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1  
2 An act relating to health regulation; amending s.  
3 39.303, F.S.; specifying direct reporting requirements  
4 for certain positions within the Children's Medical  
5 Services Program; amending s. 381.0042, F.S.; revising  
6 the purpose of patient care networks from serving  
7 patients with acquired immune deficiency syndrome to  
8 serving those with human immunodeficiency virus;  
9 conforming provisions to changes made by the act;  
10 deleting obsolete language; amending s. 381.4018,  
11 F.S.; requiring the Department of Health to develop  
12 strategies to maximize federal-state partnerships that  
13 provide incentives for physicians to practice in  
14 medically underserved or rural areas; authorizing the  
15 department to adopt certain rules; amending s.  
16 381.915, F.S.; revising term limits for Tier 3 cancer  
17 center designations within the Florida Consortium of  
18 National Cancer Institute Centers Program; amending s.  
19 401.35, F.S.; revising provisions related to the  
20 department's rules governing minimum standards for  
21 ground ambulances and emergency medical services  
22 vehicles; deleting the requirement that the department  
23 base rules governing medical supplies and equipment  
24 required in ambulances and emergency medical services  
25 vehicles on a certain association's standards;

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26 deleting the requirement that the department base  
27 rules governing ambulance or emergency medical  
28 services vehicle design and construction on a certain  
29 agency's standards and instead requiring the  
30 department to base such rules on national standards  
31 recognized by the department; amending s. 404.031,  
32 F.S.; defining the term "useful beam"; amending s.  
33 404.22, F.S.; providing limitations on the  
34 maintenance, operation, and modification of certain  
35 radiation machines; providing conditions for the  
36 authorized exposure of human beings to the radiation  
37 emitted from a radiation machine; amending s. 456.013,  
38 F.S.; revising health care practitioner licensure  
39 application requirements; authorizing the board or  
40 department to issue a temporary license to certain  
41 applicants which expires after 60 days; amending s.  
42 456.053, F.S.; revising the definition of the term  
43 "referral"; creating s. 408.064, F.S.; requiring the  
44 agency to create a webpage to provide information to  
45 patients and their families about direct care workers;  
46 providing requirements for the webpage; requiring the  
47 agency to display a link on its website to the  
48 webpage; repealing s. 456.0721, F.S., relating to  
49 health care practitioners in default on student loan  
50 or scholarship obligations; amending s. 456.074, F.S.;

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51 conforming provisions to changes made by the act;  
52 amending s. 458.3145, F.S.; revising the list of  
53 individuals who may be issued a medical faculty  
54 certificate without examination; amending s. 458.3312,  
55 F.S.; removing a prohibition against physicians  
56 representing themselves as board-certified specialists  
57 in dermatology unless the recognizing agency is  
58 reviewed and reauthorized on a specified basis by the  
59 Board of Medicine; amending ss. 458.347 and 459.022,  
60 F.S.; revising requirements relating to the Council on  
61 Physician Assistants membership; conforming provisions  
62 to changes made by the act; amending s. 459.0055,  
63 F.S.; revising licensure requirements for a person  
64 seeking licensure or certification as an osteopathic  
65 physician; repealing s. 460.4166, F.S., relating to  
66 registered chiropractic assistants; amending s.  
67 464.019, F.S.; authorizing the Board of Nursing to  
68 adopt specified rules; extending through 2025 the  
69 Florida Center for Nursing's responsibility to study  
70 and issue an annual report on the implementation of  
71 nursing education programs; authorizing certain  
72 nursing education programs to apply for an extension  
73 for accreditation within a specified timeframe;  
74 providing limitations on and eligibility criteria for  
75 the extension; providing a tolling provision; amending

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76 s. 464.202, F.S.; requiring the Board of Nursing to  
77 adopt rules that include disciplinary procedures and  
78 standards of practice for certified nursing  
79 assistants; amending s. 464.203, F.S.; revising  
80 certification requirements for nursing assistants;  
81 amending s. 464.204, F.S.; revising grounds for board-  
82 imposed disciplinary sanctions; amending s. 466.006,  
83 F.S.; revising certain examination requirements for  
84 applicants seeking dental licensure; reviving,  
85 reenacting, and amending s. 466.0067, F.S., relating  
86 to the application for a health access dental license;  
87 reviving, reenacting, and amending s. 466.00671, F.S.,  
88 relating to the renewal of such a license; reviving  
89 and reenacting s. 466.00672, F.S., relating to the  
90 revocation of such license; amending s. 466.007, F.S.;  
91 revising requirements for dental hygienist licensure;  
92 amending s. 466.017, F.S.; requiring dentists and  
93 certified registered dental hygienists to report in  
94 writing certain adverse incidents to the department  
95 within a specified timeframe; providing for  
96 disciplinary action by the Board of Dentistry for  
97 violations; defining the term "adverse incident";  
98 authorizing the board to adopt rules; amending s.  
99 466.031, F.S.; making technical changes; authorizing  
100 an employee or an independent contractor of a dental

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101 laboratory, acting as an agent of that dental  
102 laboratory, to engage in onsite consultation with a  
103 licensed dentist during a dental procedure; amending  
104 s. 466.036, F.S.; revising the frequency of dental  
105 laboratory inspections during a specified period;  
106 amending s. 468.701, F.S.; revising the definition of  
107 the term "athletic trainer"; deleting a requirement  
108 that is relocated to another section; amending s.  
109 468.707, F.S.; revising athletic trainer licensure  
110 requirements; amending s. 468.711, F.S.; requiring  
111 certain athletic trainer licensees to maintain  
112 certification in good standing without lapse as a  
113 condition of license renewal; amending s. 468.713,  
114 F.S.; requiring that an athletic trainer work within a  
115 specified scope of practice; relocating an existing  
116 requirement that was stricken from another section;  
117 amending s. 468.723, F.S.; requiring the direct  
118 supervision of an athletic training student to be in  
119 accordance with rules adopted by the Board of Athletic  
120 Training; amending s. 468.803, F.S.; revising  
121 orthotic, prosthetic, and pedorthic licensure,  
122 registration, and examination requirements; amending  
123 s. 480.033, F.S.; revising the definition of the term  
124 "apprentice"; amending s. 480.041, F.S.; revising  
125 qualifications for licensure as a massage therapist;

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126 specifying that massage apprentices licensed before a  
127 specified date may continue to perform massage therapy  
128 as authorized under their licenses; authorizing  
129 massage apprentices to apply for full licensure upon  
130 completion of their apprenticeships, under certain  
131 conditions; repealing s. 480.042, F.S., relating to  
132 examinations for licensure as a massage therapist;  
133 amending s. 490.003, F.S.; revising the definition of  
134 the terms "doctoral-level psychological education" and  
135 "doctoral degree in psychology"; amending s. 490.005,  
136 F.S.; revising requirements for licensure by  
137 examination of psychologists and school psychologists;  
138 amending s. 490.006, F.S.; revising requirements for  
139 licensure by endorsement of psychologists and school  
140 psychologists; amending s. 491.0045, F.S.; exempting  
141 clinical social worker interns, marriage and family  
142 therapist interns, and mental health counselor interns  
143 from registration requirements, under certain  
144 circumstances; amending s. 491.005, F.S.; revising  
145 requirements for the licensure by examination of  
146 marriage and family therapists; revising requirements  
147 for the licensure by examination of mental health  
148 counselors; amending s. 491.006, F.S.; revising  
149 requirements for licensure by endorsement or  
150 certification for specified professions; amending s.

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151 491.007, F.S.; removing a biennial intern registration  
152 fee; amending s. 491.009, F.S.; authorizing the Board  
153 of Clinical Social Work, Marriage and Family Therapy,  
154 and Mental Health Counseling or, under certain  
155 circumstances, the department to enter an order  
156 denying licensure or imposing penalties against an  
157 applicant for licensure under certain circumstances;  
158 amending ss. 491.0046 and 945.42, F.S.; conforming  
159 cross-references; reenacting s. 459.021(6), F.S.,  
160 relating to registration of osteopathic resident  
161 physicians, interns, and fellows, to incorporate the  
162 amendment made to s. 459.0055, F.S., in a reference  
163 thereto; amending s. 514.0115, F.S.; providing that  
164 certain surf pools are exempt from supervision for  
165 specified provisions under certain circumstances;  
166 providing construction; defining the term "surf pool";  
167 amending s. 553.77, F.S.; conforming a cross-  
168 reference; amending s. 408.809, F.S.; providing that  
169 battery on a specified victim is a disqualifying  
170 offense for employment in certain health care  
171 facilities; amending s. 456.0135, F.S.; providing that  
172 battery on a specified victim is a disqualifying  
173 offense for licensure as a health care practitioner;  
174 providing for retroactive applicability of specified  
175 provisions; providing effective dates.

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

Section 1. Paragraphs (a) and (b) of subsection (2) of section 39.303, Florida Statutes, are amended to read:

39.303 Child Protection Teams and sexual abuse treatment programs; services; eligible cases.—

(2) (a) The Statewide Medical Director for Child Protection must be a physician licensed under chapter 458 or chapter 459 who is a board-certified pediatrician with a subspecialty certification in child abuse from the American Board of Pediatrics. The Statewide Medical Director for Child Protection shall report directly to the Deputy Secretary for Children's Medical Services.

