period in which the
 1134 first registration is valid. Each independent registration or
 1135 dual registration is valid for 2 years after ~~from~~ the date of
 1136 issuance unless otherwise revoked by the department upon
 1137 recommendation of the board. The board shall set a registration
 1138 fee not to exceed \$500 to be paid by the applicant. A
 1139 registration may be renewed once by the department upon
 1140 recommendation of the board for a period no longer than 1 year,
 1141 as such renewal is defined by the board by rule. The
 1142 ~~registration~~ renewal fee may ~~shall~~ not exceed one-half the
 1143 current registration fee. To be considered by the board for
 1144 approval of registration as a resident, the applicant must have
 1145 one of the following:
 1146 (a) A Bachelor of Science or higher-level postgraduate
 1147 degree in orthotics and prosthetics from a regionally accredited
 1148 college or university recognized by the Commission on
 1149 Accreditation of Allied Health Education Programs. ~~or, at~~

1150 (b) A minimum ~~of~~ a bachelor's degree from a regionally
1151 accredited college or university and a certificate in orthotics
1152 or prosthetics from a program recognized by the Commission on
1153 Accreditation of Allied Health Education Programs, or its
1154 equivalent, as determined by the board. ~~;~~ ~~or~~

1155 (c) A minimum of a bachelor's degree from a regionally
1156 accredited college or university and a dual certificate in both
1157 orthotics and prosthetics from programs recognized by the
1158 Commission on Accreditation of Allied Health Education Programs,
1159 or its equivalent, as determined by the board.

1160 ~~(b) A Bachelor of Science or higher-level postgraduate~~
1161 ~~degree in Orthotics and Prosthetics from a regionally accredited~~
1162 ~~college or university recognized by the Commission on~~
1163 ~~Accreditation of Allied Health Education Programs or, at a~~
1164 ~~minimum, a bachelor's degree from a regionally accredited~~
1165 ~~college or university and a certificate in prosthetics from a~~
1166 ~~program recognized by the Commission on Accreditation of Allied~~
1167 ~~Health Education Programs, or its equivalent, as determined by~~
1168 ~~the board.~~

1169 (4) The department may develop and administer a state
1170 examination for an orthotist or a prosthetist license, or the
1171 board may approve the existing examination of a national
1172 standards organization. The examination must be predicated on a
1173 minimum of a baccalaureate-level education and formalized
1174 specialized training in the appropriate field. Each examination

1175 must demonstrate a minimum level of competence in basic
1176 scientific knowledge, written problem solving, and practical
1177 clinical patient management. The board shall require an
1178 examination fee not to exceed the actual cost to the board in
1179 developing, administering, and approving the examination, which
1180 fee must be paid by the applicant. To be considered by the board
1181 for examination, the applicant must have:

1182 (a) For an examination in orthotics:

1183 1. A Bachelor of Science or higher-level postgraduate
1184 degree in orthotics and prosthetics from a regionally accredited
1185 college or university recognized by the Commission on
1186 Accreditation of Allied Health Education Programs or, at a
1187 minimum, a bachelor's degree from a regionally accredited
1188 college or university and a certificate in orthotics from a
1189 program recognized by the Commission on Accreditation of Allied
1190 Health Education Programs, or its equivalent, as determined by
1191 the board; and

1192 2. An approved orthotics internship of 1 year of qualified
1193 experience, as determined by the board, or an orthotic residency
1194 or dual residency program recognized by the board.

1195 (b) For an examination in prosthetics:

1196 1. A Bachelor of Science or higher-level postgraduate
1197 degree in orthotics and prosthetics from a regionally accredited
1198 college or university recognized by the Commission on
1199 Accreditation of Allied Health Education Programs or, at a

1200 minimum, a bachelor's degree from a regionally accredited
 1201 college or university and a certificate in prosthetics from a
 1202 program recognized by the Commission on Accreditation of Allied
 1203 Health Education Programs, or its equivalent, as determined by
 1204 the board; and

1205 2. An approved prosthetics internship of 1 year of
 1206 qualified experience, as determined by the board, or a
 1207 prosthetic residency or dual residency program recognized by the
 1208 board.