(b) Each Child Protection Team medical director must be a physician licensed under chapter 458 or chapter 459 who is a board-certified physician in pediatrics or family medicine and, within 2 years after the date of employment as a Child Protection Team medical director, obtains a subspecialty certification in child abuse from the American Board of Pediatrics or within 2 years meet the minimum requirements established by a third-party credentialing entity recognizing a demonstrated specialized competence in child abuse pediatrics pursuant to paragraph (d). Each Child Protection Team medical director employed on July 1, 2015, must, by July 1, 2019, either



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201 obtain a subspecialty certification in child abuse from the  
 202 American Board of Pediatrics or meet the minimum requirements  
 203 established by a third-party credentialing entity recognizing a  
 204 demonstrated specialized competence in child abuse pediatrics  
 205 pursuant to paragraph (d). Child Protection Team medical  
 206 directors shall be responsible for oversight of the teams in the  
 207 circuits. Each Child Protection Team medical director shall  
 208 report directly to the Statewide Medical Director for Child  
 209 Protection.

210 Section 2. Section 381.0042, Florida Statutes, is amended  
 211 to read:

212 381.0042 Patient care for persons with HIV infection.—The  
 213 department may establish human immunodeficiency virus ~~acquired~~  
 214 ~~immune deficiency syndrome~~ patient care networks in each region  
 215 of the state where the number ~~numbers~~ of cases of ~~acquired~~  
 216 ~~immune deficiency syndrome and other~~ human immunodeficiency  
 217 virus transmission ~~infections~~ justifies the establishment of  
 218 cost-effective regional patient care networks. Such networks  
 219 shall be delineated by rule of the department which shall take  
 220 into account natural trade areas and centers of medical  
 221 excellence that specialize in the treatment of human  
 222 immunodeficiency virus ~~acquired immune deficiency syndrome~~, as  
 223 well as available federal, state, and other funds. Each patient  
 224 care network shall include representation of persons with human  
 225 immunodeficiency virus infection; health care providers;

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226 business interests; the department, including, but not limited  
 227 to, county health departments; and local units of government.  
 228 Each network shall plan for the care and treatment of persons  
 229 with human immunodeficiency virus ~~acquired immune deficiency~~  
 230 ~~syndrome and acquired immune deficiency syndrome related complex~~  
 231 in a cost-effective, dignified manner that ~~which~~ emphasizes  
 232 outpatient and home care. Once per ~~each~~ year, ~~beginning April~~  
 233 ~~1989~~, each network shall make its recommendations concerning the  
 234 needs for patient care to the department.

235 Section 3. Subsection (3) of section 381.4018, Florida  
 236 Statutes, is amended to read:

237 381.4018 Physician workforce assessment and development.—

238 (3) GENERAL FUNCTIONS.—The department shall maximize the  
 239 use of existing programs under the jurisdiction of the  
 240 department and other state agencies and coordinate governmental  
 241 and nongovernmental stakeholders and resources in order to  
 242 develop a state strategic plan and assess the implementation of  
 243 such strategic plan. In developing the state strategic plan, the  
 244 department shall:

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

249 (b) Develop a model and quantify, on an ongoing basis, the  
 250 adequacy of the state's current and future physician workforce

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251 as reliable data becomes available. Such model must take into  
252 account demographics, physician practice status, place of  
253 education and training, generational changes, population growth,  
254 economic indicators, and issues concerning the "pipeline" into  
255 medical education.

256 (c) Develop and recommend strategies to determine whether  
257 the number of qualified medical school applicants who might  
258 become competent, practicing physicians in this state will be  
259 sufficient to meet the capacity of the state's medical schools.  
260 If appropriate, the department shall, working with  
261 representatives of appropriate governmental and nongovernmental  
262 entities, develop strategies and recommendations and identify  
263 best practice programs that introduce health care as a  
264 profession and strengthen skills needed for medical school  
265 admission for elementary, middle, and high school students, and  
266 improve premedical education at the precollege and college level  
267 in order to increase this state's potential pool of medical  
268 students.

269 (d) Develop strategies to ensure that the number of  
270 graduates from the state's public and private allopathic and  
271 osteopathic medical schools is adequate to meet physician  
272 workforce needs, based on the analysis of the physician  
273 workforce data, so as to provide a high-quality medical  
274 education to students in a manner that recognizes the uniqueness  
275 of each new and existing medical school in this state.

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276 (e) Pursue strategies and policies to create, expand, and  
277 maintain graduate medical education positions in the state based  
278 on the analysis of the physician workforce data. Such strategies  
279 and policies must take into account the effect of federal  
280 funding limitations on the expansion and creation of positions  
281 in graduate medical education. The department shall develop  
282 options to address such federal funding limitations. The  
283 department shall consider options to provide direct state  
284 funding for graduate medical education positions in a manner  
285 that addresses requirements and needs relative to accreditation  
286 of graduate medical education programs. The department shall  
287 consider funding residency positions as a means of addressing  
288 needed physician specialty areas, rural areas having a shortage  
289 of physicians, and areas of ongoing critical need, and as a  
290 means of addressing the state's physician workforce needs based  
291 on an ongoing analysis of physician workforce data.

292 (f) Develop strategies to maximize federal and state  
293 programs that provide for the use of incentives to attract  
294 physicians to this state or retain physicians within the state.  
295 Such strategies should explore and maximize federal-state  
296 partnerships that provide incentives for physicians to practice  
297 in federally designated shortage areas, in otherwise medically  
298 underserved areas, or in rural areas. Strategies shall also  
299 consider the use of state programs, such as the Medical  
300 Education Reimbursement and Loan Repayment Program pursuant to

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301 s. 1009.65, which provide for education loan repayment or loan  
302 forgiveness and provide monetary incentives for physicians to  
303 relocate to underserved areas of the state.

304 (g) Coordinate and enhance activities relative to  
305 physician workforce needs, undergraduate medical education,  
306 graduate medical education, and reentry of retired military and  
307 other physicians into the physician workforce provided by the  
308 Division of Medical Quality Assurance, area health education  
309 center networks established pursuant to s. 381.0402, and other  
310 offices and programs within the department as designated by the  
311 State Surgeon General.

312 (h) Work in conjunction with and act as a coordinating  
313 body for governmental and nongovernmental stakeholders to  
314 address matters relating to the state's physician workforce  
315 assessment and development for the purpose of ensuring an  
316 adequate supply of well-trained physicians to meet the state's  
317 future needs. Such governmental stakeholders shall include, but  
318 need not be limited to, the State Surgeon General or his or her  
319 designee, the Commissioner of Education or his or her designee,  
320 the Secretary of Health Care Administration or his or her  
321 designee, and the Chancellor of the State University System or  
322 his or her designee, and, at the discretion of the department,  
323 other representatives of state and local agencies that are  
324 involved in assessing, educating, or training the state's  
325 current or future physicians. Other stakeholders shall include,

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326 but need not be limited to, organizations representing the  
327 state's public and private allopathic and osteopathic medical  
328 schools; organizations representing hospitals and other  
329 institutions providing health care, particularly those that  
330 currently provide or have an interest in providing accredited  
331 medical education and graduate medical education to medical  
332 students and medical residents; organizations representing  
333 allopathic and osteopathic practicing physicians; and, at the  
334 discretion of the department, representatives of other  
335 organizations or entities involved in assessing, educating, or  
336 training the state's current or future physicians.

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

340 (j) Act as a clearinghouse for collecting and  
341 disseminating information concerning the physician workforce and  
342 medical education continuum in this state.

343

344 The department may adopt rules to implement this subsection,  
345 including rules that establish guidelines to implement the  
346 federal Conrad 30 Waiver Program created under s. 214(1) of the  
347 Immigration and Nationality Act.

348 Section 4. Paragraph (c) of subsection (4) of section  
349 381.915, Florida Statutes, is amended to read:

350 381.915 Florida Consortium of National Cancer Institute

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351 Centers Program.—

352 (4) Tier designations and corresponding weights within the  
 353 Florida Consortium of National Cancer Institute Centers Program  
 354 are as follows:

355 (c) Tier 3: Florida-based cancer centers seeking  
 356 designation as either a NCI-designated cancer center or NCI-  
 357 designated comprehensive cancer center, which shall be weighted  
 358 at 1.0.

359 1. A cancer center shall meet the following minimum  
 360 criteria to be considered eligible for Tier 3 designation in any  
 361 given fiscal year:

362 a. Conducting cancer-related basic scientific research and  
 363 cancer-related population scientific research;

364 b. Offering and providing the full range of diagnostic and  
 365 treatment services on site, as determined by the Commission on  
 366 Cancer of the American College of Surgeons;

367 c. Hosting or conducting cancer-related interventional  
 368 clinical trials that are registered with the NCI's Clinical  
 369 Trials Reporting Program;

370 d. Offering degree-granting programs or affiliating with  
 371 universities through degree-granting programs accredited or  
 372 approved by a nationally recognized agency and offered through  
 373 the center or through the center in conjunction with another  
 374 institution accredited by the Commission on Colleges of the  
 375 Southern Association of Colleges and Schools;

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376 e. Providing training to clinical trainees, medical  
 377 trainees accredited by the Accreditation Council for Graduate  
 378 Medical Education or the American Osteopathic Association, and  
 379 postdoctoral fellows recently awarded a doctorate degree; and

380 f. Having more than \$5 million in annual direct costs  
 381 associated with their total NCI peer-reviewed grant funding.