1209 Section 31. Subsection (5) of section 480.033, Florida
 1210 Statutes, is amended to read:

1211 480.033 Definitions.—As used in this act:

1212 (5) "Apprentice" means a person approved by the board to
 1213 study colonic irrigation ~~massage~~ under the instruction of a
 1214 licensed massage therapist practicing colonic irrigation.

1215 Section 32. Subsections (1) and (2) of section 480.041,
 1216 Florida Statutes, are amended, and subsection (8) is added to
 1217 that section, to read:

1218 480.041 Massage therapists; qualifications; licensure;
 1219 endorsement.—

1220 (1) Any person is qualified for licensure as a massage
 1221 therapist under this act who:

1222 (a) Is at least 18 years of age or has received a high
 1223 school diploma or high school equivalency diploma;

1224 (b) Has completed a course of study at a board-approved

1225 | message school ~~or has completed an apprenticeship program~~ that
1226 | meets standards adopted by the board; and

1227 | (c) Has received a passing grade on a national an
1228 | examination designated ~~administered~~ by the board ~~department~~.

1229 | (2) Every person desiring to be examined for licensure as
1230 | a massage therapist must ~~shall~~ apply to the department in
1231 | writing upon forms prepared and furnished by the department.
1232 | Such applicants are ~~shall be~~ subject to ~~the provisions of s.~~
1233 | 480.046(1). ~~Applicants may take an examination administered by~~
1234 | ~~the department only upon meeting the requirements of this~~
1235 | ~~section as determined by the board.~~

1236 | (8) A person issued a license as a massage apprentice
1237 | before July 1, 2020, may continue that apprenticeship and
1238 | perform massage therapy as authorized under that license until
1239 | it expires. Upon completion of the apprenticeship, which must
1240 | occur before July 1, 2023, a massage apprentice may apply to the
1241 | board for full licensure and be granted a license if all other
1242 | applicable licensure requirements are met.

1243 | Section 33. Section 480.042, Florida Statutes, is
1244 | repealed.

1245 | Section 34. Subsection (3) of section 490.003, Florida
1246 | Statutes, is amended to read:

1247 | 490.003 Definitions.—As used in this chapter:

1248 | (3) ~~(a) Prior to July 1, 1999, "doctoral-level~~
1249 | ~~psychological education" and "doctoral degree in psychology"~~

1250 mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology
1251 from:

1252 1. ~~An educational institution which, at the time the~~
1253 ~~applicant was enrolled and graduated, had institutional~~
1254 ~~accreditation from an agency recognized and approved by the~~
1255 ~~United States Department of Education or was recognized as a~~
1256 ~~member in good standing with the Association of Universities and~~
1257 ~~Colleges of Canada; and~~

1258 2. ~~A psychology program within that educational~~
1259 ~~institution which, at the time the applicant was enrolled and~~
1260 ~~graduated, had programmatic accreditation from an accrediting~~
1261 ~~agency recognized and approved by the United States Department~~
1262 ~~of Education or was comparable to such programs.~~

1263 ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological
1264 education" and "doctoral degree in psychology" mean a Psy.D., an
1265 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
1266 program at:

1267 ~~1.~~ an educational institution that ~~which~~, at the time the
1268 applicant was enrolled and graduated:

1269 (a) ~~1.~~ Had institutional accreditation from an agency
1270 recognized and approved by the United States Department of
1271 Education or was recognized as a member in good standing with
1272 the Association of Universities and Colleges of Canada; and

1273 (b)2. ~~A psychology program within that educational~~
1274 ~~institution which, at the time the applicant was enrolled and~~

1275 ~~graduated,~~ Had programmatic accreditation from the American
1276 Psychological Association ~~an agency recognized and approved by~~
1277 ~~the United States Department of Education.~~

1278 Section 35. Paragraph (b) of subsection (1) and paragraph
1279 (b) of subsection (2) of section 490.005, Florida Statutes, are
1280 amended to read:

1281 490.005 Licensure by examination.—

1282 (1) Any person desiring to be licensed as a psychologist
1283 shall apply to the department to take the licensure examination.
1284 The department shall license each applicant who the board
1285 certifies has:

1286 (b) Submitted proof satisfactory to the board that the
1287 applicant has received:

1288 1. ~~Received~~ Doctoral-level psychological education, ~~as~~
1289 ~~defined in s. 490.003(3); or~~

1290 2. ~~Received~~ The equivalent of a doctoral-level
1291 psychological education, as defined in s. 490.003(3), from a
1292 program at a school or university located outside the United
1293 States of America ~~and Canada,~~ which was officially recognized by
1294 the government of the country in which it is located as an
1295 institution or program to train students to practice
1296 professional psychology. The applicant has the burden of
1297 establishing that this requirement has ~~the requirements of this~~
1298 ~~provision have been met shall be upon the applicant;~~

1299 3. ~~Received and submitted to the board, prior to July 1,~~

1300 ~~1999, certification of an augmented doctoral-level psychological~~
1301 ~~education from the program director of a doctoral-level~~
1302 ~~psychology program accredited by a programmatic agency~~
1303 ~~recognized and approved by the United States Department of~~
1304 ~~Education; or~~

1305 ~~4. Received and submitted to the board, prior to August~~
1306 ~~31, 2001, certification of a doctoral-level program that at the~~
1307 ~~time the applicant was enrolled and graduated maintained a~~
1308 ~~standard of education and training comparable to the standard of~~
1309 ~~training of programs accredited by a programmatic agency~~
1310 ~~recognized and approved by the United States Department of~~
1311 ~~Education. Such certification of comparability shall be provided~~
1312 ~~by the program director of a doctoral-level psychology program~~
1313 ~~accredited by a programmatic agency recognized and approved by~~
1314 ~~the United States Department of Education.~~

1315 (2) Any person desiring to be licensed as a school
1316 psychologist shall apply to the department to take the licensure
1317 examination. The department shall license each applicant who the
1318 department certifies has:

1319 (b) Submitted satisfactory proof to the department that
1320 the applicant:

1321 1. Has received a doctorate, specialist, or equivalent
1322 degree from a program primarily psychological in nature and has
1323 completed 60 semester hours or 90 quarter hours of graduate
1324 study, in areas related to school psychology as defined by rule

1325 of the department, from a college or university which at the
 1326 time the applicant was enrolled and graduated was accredited by
 1327 an accrediting agency recognized and approved by the Council for
 1328 Higher Education Accreditation or its successor organization
 1329 ~~Commission on Recognition of Postsecondary Accreditation~~ or from
 1330 an institution that ~~which~~ is ~~publicly recognized~~ as a member in
 1331 good standing with the Association of Universities and Colleges
 1332 of Canada.

1333 2. Has had a minimum of 3 years of experience in school
 1334 psychology, 2 years of which must be supervised by an individual
 1335 who is a licensed school psychologist or who has otherwise
 1336 qualified as a school psychologist supervisor, by education and
 1337 experience, as set forth by rule of the department. A doctoral
 1338 internship may be applied toward the supervision requirement.

1339 3. Has passed an examination provided by the department.

1340 Section 36. Subsection (1) of section 490.006, Florida
 1341 Statutes, is amended to read:

1342 490.006 Licensure by endorsement.—

1343 (1) The department shall license a person as a
 1344 psychologist or school psychologist who, upon applying to the
 1345 department and remitting the appropriate fee, demonstrates to
 1346 the department or, in the case of psychologists, to the board
 1347 that the applicant:

1348 ~~(a) Holds a valid license or certificate in another state~~
 1349 ~~to practice psychology or school psychology, as applicable,~~

1350 ~~provided that, when the applicant secured such license or~~
1351 ~~certificate, the requirements were substantially equivalent to~~
1352 ~~or more stringent than those set forth in this chapter at that~~
1353 ~~time; and, if no Florida law existed at that time, then the~~
1354 ~~requirements in the other state must have been substantially~~
1355 ~~equivalent to or more stringent than those set forth in this~~
1356 ~~chapter at the present time;~~

1357 (a) ~~(b)~~ Is a diplomate in good standing with the American
1358 Board of Professional Psychology, Inc.; or

1359 (b) ~~(c)~~ Possesses a doctoral degree in psychology ~~as~~
1360 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of
1361 experience as a licensed psychologist in any jurisdiction or
1362 territory of the United States within the 25 years preceding the
1363 date of application.