382 2. The General Appropriations Act or accompanying  
 383 legislation may limit the number of cancer centers which shall  
 384 receive Tier 3 designations or provide additional criteria for  
 385 such designation.

386 3. A cancer center's participation in Tier 3 may not  
 387 extend beyond June 30, 2024 ~~shall be limited to 6 years.~~

388 4. A cancer center that qualifies as a designated Tier 3  
 389 center under the criteria provided in subparagraph 1. by July 1,  
 390 2014, is authorized to pursue NCI designation as a cancer center  
 391 or a comprehensive cancer center until June 30, 2024 ~~for 6 years~~  
 392 ~~after qualification.~~

393 Section 5. Paragraphs (c) and (d) of subsection (1) of  
 394 section 401.35, Florida Statutes, are amended to read:

395 401.35 Rules.—The department shall adopt rules, including  
 396 definitions of terms, necessary to carry out the purposes of  
 397 this part.

398 (1) The rules must provide at least minimum standards  
 399 governing:

400 (c) Ground ambulance and vehicle equipment and supplies



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401 that a licensee with a valid vehicle permit under s. 401.26 is  
402 required to maintain to provide basic or advanced life support  
403 services at least as comprehensive as those published in the  
404 most current edition of the American College of Surgeons,  
405 Committee on Trauma, list of essential equipment for ambulances,  
406 as interpreted by rules of the department.

407 (d) Ground ambulance or vehicle design and construction  
408 based on national standards recognized by the department and at  
409 least equal to those most currently recommended by the United  
410 States General Services Administration as interpreted by  
411 department rule rules of the department.

412 Section 6. Subsection (21) is added to section 404.031,  
413 Florida Statutes, to read:

414 404.031 Definitions.—As used in this chapter, unless the  
415 context clearly indicates otherwise, the term:

416 (21) "Useful beam" means that portion of the radiation  
417 emitted from a radiation machine through the aperture of the  
418 machine's beam-limiting device which is designed to focus the  
419 radiation on the intended target in order to accomplish the  
420 machine's purpose when the machine's exposure controls are in a  
421 mode to cause the system to produce radiation.

422 Section 7. Subsections (7) and (8) are added to section  
423 404.22, Florida Statutes, to read:

424 404.22 Radiation machines and components; inspection.—

425 (7) Radiation machines that are used to intentionally

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426 | expose a human being to the useful beam:

427 |       (a) Must be maintained and operated according to  
 428 | manufacturer standards or nationally recognized consensus  
 429 | standards accepted by the department;

430 |       (b) Must be operated at the lowest exposure that will  
 431 | achieve the intended purpose of the exposure; and

432 |       (c) May not be modified in a manner that causes the  
 433 | original parts to operate in a way that differs from the  
 434 | original manufacturer's design specification or the parameters  
 435 | approved for the machine and its components by the United States  
 436 | Food and Drug Administration.

437 |       (8) A human being may be exposed to the useful beam of a  
 438 | radiation machine only under the following conditions:

439 |       (a) For the purpose of medical or health care, if a  
 440 | licensed health care practitioner operating within the scope of  
 441 | his or her practice has determined that the exposure provides a  
 442 | medical or health benefit greater than the health risks posed by  
 443 | the exposure and the health care practitioner uses the results  
 444 | of the exposure in the medical or health care of the exposed  
 445 | individual; or

446 |       (b) For the purpose of providing security for facilities  
 447 | or other venues, if the exposure is determined to provide a life  
 448 | safety benefit to the individual exposed which is greater than  
 449 | the health risk posed by the exposure. Such determination must  
 450 | be made by an individual trained in evaluating and calculating

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451 comparative mortality and morbidity risks according to standards  
 452 set by the department. To be valid, the calculation and method  
 453 of making the determination must be submitted to and accepted by  
 454 the department. Limits to annual total exposure for security  
 455 purposes must be adopted by department rule based on nationally  
 456 recognized limits or relevant consensus standards.

457 Section 8. Paragraphs (a) and (b) of subsection (1) of  
 458 section 456.013, Florida Statutes, are amended to read:

459 456.013 Department; general licensing provisions.—

460 (1) (a) Any person desiring to be licensed in a profession  
 461 within the jurisdiction of the department must ~~shall~~ apply to  
 462 the department in writing ~~to take the licensure examination~~. The  
 463 application must ~~shall~~ be made on a form prepared and furnished  
 464 by the department. The application form must be available on the  
 465 Internet ~~World Wide Web~~ and the department may accept  
 466 electronically submitted applications. The application shall  
 467 require the social security number and date of birth of the  
 468 applicant, except as provided in paragraphs (b) and (c). The  
 469 form shall be supplemented as needed to reflect any material  
 470 change in any circumstance or condition stated in the  
 471 application which takes place between the initial filing of the  
 472 application and the final grant or denial of the license and  
 473 which might affect the decision of the department. If an  
 474 application is submitted electronically, the department may  
 475 require supplemental materials, including an original signature

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476 of the applicant and verification of credentials, to be  
477 submitted in a nonelectronic format. An incomplete application  
478 shall expire 1 year after initial filing. In order to further  
479 the economic development goals of the state, and notwithstanding  
480 any law to the contrary, the department may enter into an  
481 agreement with the county tax collector for the purpose of  
482 appointing the county tax collector as the department's agent to  
483 accept applications for licenses and applications for renewals  
484 of licenses. The agreement must specify the time within which  
485 the tax collector must forward any applications and accompanying  
486 application fees to the department.

487 (b) If an applicant has not been issued a social security  
488 number by the Federal Government at the time of application  
489 because the applicant is not a citizen or resident of this  
490 country, the department may process the application using a  
491 unique personal identification number. If such an applicant is  
492 otherwise eligible for licensure, the board, or the department  
493 when there is no board, may issue a temporary license to the  
494 applicant, which shall expire 30 days after issuance unless a  
495 social security number is obtained and submitted in writing to  
496 the department. A temporary license issued under this paragraph  
497 to an applicant who has accepted a position with an accredited  
498 residency, internship, or fellowship program in this state and  
499 is applying for registration under s. 458.345 or s. 459.021  
500 shall expire 60 days after issuance unless the applicant obtains

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501 a social security number and submits it in writing to the  
 502 department. Upon receipt of the applicant's social security  
 503 number, the department shall issue a new license, which shall  
 504 expire at the end of the current biennium.

505 Section 9. Paragraph (o) of subsection (3) of section  
 506 456.053, Florida Statutes, is amended to read:

507 456.053 Financial arrangements between referring health  
 508 care providers and providers of health care services.—

509 (3) DEFINITIONS.—For the purpose of this section, the  
 510 word, phrase, or term:

511 (o) "Referral" means any referral of a patient by a health  
 512 care provider for health care services, including, without  
 513 limitation:

514 1. The forwarding of a patient by a health care provider  
 515 to another health care provider or to an entity which provides  
 516 or supplies designated health services or any other health care  
 517 item or service; or

518 2. The request or establishment of a plan of care by a  
 519 health care provider, which includes the provision of designated  
 520 health services or other health care item or service.

521 3. The following orders, recommendations, or plans of care  
 522 shall not constitute a referral by a health care provider:

523 a. By a radiologist for diagnostic-imaging services.

524 b. By a physician specializing in the provision of  
 525 radiation therapy services for such services.

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526 c. By a medical oncologist for drugs and solutions to be  
527 prepared and administered intravenously to such oncologist's  
528 patient, as well as for the supplies and equipment used in  
529 connection therewith to treat such patient for cancer and the  
530 complications thereof.

531 d. By a cardiologist for cardiac catheterization services.

532 e. By a pathologist for diagnostic clinical laboratory  
533 tests and pathological examination services, if furnished by or  
534 under the supervision of such pathologist pursuant to a  
535 consultation requested by another physician.

536 f. By a health care provider who is the sole provider or  
537 member of a group practice for designated health services or  
538 other health care items or services that are prescribed or  
539 provided solely for such referring health care provider's or  
540 group practice's own patients, and that are provided or  
541 performed by or under the direct supervision of such referring  
542 health care provider or group practice; provided, however, that  
543 effective July 1, 1999, a physician licensed pursuant to chapter  
544 458, chapter 459, chapter 460, or chapter 461 may refer a  
545 patient to a sole provider or group practice for diagnostic  
546 imaging services, excluding radiation therapy services, for  
547 which the sole provider or group practice billed both the  
548 technical and the professional fee for or on behalf of the  
549 patient, if the referring physician has no investment interest  
550 in the practice. The diagnostic imaging service referred to a

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551 group practice or sole provider must be a diagnostic imaging  
552 service normally provided within the scope of practice to the  
553 patients of the group practice or sole provider. The group  
554 practice or sole provider may accept no more than 15 percent of  
555 their patients receiving diagnostic imaging services from  
556 outside referrals, excluding radiation therapy services.  
557 However, the 15 percent limitation of this sub-subparagraph and  
558 the requirements of subparagraph (4)(a)2. do not apply to a  
559 group practice entity that owns an accountable care organization  
560 or an entity operating under an advanced alternative payment  
561 model according to federal regulations if such entity provides  
562 diagnostic imaging services and has more than 30,000 patients  
563 enrolled per year.

564 g. By a health care provider for services provided by an  
565 ambulatory surgical center licensed under chapter 395.

566 h. By a urologist for lithotripsy services.

567 i. By a dentist for dental services performed by an  
568 employee of or health care provider who is an independent  
569 contractor with the dentist or group practice of which the  
570 dentist is a member.

571 j. By a physician for infusion therapy services to a  
572 patient of that physician or a member of that physician's group  
573 practice.

574 k. By a nephrologist for renal dialysis services and  
575 supplies, except laboratory services.

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576 1. By a health care provider whose principal professional  
 577 practice consists of treating patients in their private  
 578 residences for services to be rendered in such private  
 579 residences, except for services rendered by a home health agency  
 580 licensed under chapter 400. For purposes of this sub-  
 581 subparagraph, the term "private residences" includes patients'  
 582 private homes, independent living centers, and assisted living  
 583 facilities, but does not include skilled nursing facilities.

584 m. By a health care provider for sleep-related testing.

585 Section 10. Section 408.064, Florida Statutes, is created  
 586 to read:

587 408.064 Direct care worker education and awareness.-

588 (1) The agency shall create a webpage dedicated solely to  
 589 providing information to patients and their families about  
 590 direct care workers, as defined in s. 408.822, including, but  
 591 not limited to, a description of:

592 (a) Each type of direct care worker, including any  
 593 licensure or certification requirements.

594 (b) The services that each type of direct care worker  
 595 typically provides.

596 (c) The business relationship that each type of direct  
 597 care worker typically has with a patient or a patient's family,  
 598 including the responsibilities of the consumer for each type of  
 599 business relationship.

600 (2) The webpage shall contain a link to health-related



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601 data required by s. 408.05, which allows consumers to search and  
602 locate direct care workers by county and statewide. The agency  
603 shall prominently display a link on its website to the webpage  
604 created under this section.

605 Section 11. Section 456.0721, Florida Statutes, is  
606 repealed.

607 Section 12. Subsection (4) of section 456.074, Florida  
608 Statutes, is amended to read:

609 456.074 Certain health care practitioners; immediate  
610 suspension of license.—

611 ~~(4) Upon receipt of information that a Florida-licensed~~  
612 ~~health care practitioner has defaulted on a student loan issued~~  
613 ~~or guaranteed by the state or the Federal Government, the~~  
614 ~~department shall notify the licensee by certified mail that he~~  
615 ~~or she shall be subject to immediate suspension of license~~  
616 ~~unless, within 45 days after the date of mailing, the licensee~~  
617 ~~provides proof that new payment terms have been agreed upon by~~  
618 ~~all parties to the loan. The department shall issue an emergency~~  
619 ~~order suspending the license of any licensee who, after 45 days~~  
620 ~~following the date of mailing from the department, has failed to~~  
621 ~~provide such proof. Production of such proof shall not prohibit~~  
622 ~~the department from proceeding with disciplinary action against~~  
623 ~~the licensee pursuant to s. 456.073.~~

624 Section 13. Subsection (1) of section 458.3145, Florida  
625 Statutes, is amended to read:

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626 458.3145 Medical faculty certificate.—

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

629 (a) Is a graduate of an accredited medical school or its  
630 equivalent, or is a graduate of a foreign medical school listed  
631 with the World Health Organization;

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

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

636 (d) Has completed an approved residency or fellowship of  
637 at least 1 year or has received training which has been  
638 determined by the board to be equivalent to the 1-year residency  
639 requirement;

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

641 (f) Is of good moral character;

642 (g) Has not committed any act in this or any other  
643 jurisdiction which would constitute the basis for disciplining a  
644 physician under s. 458.331;

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

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

- 653 1. The University of Florida;
- 654 2. The University of Miami;
- 655 3. The University of South Florida;
- 656 4. The Florida State University;
- 657 5. The Florida International University;
- 658 6. The University of Central Florida;
- 659 7. The Mayo Clinic College of Medicine and Science in  
 660 Jacksonville, Florida;
- 661 8. The Florida Atlantic University; ~~or~~
- 662 9. The Johns Hopkins All Children's Hospital in St.  
 663 Petersburg, Florida;
- 664 10. Nova Southeastern University; or
- 665 11. Lake Erie College of Osteopathic Medicine.

666 Section 14. Section 458.3312, Florida Statutes, is amended  
 667 to read:

668 458.3312 Specialties.—A physician licensed under this  
 669 chapter may not hold himself or herself out as a board-certified  
 670 specialist unless the physician has received formal recognition  
 671 as a specialist from a specialty board of the American Board of  
 672 Medical Specialties or other recognizing agency that has been  
 673 approved by the board. However, a physician may indicate the  
 674 services offered and may state that his or her practice is  
 675 limited to one or more types of services when this accurately

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676 reflects the scope of practice of the physician. ~~A physician may~~  
677 ~~not hold himself or herself out as a board-certified specialist~~  
678 ~~in dermatology unless the recognizing agency, whether authorized~~  
679 ~~in statute or by rule, is triennially reviewed and reauthorized~~  
680 ~~by the Board of Medicine.~~

681 Section 15. Paragraphs (a) and (b) of subsection (9) of  
682 section 458.347, Florida Statutes, are amended to read:

683 458.347 Physician assistants.—

684 (9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on  
685 Physician Assistants is created within the department.

686 (a) The council shall consist of five members appointed as  
687 follows:

688 1. The chairperson of the Board of Medicine shall appoint  
689 one member ~~three members~~ who is a physician and member ~~are~~  
690 ~~physicians and members~~ of the Board of Medicine who supervises.  
691 ~~One of the physicians must supervise~~ a physician assistant in  
692 the physician's practice.

693 2. The chairperson of the Board of Osteopathic Medicine  
694 shall appoint one member who is a physician and ~~a~~ member of the  
695 Board of Osteopathic Medicine who supervises a physician  
696 assistant in the physician's practice.

697 3. The State Surgeon General or his or her designee shall  
698 appoint three ~~a~~ fully licensed physician assistants ~~assistant~~  
699 licensed under this chapter or chapter 459.

700 (b) ~~Two of the members appointed to the council must be~~

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701 ~~physicians who supervise physician assistants in their practice.~~  
 702 Members shall be appointed to terms of 4 years, except that of  
 703 the initial appointments, two members shall be appointed to  
 704 terms of 2 years, two members shall be appointed to terms of 3  
 705 years, and one member shall be appointed to a term of 4 years,  
 706 as established by rule of the boards. Council members may not  
 707 serve more than two consecutive terms. The council shall  
 708 annually elect a chairperson from among its members.

709 Section 16. Paragraphs (a) and (b) of subsection (9) of  
 710 section 459.022, Florida Statutes, are amended to read:

711 459.022 Physician assistants.—

712 (9) COUNCIL ON PHYSICIAN ASSISTANTS.—The Council on  
 713 Physician Assistants is created within the department.

714 (a) The council shall consist of five members appointed as  
 715 follows:

716 1. The chairperson of the Board of Medicine shall appoint  
 717 one member ~~three members~~ who is a physician and member ~~are~~  
 718 ~~physicians and members~~ of the Board of Medicine who supervises.  
 719 ~~One of the physicians must supervise~~ a physician assistant in  
 720 the physician's practice.

721 2. The chairperson of the Board of Osteopathic Medicine  
 722 shall appoint one member who is a physician and ~~a~~ member of the  
 723 Board of Osteopathic Medicine who supervises a physician  
 724 assistant in the physician's practice.

725 3. The State Surgeon General or her or his designee shall

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726 | appoint three a fully licensed physician assistants ~~assistant~~  
 727 | licensed under chapter 458 or this chapter.

728 |       (b) ~~Two of the members appointed to the council must be~~  
 729 | ~~physicians who supervise physician assistants in their practice.~~

730 | Members shall be appointed to terms of 4 years, except that of  
 731 | the initial appointments, two members shall be appointed to  
 732 | terms of 2 years, two members shall be appointed to terms of 3  
 733 | years, and one member shall be appointed to a term of 4 years,  
 734 | as established by rule of the boards. Council members may not  
 735 | serve more than two consecutive terms. The council shall  
 736 | annually elect a chairperson from among its members.