1364 Section 37. Subsection (6) of section 491.0045, Florida
1365 Statutes, as created by chapter 2016-80 and chapter 2016-241,
1366 Laws of Florida, is amended to read:

1367 491.0045 Intern registration; requirements.—

1368 (6) A registration issued on or before March 31, 2017,
1369 expires March 31, 2022, and may not be renewed or reissued. Any
1370 registration issued after March 31, 2017, expires 60 months
1371 after the date it is issued. The board may make a one-time
1372 exception from the requirements of this subsection in emergency
1373 or hardship cases, as defined by board rule, if ~~A subsequent~~
1374 ~~intern registration may not be issued unless the candidate has~~

1375 | passed the theory and practice examination described in s.
 1376 | 491.005(1)(d), (3)(d), and (4)(d).

1377 | Section 38. Subsections (3) and (4) of section 491.005,
 1378 | Florida Statutes, are amended to read:

1379 | 491.005 Licensure by examination.—

1380 | (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
 1381 | documentation and payment of a fee not to exceed \$200, as set by
 1382 | board rule, plus the actual cost of ~~to the department for~~ the
 1383 | purchase of the examination from the Association of Marital and
 1384 | Family Therapy Regulatory Board, or similar national
 1385 | organization, the department shall issue a license as a marriage
 1386 | and family therapist to an applicant who the board certifies:

1387 | (a) Has submitted an application and paid the appropriate
 1388 | fee.

1389 | (b)1. Has a minimum of a master's degree with major
 1390 | emphasis in marriage and family therapy, ~~or a closely related~~
 1391 | field from a program accredited by the Commission on
 1392 | Accreditation for Marriage and Family Therapy Education or from
 1393 | a Florida university program accredited by the Council for
 1394 | Accreditation of Counseling and Related Educational Programs,
 1395 | and graduate courses approved by the Board of Clinical Social
 1396 | Work, Marriage and Family Therapy, and Mental Health Counseling
 1397 | ~~has completed all of the following requirements:~~

1398 | a. ~~Thirty-six semester hours or 48 quarter hours of~~
 1399 | ~~graduate coursework, which must include a minimum of 3 semester~~

1400 ~~hours or 4 quarter hours of graduate-level course credits in~~
1401 ~~each of the following nine areas: dynamics of marriage and~~
1402 ~~family systems; marriage therapy and counseling theory and~~
1403 ~~techniques; family therapy and counseling theory and techniques;~~
1404 ~~individual human development theories throughout the life cycle;~~
1405 ~~personality theory or general counseling theory and techniques;~~
1406 ~~psychopathology; human sexuality theory and counseling~~
1407 ~~techniques; psychosocial theory; and substance abuse theory and~~
1408 ~~counseling techniques. Courses in research, evaluation,~~
1409 ~~appraisal, assessment, or testing theories and procedures;~~
1410 ~~thesis or dissertation work; or practicums, internships, or~~
1411 ~~fieldwork may not be applied toward this requirement.~~

1412 ~~b. A minimum of one graduate-level course of 3 semester~~
1413 ~~hours or 4 quarter hours in legal, ethical, and professional~~
1414 ~~standards issues in the practice of marriage and family therapy~~
1415 ~~or a course determined by the board to be equivalent.~~

1416 ~~c. A minimum of one graduate-level course of 3 semester~~
1417 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~
1418 ~~and testing for individual or interpersonal disorder or~~
1419 ~~dysfunction; and a minimum of one 3 semester-hour or 4 quarter-~~
1420 ~~hour graduate-level course in behavioral research which focuses~~
1421 ~~on the interpretation and application of research data as it~~
1422 ~~applies to clinical practice. Credit for thesis or dissertation~~
1423 ~~work, practicums, internships, or fieldwork may not be applied~~
1424 ~~toward this requirement.~~