737 |       Section 17. Subsection (1) of section 459.0055, Florida  
 738 | Statutes, is amended to read:

739 |       459.0055 General licensure requirements.—

740 |       (1) Except as otherwise provided herein, any person  
 741 | desiring to be licensed or certified as an osteopathic physician  
 742 | pursuant to this chapter shall:

743 |       (a) Complete an application form and submit the  
 744 | appropriate fee to the department;

745 |       (b) Be at least 21 years of age;

746 |       (c) Be of good moral character;

747 |       (d) Have completed at least 3 years of preprofessional  
 748 | postsecondary education;

749 |       (e) Have not previously committed any act that would  
 750 | constitute a violation of this chapter, unless the board

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751 determines that such act does not adversely affect the  
752 applicant's present ability and fitness to practice osteopathic  
753 medicine;

754 (f) Not be under investigation in any jurisdiction for an  
755 act that would constitute a violation of this chapter. If, upon  
756 completion of such investigation, it is determined that the  
757 applicant has committed an act that would constitute a violation  
758 of this chapter, the applicant is ineligible for licensure  
759 unless the board determines that such act does not adversely  
760 affect the applicant's present ability and fitness to practice  
761 osteopathic medicine;

762 (g) Have not had an application for a license to practice  
763 osteopathic medicine denied or a license to practice osteopathic  
764 medicine revoked, suspended, or otherwise acted against by the  
765 licensing authority of any jurisdiction unless the board  
766 determines that the grounds on which such action was taken do  
767 not adversely affect the applicant's present ability and fitness  
768 to practice osteopathic medicine. A licensing authority's  
769 acceptance of a physician's relinquishment of license,  
770 stipulation, consent order, or other settlement, offered in  
771 response to or in anticipation of the filing of administrative  
772 charges against the osteopathic physician, shall be considered  
773 action against the osteopathic physician's license;

774 (h) Not have received less than a satisfactory evaluation  
775 from an internship, residency, or fellowship training program,

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776 unless the board determines that such act does not adversely  
 777 affect the applicant's present ability and fitness to practice  
 778 osteopathic medicine. Such evaluation shall be provided by the  
 779 director of medical education from the medical training  
 780 facility;

781 (i) Have met the criteria set forth in s. 459.0075, s.  
 782 459.0077, or s. 459.021, whichever is applicable;

783 (j) Submit to the department a set of fingerprints on a  
 784 form and under procedures specified by the department, along  
 785 with a payment in an amount equal to the costs incurred by the  
 786 Department of Health for the criminal background check of the  
 787 applicant;

788 (k) Demonstrate that he or she is a graduate of a medical  
 789 college recognized and approved by the American Osteopathic  
 790 Association;

791 (l) Demonstrate that she or he has successfully completed  
 792 an internship or residency ~~a resident internship~~ of not less  
 793 than 12 months in a program accredited ~~hospital approved~~ for  
 794 this purpose by ~~the Board of Trustees of~~ the American  
 795 Osteopathic Association or the Accreditation Council for  
 796 Graduate Medical Education ~~any other internship program approved~~  
 797 ~~by the board upon a showing of good cause by the applicant.~~ This  
 798 requirement may be waived for an applicant who matriculated in a  
 799 college of osteopathic medicine during or before 1948; and

800 (m) Demonstrate that she or he has obtained a passing



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801 score, as established by rule of the board, on all parts of the  
 802 examination conducted by the National Board of Osteopathic  
 803 Medical Examiners or other examination approved by the board no  
 804 more than 5 years before making application in this state or, if  
 805 holding a valid active license in another state, that the  
 806 initial licensure in the other state occurred no more than 5  
 807 years after the applicant obtained a passing score on the  
 808 examination conducted by the National Board of Osteopathic  
 809 Medical Examiners or other substantially similar examination  
 810 approved by the board.

811 Section 18. Section 460.4166, Florida Statutes, is  
 812 repealed.

813 Section 19. Effective upon this act becoming a law,  
 814 subsections (8) and (10) of section 464.019, Florida Statutes,  
 815 are amended, and paragraph (f) is added to subsection (11) of  
 816 that section, to read:

817 464.019 Approval of nursing education programs.—

818 (8) RULEMAKING.—The board does not have rulemaking  
 819 authority to administer this section, except that the board  
 820 shall adopt rules that prescribe the format for submitting  
 821 program applications under subsection (1) and annual reports  
 822 under subsection (3), and to administer the documentation of the  
 823 accreditation of nursing education programs under subsection  
 824 (11). The board may adopt rules relating to the nursing  
 825 curriculum, including rules relating to the uses and limitations

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826 of simulation technology, and rules relating to the criteria to  
827 qualify for an extension of time to meet the accreditation  
828 requirements under paragraph (11)(f). The board may not impose  
829 any condition or requirement on an educational institution  
830 submitting a program application, an approved program, or an  
831 accredited program, except as expressly provided in this  
832 section.

833 (10) IMPLEMENTATION STUDY.—The Florida Center for Nursing  
834 shall study the administration of this section and submit  
835 reports to the Governor, the President of the Senate, and the  
836 Speaker of the House of Representatives annually by January 30,  
837 through January 30, 2025 ~~2020~~. The annual reports shall address  
838 the previous academic year; provide data on the measures  
839 specified in paragraphs (a) and (b), as such data becomes  
840 available; and include an evaluation of such data for purposes  
841 of determining whether this section is increasing the  
842 availability of nursing education programs and the production of  
843 quality nurses. The department and each approved program or  
844 accredited program shall comply with requests for data from the  
845 Florida Center for Nursing.

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

- 849 1. The number of programs and student slots available.  
850 2. The number of student applications submitted, the

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851 number of qualified applicants, and the number of students  
852 accepted.

853 3. The number of program graduates.

854 4. Program retention rates of students tracked from  
855 program entry to graduation.

856 5. Graduate passage rates on the National Council of State  
857 Boards of Nursing Licensing Examination.

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

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

862 1. Program application approval process, including, but  
863 not limited to, the number of program applications submitted  
864 under subsection (1) ~~,~~ the number of program applications  
865 approved and denied by the board under subsection (2) ~~,~~ the  
866 number of denials of program applications reviewed under chapter  
867 120 ~~,~~ and a description of the outcomes of those reviews.

868 2. Accountability processes, including, but not limited  
869 to, the number of programs on probationary status, the number of  
870 approved programs for which the program director is required to  
871 appear before the board under subsection (5), the number of  
872 approved programs terminated by the board, the number of  
873 terminations reviewed under chapter 120, and a description of  
874 the outcomes of those reviews.

875 (c) The Florida Center for Nursing shall complete an

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876 | annual assessment of compliance by programs with the  
 877 | accreditation requirements of subsection (11), include in the  
 878 | assessment a determination of the accreditation process status  
 879 | for each program, and submit the assessment as part of the  
 880 | reports required by this subsection.

881 | (11) ACCREDITATION REQUIRED.—

882 | (f) An approved nursing education program may, no sooner  
 883 | than 90 days before the deadline for meeting the accreditation  
 884 | requirements of this subsection, apply to the board for an  
 885 | extension of the accreditation deadline for a period which does  
 886 | not exceed 2 years. An additional extension may not be granted.  
 887 | In order to be eligible for the extension, the approved program  
 888 | must establish that it has a graduate passage rate of 60 percent  
 889 | or higher on the National Council of State Boards of Nursing  
 890 | Licensing Examination for the most recent calendar year and must  
 891 | meet a majority of the board's additional criteria, including,  
 892 | but not limited to, all of the following:

893 | 1. A student retention rate of 60 percent or higher for  
 894 | the most recent calendar year.

895 | 2. A graduate work placement rate of 70 percent or higher  
 896 | for the most recent calendar year.

897 | 3. The program has applied for approval or been approved  
 898 | by an institutional or programmatic accreditor recognized by the  
 899 | United States Department of Education.

900 | 4. The program is in full compliance with subsections (1)

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901 and (3) and paragraph (5) (b).

902 5. The program is not currently in its second year of  
 903 probationary status under subsection (5).

904  
 905 The applicable deadline under this paragraph is tolled from the  
 906 date on which an approved program applies for an extension until  
 907 the date on which the board issues a decision on the requested  
 908 extension.

909 Section 20. Section 464.202, Florida Statutes, is amended  
 910 to read:

911 464.202 Duties and powers of the board.—The board shall  
 912 maintain, or contract with or approve another entity to  
 913 maintain, a state registry of certified nursing assistants. The  
 914 registry must consist of the name of each certified nursing  
 915 assistant in this state; other identifying information defined  
 916 by board rule; certification status; the effective date of  
 917 certification; other information required by state or federal  
 918 law; information regarding any crime or any abuse, neglect, or  
 919 exploitation as provided under chapter 435; and any disciplinary  
 920 action taken against the certified nursing assistant. The  
 921 registry shall be accessible to the public, the  
 922 certificateholder, employers, and other state agencies. The  
 923 board shall adopt by rule testing procedures for use in  
 924 certifying nursing assistants and shall adopt rules regulating  
 925 the practice of certified nursing assistants, including

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926 disciplinary procedures and standards of practice, and  
 927 specifying the scope of practice authorized and the level of  
 928 supervision required for the practice of certified nursing  
 929 assistants. The board may contract with or approve another  
 930 entity or organization to provide the examination services,  
 931 including the development and administration of examinations.  
 932 The board shall require that the contract provider offer  
 933 certified nursing assistant applications via the Internet, and  
 934 may require the contract provider to accept certified nursing  
 935 assistant applications for processing via the Internet. The  
 936 board shall require the contract provider to provide the  
 937 preliminary results of the certified nursing examination on the  
 938 date the test is administered. The provider shall pay all  
 939 reasonable costs and expenses incurred by the board in  
 940 evaluating the provider's application and performance during the  
 941 delivery of services, including examination services and  
 942 procedures for maintaining the certified nursing assistant  
 943 registry.