1425 ~~d. A minimum of one supervised clinical practicum,~~
1426 ~~internship, or field experience in a marriage and family~~
1427 ~~counseling setting, during which the student provided 180 direct~~
1428 ~~client contact hours of marriage and family therapy services~~
1429 ~~under the supervision of an individual who met the requirements~~
1430 ~~for supervision under paragraph (c). This requirement may be met~~
1431 ~~by a supervised practice experience which took place outside the~~
1432 ~~academic arena, but which is certified as equivalent to a~~
1433 ~~graduate-level practicum or internship program which required a~~
1434 ~~minimum of 180 direct client contact hours of marriage and~~
1435 ~~family therapy services currently offered within an academic~~
1436 ~~program of a college or university accredited by an accrediting~~
1437 ~~agency approved by the United States Department of Education, or~~
1438 ~~an institution which is publicly recognized as a member in good~~
1439 ~~standing with the Association of Universities and Colleges of~~
1440 ~~Canada or a training institution accredited by the Commission on~~
1441 ~~Accreditation for Marriage and Family Therapy Education~~
1442 ~~recognized by the United States Department of Education.~~
1443 ~~Certification shall be required from an official of such~~
1444 ~~college, university, or training institution.~~

1445 2. If the course title that ~~which~~ appears on the
1446 applicant's transcript does not clearly identify the content of
1447 the coursework, the applicant shall ~~be required to~~ provide
1448 additional documentation, including, but not limited to, a
1449 syllabus or catalog description published for the course.

1450
1451 The required master's degree must have been received in an
1452 institution of higher education that, ~~which~~ at the time the
1453 applicant graduated, was ~~is~~ fully accredited by a regional
1454 accrediting body recognized by the Commission on Recognition of
1455 Postsecondary Accreditation or ~~is~~ publicly recognized as a member
1456 in good standing with the Association of Universities and
1457 Colleges of Canada, or an institution of higher education
1458 located outside the United States and Canada, which, at the time
1459 the applicant was enrolled and at the time the applicant
1460 graduated, maintained a standard of training substantially
1461 equivalent to the standards of training of those institutions in
1462 the United States which are accredited by a regional accrediting
1463 body recognized by the Commission on Recognition of
1464 Postsecondary Accreditation. Such foreign education and training
1465 must have been received in an institution or program of higher
1466 education officially recognized by the government of the country
1467 in which it is located as an institution or program to train
1468 students to practice as professional marriage and family
1469 therapists or psychotherapists. The applicant has the burden of
1470 establishing that the requirements of this provision have been
1471 met ~~shall be upon the applicant,~~ and the board shall require
1472 documentation, such as, ~~but not limited to,~~ an evaluation by a
1473 foreign equivalency determination service, as evidence that the
1474 applicant's graduate degree program and education were

1475 equivalent to an accredited program in this country. An
1476 applicant with a master's degree from a program that ~~which~~ did
1477 not emphasize marriage and family therapy may complete the
1478 coursework requirement in a training institution fully
1479 accredited by the Commission on Accreditation for Marriage and
1480 Family Therapy Education recognized by the United States
1481 Department of Education.

1482 (c) Has had at least 2 years of clinical experience during
1483 which 50 percent of the applicant's clients were receiving
1484 marriage and family therapy services, which must be at the post-
1485 master's level under the supervision of a licensed marriage and
1486 family therapist with at least 5 years of experience, or the
1487 equivalent, who is a qualified supervisor as determined by the
1488 board. An individual who intends to practice in Florida to
1489 satisfy the clinical experience requirements must register
1490 pursuant to s. 491.0045 before commencing practice. If a
1491 graduate has a master's degree with a major emphasis in marriage
1492 and family therapy or a closely related field which ~~that~~ did not
1493 include all of the coursework required by subparagraph (b)1.
1494 ~~under sub-subparagraphs (b)1.a.-e.,~~ credit for the post-master's
1495 level clinical experience may ~~shall~~ not commence until the
1496 applicant has completed a minimum of 10 of the courses required
1497 by subparagraph (b)1. ~~under sub-subparagraphs (b)1.a.-e.,~~ as
1498 determined by the board, and at least 6 semester hours or 9
1499 quarter hours of the course credits must have been completed in