944 Section 21. Paragraph (c) of subsection (1) of section  
 945 464.203, Florida Statutes, is amended to read:

946 464.203 Certified nursing assistants; certification  
 947 requirement.—

948 (1) The board shall issue a certificate to practice as a  
 949 certified nursing assistant to any person who demonstrates a  
 950 minimum competency to read and write and successfully passes the

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951 required background screening pursuant to s. 400.215. If the  
952 person has successfully passed the required background screening  
953 pursuant to s. 400.215 or s. 408.809 within 90 days before  
954 applying for a certificate to practice and the person's  
955 background screening results are not retained in the  
956 clearinghouse created under s. 435.12, the board shall waive the  
957 requirement that the applicant successfully pass an additional  
958 background screening pursuant to s. 400.215. The person must  
959 also meet one of the following requirements:

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

965 Section 22. Paragraph (b) of subsection (1) of section  
966 464.204, Florida Statutes, is amended to read:

967 464.204 Denial, suspension, or revocation of  
968 certification; disciplinary actions.—

969 (1) The following acts constitute grounds for which the  
970 board may impose disciplinary sanctions as specified in  
971 subsection (2):

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

974 Section 23. Subsections (3) and (4) of section 466.006,  
975 Florida Statutes, are amended to read:

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976 466.006 Examination of dentists.—

977 (3) If an applicant is a graduate of a dental college or  
 978 school not accredited in accordance with paragraph (2)(b) or of  
 979 a dental college or school not approved by the board, the  
 980 applicant is not entitled to take the examinations required in  
 981 this section to practice dentistry until she or he satisfies one  
 982 of the following:

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

986 (b) Submits proof of having successfully completed at  
 987 least 2 consecutive academic years at a full-time supplemental  
 988 general dentistry program accredited by the American Dental  
 989 Association Commission on Dental Accreditation. This program  
 990 must provide didactic and clinical education at the level of a  
 991 D.D.S. or D.M.D. program accredited by the American Dental  
 992 Association Commission on Dental Accreditation. For purposes of  
 993 this paragraph, a supplemental general dentistry program does  
 994 not include an advanced education program in a dental specialty.

995 (4) Notwithstanding any other provision of law in chapter  
 996 456 pertaining to the clinical dental licensure examination or  
 997 national examinations, to be licensed as a dentist in this  
 998 state, an applicant must successfully complete both of the  
 999 following:

1000 (a) A written examination on the laws and rules of the



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1001 state regulating the practice of dentistry.~~†~~

1002 (b)~~1.~~ A practical or clinical examination, which must

1003 ~~shall~~ be the American Dental Licensing Examination produced by

1004 the American Board of Dental Examiners, Inc., or its successor

1005 entity, if any, that is administered in this state ~~and graded by~~

1006 ~~dentists licensed in this state and employed by the department~~

1007 ~~for just such purpose~~, provided that the board has attained, and

1008 continues to maintain thereafter, representation on the board of

1009 directors of the American Board of Dental Examiners, the

1010 examination development committee of the American Board of

1011 Dental Examiners, and such other committees of the American

1012 Board of Dental Examiners as the board deems appropriate by rule

1013 to assure that the standards established herein are maintained

1014 organizationally. A passing score on the American Dental

1015 Licensing Examination administered in this state ~~and graded by~~

1016 ~~dentists who are licensed in this state~~ is valid for 365 days

1017 after the date the official examination results are published.

1018 1.2.a. As an alternative to such practical or clinical

1019 examination ~~the requirements of subparagraph 1.~~, an applicant

1020 may submit scores from an American Dental Licensing Examination

1021 previously administered in a jurisdiction other than this state

1022 after October 1, 2011, and such examination results shall be

1023 recognized as valid for the purpose of licensure in this state.

1024 A passing score on the American Dental Licensing Examination

1025 administered out of state ~~out-of-state~~ shall be the same as the

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1026 | passing score for the American Dental Licensing Examination  
 1027 | administered in this state ~~and graded by dentists who are~~  
 1028 | ~~licensed in this state~~. The examination results are valid for  
 1029 | 365 days after the date the official examination results are  
 1030 | published. The applicant must have completed the examination  
 1031 | after October 1, 2011.

1032 | ~~b.~~ This subparagraph may not be given retroactive  
 1033 | application.

1034 | ~~2.3.~~ If the date of an applicant's passing American Dental  
 1035 | Licensing Examination scores from an examination previously  
 1036 | administered in a jurisdiction other than this state under  
 1037 | subparagraph 1. ~~subparagraph 2.~~ is older than 365 days, ~~then~~  
 1038 | such scores are ~~shall~~ nevertheless ~~be recognized as~~ valid for  
 1039 | the purpose of licensure in this state, but only if the  
 1040 | applicant demonstrates that all of the following additional  
 1041 | standards have been met:

1042 | a.~~(I)~~ The applicant completed the American Dental  
 1043 | Licensing Examination after October 1, 2011.

1044 | ~~(II)~~ This sub-subparagraph may not be given retroactive  
 1045 | application;

1046 | b. The applicant graduated from a dental school accredited  
 1047 | by the American Dental Association Commission on Dental  
 1048 | Accreditation or its successor entity, if any, or any other  
 1049 | dental accrediting organization recognized by the United States  
 1050 | Department of Education. Provided, however, if the applicant did

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1051 not graduate from such a dental school, the applicant may submit  
 1052 proof of having successfully completed a full-time supplemental  
 1053 general dentistry program accredited by the American Dental  
 1054 Association Commission on Dental Accreditation of at least 2  
 1055 consecutive academic years at such accredited sponsoring  
 1056 institution. Such program must provide didactic and clinical  
 1057 education at the level of a D.D.S. or D.M.D. program accredited  
 1058 by the American Dental Association Commission on Dental  
 1059 Accreditation. For purposes of this sub-subparagraph, a  
 1060 supplemental general dentistry program does not include an  
 1061 advanced education program in a dental specialty;

1062 c. The applicant currently possesses a valid and active  
 1063 dental license in good standing, with no restriction, which has  
 1064 never been revoked, suspended, restricted, or otherwise  
 1065 disciplined, from another state or territory of the United  
 1066 States, the District of Columbia, or the Commonwealth of Puerto  
 1067 Rico;

1068 d. The applicant submits proof that he or she has never  
 1069 been reported to the National Practitioner Data Bank, the  
 1070 Healthcare Integrity and Protection Data Bank, or the American  
 1071 Association of Dental Boards Clearinghouse. This sub-  
 1072 subparagraph does not apply if the applicant successfully  
 1073 appealed to have his or her name removed from the data banks of  
 1074 these agencies;

1075 e. (I) (A) ~~In the 5 years immediately preceding the date of~~

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1076 ~~application for licensure in this state,~~ The applicant submits  
 1077 ~~must submit~~ proof of having been consecutively engaged in the  
 1078 full-time practice of dentistry in another state or territory of  
 1079 the United States, the District of Columbia, or the Commonwealth  
 1080 of Puerto Rico in the 5 years immediately preceding the date of  
 1081 application for licensure in this state; ~~or~~

1082 (B) If the applicant has been licensed in another state or  
 1083 territory of the United States, the District of Columbia, or the  
 1084 Commonwealth of Puerto Rico for less than 5 years, the applicant  
 1085 submits ~~must submit~~ proof of having been engaged in the full-  
 1086 time practice of dentistry since the date of his or her initial  
 1087 licensure.

1088 (II) As used in this section, "full-time practice" is  
 1089 defined as a minimum of 1,200 hours per year for each and every  
 1090 year in the consecutive 5-year period or, when ~~where~~ applicable,  
 1091 the period since initial licensure, and must include any  
 1092 combination of the following:

1093 (A) Active clinical practice of dentistry providing direct  
 1094 patient care.

1095 (B) Full-time practice as a faculty member employed by a  
 1096 dental or dental hygiene school approved by the board or  
 1097 accredited by the American Dental Association Commission on  
 1098 Dental Accreditation.

1099 (C) Full-time practice as a student at a postgraduate  
 1100 dental education program approved by the board or accredited by

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1101 the American Dental Association Commission on Dental  
 1102 Accreditation.

1103 (III) The board shall develop rules to determine what type  
 1104 of proof of full-time practice is required and to recoup the  
 1105 cost to the board of verifying full-time practice under this  
 1106 section. Such proof must, at a minimum, be:

1107 (A) Admissible as evidence in an administrative  
 1108 proceeding;

1109 (B) Submitted in writing;

1110 (C) Submitted by the applicant under oath with penalties  
 1111 of perjury attached;

1112 (D) Further documented by an affidavit of someone  
 1113 unrelated to the applicant who is familiar with the applicant's  
 1114 practice and testifies with particularity that the applicant has  
 1115 been engaged in full-time practice; and

1116 (E) Specifically found by the board to be both credible  
 1117 and admissible.