1500 the area of marriage and family systems, theories, or
1501 techniques. Within the 2 ~~3~~ years of required experience, the
1502 applicant shall provide direct individual, group, or family
1503 therapy and counseling, ~~to include the following categories of~~
1504 cases including those involving unmarried dyads, married
1505 couples, separating and divorcing couples, and family groups
1506 that include ~~including~~ children. A doctoral internship may be
1507 applied toward the clinical experience requirement. A licensed
1508 mental health professional must be on the premises when clinical
1509 services are provided by a registered intern in a private
1510 practice setting.

1511 (d) Has passed a theory and practice examination provided
1512 by the department ~~for this purpose~~.

1513 (e) Has demonstrated, in a manner designated by board rule
1514 ~~of the board~~, knowledge of the laws and rules governing the
1515 practice of clinical social work, marriage and family therapy,
1516 and mental health counseling.

1517 ~~(f)~~

1518

1519 For the purposes of dual licensure, the department shall license
1520 as a marriage and family therapist any person who meets the
1521 requirements of s. 491.0057. Fees for dual licensure may ~~shall~~
1522 not exceed those stated in this subsection.

1523 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1524 documentation and payment of a fee not to exceed \$200, as set by

1525 board rule, plus the actual per applicant cost of ~~to the~~
 1526 ~~department for~~ purchase of the examination from the National
 1527 Board for Certified Counselors or its successor ~~Professional~~
 1528 ~~Examination Service for the National Academy of Certified~~
 1529 ~~Clinical Mental Health Counselors or a similar national~~
 1530 organization, the department shall issue a license as a mental
 1531 health counselor to an applicant who the board certifies:
 1532 (a) Has submitted an application and paid the appropriate
 1533 fee.
 1534 (b)1. Has a minimum of an earned master's degree from a
 1535 mental health counseling program accredited by the Council for
 1536 the Accreditation of Counseling and Related Educational Programs
 1537 which ~~that~~ consists of at least 60 semester hours or 80 quarter
 1538 hours of clinical and didactic instruction, including a course
 1539 in human sexuality and a course in substance abuse. If the
 1540 master's degree is earned from a program related to the practice
 1541 of mental health counseling which ~~that~~ is not accredited by the
 1542 Council for the Accreditation of Counseling and Related
 1543 Educational Programs, then the coursework and practicum,
 1544 internship, or fieldwork must consist of at least 60 semester
 1545 hours or 80 quarter hours and meet all of the following
 1546 requirements:
 1547 a. Thirty-three semester hours or 44 quarter hours of
 1548 graduate coursework, which must include a minimum of 3 semester
 1549 hours or 4 quarter hours of graduate-level coursework in each of

1550 the following 11 content areas: counseling theories and
1551 practice; human growth and development; diagnosis and treatment
1552 of psychopathology; human sexuality; group theories and
1553 practice; individual evaluation and assessment; career and
1554 lifestyle assessment; research and program evaluation; social
1555 and cultural foundations; substance abuse; and legal, ethical,
1556 and professional standards issues in the practice of mental
1557 health counseling in community settings; and substance abuse.
1558 Courses in research, thesis or dissertation work, practicums,
1559 internships, or fieldwork may not be applied toward this
1560 requirement.

1561 b. A minimum of 3 semester hours or 4 quarter hours of
1562 graduate-level coursework addressing diagnostic processes,
1563 including differential diagnosis and the use of the current
1564 diagnostic tools, such as the current edition of the American
1565 Psychiatric Association's Diagnostic and Statistical Manual of
1566 Mental Disorders. The graduate program must have emphasized the
1567 common core curricular experience in legal, ethical, and
1568 professional standards issues in the practice of mental health
1569 counseling, which includes goals, objectives, and practices of
1570 professional counseling organizations, codes of ethics, legal
1571 considerations, standards of preparation, certifications and
1572 licensing, and the role identity and professional obligations of
1573 mental health counselors. Courses in research, thesis or
1574 dissertation work, practicums, internships, or fieldwork may not

1575 ~~be applied toward this requirement.~~

1576 c. The equivalent, as determined by the board, of at least
1577 700 ~~1,000~~ hours of university-sponsored supervised clinical
1578 practicum, internship, or field experience that includes at
1579 least 280 hours of direct client services, as required in the
1580 accrediting standards of the Council for Accreditation of
1581 Counseling and Related Educational Programs for mental health
1582 counseling programs. This experience may not be used to satisfy
1583 the post-master's clinical experience requirement.