1118 (IV) An affidavit of only the applicant is not acceptable  
 1119 proof of full-time practice unless it is further attested to by  
 1120 someone unrelated to the applicant who has personal knowledge of  
 1121 the applicant's practice. If the board deems it necessary to  
 1122 assess credibility or accuracy, the board may require the  
 1123 applicant or the applicant's witnesses to appear before the  
 1124 board and give oral testimony under oath;

1125 f. The applicant submits ~~must submit~~ documentation that he

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1126 or she has completed, or will complete before he or she is  
 1127 licensed, ~~prior to licensure~~ in this state, continuing education  
 1128 equivalent to this state's requirements for the last full  
 1129 reporting biennium;

1130 g. The applicant proves ~~must prove~~ that he or she has  
 1131 never been convicted of, or pled nolo contendere to, regardless  
 1132 of adjudication, any felony or misdemeanor related to the  
 1133 practice of a health care profession in any jurisdiction;

1134 h. The applicant has ~~must~~ successfully passed ~~pass~~ a  
 1135 written examination on the laws and rules of this state  
 1136 regulating the practice of dentistry and ~~must successfully pass~~  
 1137 the computer-based diagnostic skills examination; and

1138 i. The applicant submits ~~must submit~~ documentation that he  
 1139 or she has successfully completed the applicable examination  
 1140 administered by the Joint Commission on National Dental  
 1141 Examinations or its successor organization ~~National Board of~~  
 1142 ~~Dental Examiners dental examination.~~

1143 Section 24. Notwithstanding the January 1, 2020, repeal of  
 1144 section 466.0067, Florida Statutes, that section is revived,  
 1145 reenacted, and amended to read:

1146 466.0067 Application for health access dental license.—The  
 1147 Legislature finds that there is an important state interest in  
 1148 attracting dentists to practice in underserved health access  
 1149 settings in this state and further, that allowing out-of-state  
 1150 dentists who meet certain criteria to practice in health access

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1151 settings without the supervision of a dentist licensed in this  
 1152 state is substantially related to achieving this important state  
 1153 interest. Therefore, notwithstanding the requirements of s.  
 1154 466.006, the board shall grant a health access dental license to  
 1155 practice dentistry in this state in health access settings as  
 1156 defined in s. 466.003 to an applicant who ~~that~~:

1157 (1) Files an appropriate application approved by the  
 1158 board;

1159 (2) Pays an application license fee for a health access  
 1160 dental license, laws-and-rule exam fee, and an initial licensure  
 1161 fee. The fees specified in this subsection may not differ from  
 1162 an applicant seeking licensure pursuant to s. 466.006;

1163 (3) Has not been convicted of or pled nolo contendere to,  
 1164 regardless of adjudication, any felony or misdemeanor related to  
 1165 the practice of a health care profession;

1166 (4) Submits proof of graduation from a dental school  
 1167 accredited by the Commission on Dental Accreditation of the  
 1168 American Dental Association or its successor agency;

1169 (5) Submits documentation that she or he has completed, or  
 1170 will obtain before ~~prior to~~ licensure, continuing education  
 1171 equivalent to this state's requirement for dentists licensed  
 1172 under s. 466.006 for the last full reporting biennium before  
 1173 applying for a health access dental license;

1174 (6) Submits proof of her or his successful completion of  
 1175 parts I and II of the dental examination by the National Board

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1176 of Dental Examiners and a state or regional clinical dental  
 1177 licensing examination that the board has determined effectively  
 1178 measures the applicant's ability to practice safely;

1179 (7) Currently holds a valid, active~~7~~ dental license in  
 1180 good standing which has not been revoked, suspended, restricted,  
 1181 or otherwise disciplined from another of the United States, the  
 1182 District of Columbia, or a United States territory;

1183 (8) Has never had a license revoked from another of the  
 1184 United States, the District of Columbia, or a United States  
 1185 territory;

1186 (9) Has never failed the examination specified in s.  
 1187 466.006, unless the applicant was reexamined pursuant to s.  
 1188 466.006 and received a license to practice dentistry in this  
 1189 state;

1190 (10) Has not been reported to the National Practitioner  
 1191 Data Bank, unless the applicant successfully appealed to have  
 1192 his or her name removed from the data bank;

1193 (11) Submits proof that he or she has been engaged in the  
 1194 active, clinical practice of dentistry providing direct patient  
 1195 care for 5 years immediately preceding the date of application,  
 1196 or in instances when the applicant has graduated from an  
 1197 accredited dental school within the preceding 5 years, submits  
 1198 proof of continuous clinical practice providing direct patient  
 1199 care since graduation; and

1200 (12) Has passed an examination covering the laws and rules



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1201 of the practice of dentistry in this state as described in s.  
 1202 466.006(4) (a).

1203 Section 25. Notwithstanding the January 1, 2020, repeal of  
 1204 section 466.00671, Florida Statutes, that section is revived,  
 1205 reenacted, and amended to read:

1206 466.00671 Renewal of the health access dental license.—

1207 (1) A health access dental licensee shall apply for  
 1208 renewal each biennium. At the time of renewal, the licensee  
 1209 shall sign a statement that she or he has complied with all  
 1210 continuing education requirements of an active dentist licensee.  
 1211 The board shall renew a health access dental license for an  
 1212 applicant who ~~that~~:

1213 (a) Submits documentation, as approved by the board, from  
 1214 the employer in the health access setting that the licensee has  
 1215 at all times pertinent remained an employee;

1216 (b) Has not been convicted of or pled nolo contendere to,  
 1217 regardless of adjudication, any felony or misdemeanor related to  
 1218 the practice of a health care profession;

1219 (c) Has paid a renewal fee set by the board. The fee  
 1220 specified herein may not differ from the renewal fee adopted by  
 1221 the board pursuant to s. 466.013. The department may provide  
 1222 payment for these fees through the dentist's salary, benefits,  
 1223 or other department funds;

1224 (d) Has not failed the examination specified in s. 466.006  
 1225 since initially receiving a health access dental license or

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1226 since the last renewal; and

1227 (e) Has not been reported to the National Practitioner  
 1228 Data Bank, unless the applicant successfully appealed to have  
 1229 his or her name removed from the data bank.

1230 (2) The board may undertake measures to independently  
 1231 verify the health access dental licensee's ongoing employment  
 1232 status in the health access setting.

1233 Section 26. Notwithstanding the January 1, 2020, repeal of  
 1234 section 466.00672, Florida Statutes, that section is revived and  
 1235 reenacted to read:

1236 466.00672 Revocation of health access dental license.—

1237 (1) The board shall revoke a health access dental license  
 1238 upon:

1239 (a) The licensee's termination from employment from a  
 1240 qualifying health access setting;

1241 (b) Final agency action determining that the licensee has  
 1242 violated any provision of s. 466.027 or s. 466.028, other than  
 1243 infractions constituting citation offenses or minor violations;  
 1244 or

1245 (c) Failure of the Florida dental licensure examination.

1246 (2) Failure of an individual licensed pursuant to s.  
 1247 466.0067 to limit the practice of dentistry to health access  
 1248 settings as defined in s. 466.003 constitutes the unlicensed  
 1249 practice of dentistry.

1250 Section 27. Paragraph (b) of subsection (4) and paragraph

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1251 (a) of subsection (6) of section 466.007, Florida Statutes, are  
 1252 amended to read:  
 1253 466.007 Examination of dental hygienists.—  
 1254 (4) Effective July 1, 2012, to be licensed as a dental  
 1255 hygienist in this state, an applicant must successfully complete  
 1256 the following:  
 1257 (b) A practical or clinical examination approved by the  
 1258 board. The examination shall be the Dental Hygiene Examination  
 1259 produced by the American Board of Dental Examiners, Inc. (ADEX)  
 1260 or its successor entity, if any, if the board finds that the  
 1261 successor entity's clinical examination meets or exceeds the  
 1262 provisions of this section. The board shall approve the ADEX  
 1263 Dental Hygiene Examination if the board has attained and  
 1264 continues to maintain representation on the ADEX House of  
 1265 Representatives, the ADEX Dental Hygiene Examination Development  
 1266 Committee, and such other ADEX Dental Hygiene committees as the  
 1267 board deems appropriate through rulemaking to ensure that the  
 1268 standards established in this section are maintained  
 1269 organizationally. The ADEX Dental Hygiene Examination or the  
 1270 examination produced by its successor entity is a comprehensive  
 1271 examination in which an applicant must demonstrate skills within  
 1272 the dental hygiene scope of practice on a live patient and any  
 1273 other components that the board deems necessary for the  
 1274 applicant to successfully demonstrate competency for the purpose  
 1275 of licensure. ~~The ADEX Dental Hygiene Examination or the~~

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1276 ~~examination by the successor entity administered in this state~~  
 1277 ~~shall be graded by dentists and dental hygienists licensed in~~  
 1278 ~~this state who are employed by the department for this purpose.~~

1279 (6) (a) A passing score on the ADEX Dental Hygiene  
 1280 Examination administered out of state must ~~shall~~ be considered  
 1281 the same as a passing score for the ADEX Dental Hygiene  
 1282 Examination administered in this state ~~and graded by licensed~~  
 1283 ~~dentists and dental hygienists.~~

1284 Section 28. Subsections (9) through (15) are added to  
 1285 section 466.017, Florida Statutes, to read:

1286 466.017 Prescription of drugs; anesthesia.—

1287 (9) Any adverse incident that occurs in an office  
 1288 maintained by a dentist must be reported to the department. The  
 1289 required notification to the department must be submitted in  
 1290 writing by certified mail and postmarked within 48 hours after  
 1291 the incident occurs.

1292 (10) A dentist practicing in this state must notify the  
 1293 board in writing by certified mail within 48 hours after any  
 1294 adverse incident that occurs in the dentist's outpatient  
 1295 facility. A complete written report must be filed with the board  
 1296 within 30 days after the incident occurs.

1297 (11) Any certified registered dental hygienist  
 1298 administering local anesthesia must notify the board in writing  
 1299 by registered mail within 48 hours after any adverse incident  
 1300 that was related to or the result of the administration of local

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1301 anesthesia. A complete written report must be filed with the  
 1302 board within 30 days after the mortality or other adverse  
 1303 incident.