1584 2. Has provided additional documentation if a ~~the~~ course
1585 title that ~~which~~ appears on the applicant's transcript does not
1586 clearly identify the content of the coursework. ~~7~~ ~~The applicant~~
1587 ~~shall be required to provide additional documentation~~ must
1588 include, including, but is not limited to, a syllabus or catalog
1589 description published for the course.

1590
1591 Education and training in mental health counseling must have
1592 been received in an institution of higher education that, ~~which~~
1593 at the time the applicant graduated, was ~~is~~ fully accredited by a
1594 regional accrediting body recognized by the Council for Higher
1595 Education Accreditation or its successor organization or
1596 ~~Commission on Recognition of Postsecondary Accreditation;~~
1597 publicly recognized as a member in good standing with the
1598 Association of Universities and Colleges of Canada, ~~7~~ or an
1599 institution of higher education located outside the United

1600 States and Canada, which, at the time the applicant was enrolled
1601 and at the time the applicant graduated, maintained a standard
1602 of training substantially equivalent to the standards of
1603 training of those institutions in the United States which are
1604 accredited by a regional accrediting body recognized by the
1605 Council for Higher Education Accreditation or its successor
1606 organization ~~Commission on Recognition of Postsecondary~~
1607 ~~Accreditation~~. Such foreign education and training must have
1608 been received in an institution or program of higher education
1609 officially recognized by the government of the country in which
1610 it is located as an institution or program to train students to
1611 practice as mental health counselors. The applicant has the
1612 burden of establishing that the requirements of this provision
1613 have been met ~~shall be upon the applicant~~, and the board shall
1614 require documentation, such as, ~~but not limited to~~, an
1615 evaluation by a foreign equivalency determination service, as
1616 evidence that the applicant's graduate degree program and
1617 education were equivalent to an accredited program in this
1618 country. Beginning July 1, 2025, an applicant must have a
1619 master's degree from a program that is accredited by the Council
1620 for Accreditation of Counseling and Related Educational Programs
1621 which consists of at least 60 semester hours or 80 quarter hours
1622 to apply for licensure under this paragraph.

1623 (c) Has had at least 2 years of clinical experience in
1624 mental health counseling, which must be at the post-master's

1625 level under the supervision of a licensed mental health
1626 counselor or the equivalent who is a qualified supervisor as
1627 determined by the board. An individual who intends to practice
1628 in Florida to satisfy the clinical experience requirements must
1629 register pursuant to s. 491.0045 before commencing practice. If
1630 a graduate has a master's degree with a major related to the
1631 practice of mental health counseling which ~~that~~ did not include
1632 all the coursework required under sub-subparagraphs (b)1.a. and
1633 b. ~~(b)1.a.-b.~~, credit for the post-master's level clinical
1634 experience may ~~shall~~ not commence until the applicant has
1635 completed a minimum of seven of the courses required under sub-
1636 subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, as determined by the
1637 board, one of which must be a course in psychopathology or
1638 abnormal psychology. A doctoral internship may be applied toward
1639 the clinical experience requirement. A licensed mental health
1640 professional must be on the premises when clinical services are
1641 provided by a registered intern in a private practice setting.

1642 (d) Has passed a theory and practice examination provided
1643 by the department for this purpose.

1644 (e) Has demonstrated, in a manner designated by board rule
1645 ~~of the board~~, knowledge of the laws and rules governing the
1646 practice of clinical social work, marriage and family therapy,
1647 and mental health counseling.

1648 Section 39. Paragraph (b) of subsection (1) of section
1649 491.006, Florida Statutes, is amended to read:

1650 491.006 Licensure or certification by endorsement.—
1651 (1) The department shall license or grant a certificate to
1652 a person in a profession regulated by this chapter who, upon
1653 applying to the department and remitting the appropriate fee,
1654 demonstrates to the board that he or she:
1655 (b)1. Holds an active valid license to practice and has
1656 actively practiced the licensed profession ~~for which licensure~~
1657 ~~is applied~~ in another state for 3 of the last 5 years
1658 immediately preceding licensure;~~—~~
1659 ~~2. Meets the education requirements of this chapter for~~
1660 ~~the profession for which licensure is applied.~~
1661 ~~2.3.~~ Has passed a substantially equivalent licensing
1662 examination in another state or has passed the licensure
1663 examination in this state in the profession for which the
1664 applicant seeks licensure; and—
1665 ~~3.4.~~ Holds a license in good standing, is not under
1666 investigation for an act that would constitute a violation of
1667 this chapter, and has not been found to have committed any act
1668 that would constitute a violation of this chapter.
1669
1670 The fees paid by any applicant for certification as a master
1671 social worker under this section are nonrefundable.
1672 Section 40. Subsection (3) of section 491.007, Florida
1673 Statutes, is amended to read:
1674 491.007 Renewal of license, registration, or certificate.—

1675 ~~(3) The board or department shall prescribe by rule a~~
 1676 ~~method for the biennial renewal of an intern registration at a~~
 1677 ~~fee set by rule, not to exceed \$100.~~

1678 Section 41. Subsection (2) of section 491.009, Florida
 1679 Statutes, is amended to read:

1680 491.009 Discipline.—

1681 (2) The board ~~department~~, or, in the case of certified
 1682 master social workers ~~psychologists~~, the department ~~board~~, may
 1683 enter an order denying licensure or imposing any of the
 1684 penalties authorized in s. 456.072(2) against any applicant for
 1685 licensure or any licensee who violates ~~is found guilty of~~
 1686 ~~violating any provision of subsection (1) of this section or who~~
 1687 ~~is found guilty of violating any provision of s. 456.072(1).~~

1688 Section 42. Subsection (2) of section 491.0046, Florida
 1689 Statutes, is amended to read:

1690 491.0046 Provisional license; requirements.—

1691 (2) The department shall issue a provisional clinical
 1692 social worker license, provisional marriage and family therapist
 1693 license, or provisional mental health counselor license to each
 1694 applicant who the board certifies has:

1695 (a) Completed the application form and remitted a
 1696 nonrefundable application fee not to exceed \$100, as set by
 1697 board rule; and

1698 (b) Earned a graduate degree in social work, a graduate
 1699 degree with a major emphasis in marriage and family therapy or a

1700 closely related field, or a graduate degree in a major related
1701 to the practice of mental health counseling; and

1702 (c) ~~Has~~ Met the following minimum coursework requirements:

1703 1. For clinical social work, a minimum of 15 semester
1704 hours or 22 quarter hours of the coursework required by s.
1705 491.005(1)(b)2.b.

1706 2. For marriage and family therapy, 10 of the courses
1707 required by s. 491.005(3)(b)1. ~~s. 491.005(3)(b)1.a.-c.~~, as
1708 determined by the board, and at least 6 semester hours or 9
1709 quarter hours of the course credits must have been completed in
1710 the area of marriage and family systems, theories, or
1711 techniques.

1712 3. For mental health counseling, a minimum of seven of the
1713 courses required under s. 491.005(4)(b)1.a.-c.

1714 Section 43. Subsection (11) of section 945.42, Florida
1715 Statutes, is amended to read:

1716 945.42 Definitions; ss. 945.40-945.49.—As used in ss.
1717 945.40-945.49, the following terms shall have the meanings
1718 ascribed to them, unless the context shall clearly indicate
1719 otherwise:

1720 (11) "Psychological professional" means a behavioral
1721 practitioner who has an approved doctoral degree in psychology
1722 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by
1723 the department or who is licensed as a psychologist pursuant to
1724 chapter 490.

1725 | Section 44. This act shall take effect July 1, 2020. |