1304 (12) A failure by the dentist or dental hygienist to  
 1305 timely and completely comply with all the reporting requirements  
 1306 in this section is the basis for disciplinary action by the  
 1307 board pursuant to s. 466.028(1).

1308 (13) The department shall review each adverse incident and  
 1309 determine whether it involved conduct by a health care  
 1310 professional subject to disciplinary action, in which case s.  
 1311 456.073 applies. Disciplinary action, if any, shall be taken by  
 1312 the board under which the health care professional is licensed.

1313 (14) As used in subsections (9)-(13), the term "adverse  
 1314 incident" means any mortality that occurs during or as the  
 1315 result of a dental procedure, or an incident that results in a  
 1316 temporary or permanent physical or mental injury that requires  
 1317 hospitalization or emergency room treatment of a dental patient  
 1318 which occurs during or as a direct result of the use of general  
 1319 anesthesia, deep sedation, moderate sedation, pediatric moderate  
 1320 sedation, oral sedation, minimal sedation (anxiolysis), nitrous  
 1321 oxide, or local anesthesia.

1322 (15) The board may adopt rules to administer this section.

1323 Section 29. Section 466.031, Florida Statutes, is amended  
 1324 to read:

1325 466.031 "Dental laboratories laboratory" defined.—

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1326 (1) As used in this chapter, the term "dental laboratory"  
 1327 ~~as used in this chapter:~~

1328 ~~(1)~~ includes any person, firm, or corporation that ~~who~~  
 1329 performs for a fee of any kind, gratuitously, or otherwise,  
 1330 directly or through an agent or an employee, by any means or  
 1331 method, or ~~who in any way~~ supplies or manufactures artificial  
 1332 substitutes for the natural teeth; ~~or who~~ furnishes, supplies,  
 1333 constructs, or reproduces or repairs any prosthetic denture,  
 1334 bridge, or appliance to be worn in the human mouth; ~~or who~~ in  
 1335 any way represents ~~holds~~ itself ~~out~~ as a dental laboratory.

1336 ~~(2)~~ The term does not include a ~~Excludes any~~ dental  
 1337 laboratory technician who constructs or repairs dental  
 1338 prosthetic appliances in the office of a licensed dentist  
 1339 exclusively for that ~~such~~ dentist ~~only and~~ under her or his  
 1340 supervision and work order.

1341 (2) An employee or independent contractor of a dental  
 1342 laboratory, acting as an agent of that dental laboratory, may  
 1343 engage in onsite consultation with a licensed dentist during a  
 1344 dental procedure.

1345 Section 30. Section 466.036, Florida Statutes, is amended  
 1346 to read:

1347 466.036 Information; periodic inspections; equipment and  
 1348 supplies.—The department may require from the applicant for a  
 1349 registration certificate to operate a dental laboratory any  
 1350 information necessary to carry out the purpose of this chapter,

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1351 including proof that the applicant has the equipment and  
 1352 supplies necessary to operate as determined by rule of the  
 1353 department, and shall require periodic inspection of all dental  
 1354 laboratories operating in this state at least once each biennial  
 1355 registration period. Such inspections must ~~shall~~ include, but  
 1356 need not be limited to, inspection of sanitary conditions,  
 1357 equipment, supplies, and facilities on the premises. The  
 1358 department shall specify dental equipment and supplies that are  
 1359 not allowed ~~permitted~~ in a registered dental laboratory.

1360 Section 31. Subsection (1) of section 468.701, Florida  
 1361 Statutes, is amended to read:

1362 468.701 Definitions.—As used in this part, the term:

1363 (1) "Athletic trainer" means a person licensed under this  
 1364 part who has met the requirements of under ~~this part~~, including  
 1365 the education requirements established ~~as set forth~~ by the  
 1366 Commission on Accreditation of Athletic Training Education or  
 1367 its successor organization and necessary credentials from the  
 1368 Board of Certification. ~~An individual who is licensed as an~~  
 1369 ~~athletic trainer may not provide, offer to provide, or represent~~  
 1370 ~~that he or she is qualified to provide any care or services that~~  
 1371 ~~he or she lacks the education, training, or experience to~~  
 1372 ~~provide, or that he or she is otherwise prohibited by law from~~  
 1373 ~~providing.~~

1374 Section 32. Section 468.707, Florida Statutes, is amended  
 1375 to read:

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1376           468.707 Licensure requirements.—Any person desiring to be  
 1377 licensed as an athletic trainer shall apply to the department on  
 1378 a form approved by the department. An applicant shall also  
 1379 provide records or other evidence, as determined by the board,  
 1380 to prove he or she has met the requirements of this section. The  
 1381 department shall license each applicant who:

1382           (1) Has completed the application form and remitted the  
 1383 required fees.

1384           (2) ~~For a person who applies on or after July 1, 2016,~~ Has  
 1385 submitted to background screening pursuant to s. 456.0135. The  
 1386 board may require a background screening for an applicant whose  
 1387 license has expired or who is undergoing disciplinary action.

1388           (3) (a) Has obtained, at a minimum, a bachelor's  
 1389 ~~baccalaureate or higher~~ degree from a college or university  
 1390 professional athletic training degree program accredited by the  
 1391 Commission on Accreditation of Athletic Training Education or  
 1392 its successor organization recognized and approved by the United  
 1393 States Department of Education or the Commission on Recognition  
 1394 of Postsecondary Accreditation, approved by the board, or  
 1395 recognized by the Board of Certification, and has passed the  
 1396 national examination to be certified by the Board of  
 1397 Certification; or—

1398           (b) (4) Has obtained, at a minimum, a bachelor's degree,  
 1399 has completed the Board of Certification internship  
 1400 requirements, and holds ~~If graduated before 2004,~~ has a current



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1401 certification from the Board of Certification.

1402 (4)~~(5)~~ Has current certification in both cardiopulmonary  
 1403 resuscitation and the use of an automated external defibrillator  
 1404 set forth in the continuing education requirements as determined  
 1405 by the board pursuant to s. 468.711.

1406 (5)~~(6)~~ Has completed any other requirements as determined  
 1407 by the department and approved by the board.

1408 Section 33. Subsection (3) of section 468.711, Florida  
 1409 Statutes, is amended to read:

1410 468.711 Renewal of license; continuing education.—

1411 (3) If initially licensed after January 1, 1998, the  
 1412 licensee must be currently certified by the Board of  
 1413 Certification or its successor agency and maintain that  
 1414 certification in good standing without lapse.

1415 Section 34. Section 468.713, Florida Statutes, is amended  
 1416 to read:

1417 468.713 Responsibilities of athletic trainers.—

1418 (1) An athletic trainer shall practice under the direction  
 1419 of a physician licensed under chapter 458, chapter 459, chapter  
 1420 460, or otherwise authorized by Florida law to practice  
 1421 medicine. The physician shall communicate his or her direction  
 1422 through oral or written prescriptions or protocols as deemed  
 1423 appropriate by the physician for the provision of services and  
 1424 care by the athletic trainer. An athletic trainer shall provide  
 1425 service or care in the manner dictated by the physician.

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1426           (2) An athletic trainer shall work within his or her  
 1427 allowable scope of practice as specified by board rule under s.  
 1428 468.705. An athletic trainer may not provide, offer to provide,  
 1429 or represent that he or she is qualified to provide any care or  
 1430 services that he or she lacks the education, training, or  
 1431 experience to provide or that he or she is otherwise prohibited  
 1432 by law from providing.

1433           Section 35. Subsection (2) of section 468.723, Florida  
 1434 Statutes, is amended to read:

1435           468.723 Exemptions.—This part does not prohibit ~~prevent~~ or  
 1436 restrict:

1437           (2) An athletic training student acting under the direct  
 1438 supervision of a licensed athletic trainer. For purposes of this  
 1439 subsection, "direct supervision" means the physical presence of  
 1440 an athletic trainer so that the athletic trainer is immediately  
 1441 available to the athletic training student and able to intervene  
 1442 on behalf of the athletic training student. The supervision must  
 1443 comply with board rule ~~in accordance with the standards set~~  
 1444 ~~forth by the Commission on Accreditation of Athletic Training~~  
 1445 ~~Education or its successor.~~

1446           Section 36. Subsections (1), (3), and (4) of section  
 1447 468.803, Florida Statutes, are amended to read:

1448           468.803 License, registration, and examination  
 1449 requirements.—

1450           (1) The department shall issue a license to practice

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1451 orthotics, prosthetics, or pedorthics, or a registration for a  
 1452 resident to practice orthotics or prosthetics, to qualified  
 1453 applicants. Licenses to practice ~~shall be granted independently~~  
 1454 ~~in~~ orthotics, prosthetics, or pedorthics must be granted  
 1455 independently, but a person may be licensed in more than one  
 1456 such discipline, and a prosthetist-orthotist license may be  
 1457 granted to persons meeting the requirements for licensure both  
 1458 as a prosthetist and as an orthotist ~~license~~. Registrations to  
 1459 practice ~~shall be granted independently in~~ orthotics or  
 1460 prosthetics must be granted independently, and a person may be  
 1461 registered in both disciplines ~~fields~~ at the same time or  
 1462 jointly in orthotics and prosthetics as a dual registration.

1463 (3) A person seeking to attain the ~~required~~ orthotics or  
 1464 prosthetics experience required for licensure in this state must  
 1465 be approved by the board and registered as a resident by the  
 1466 department. Although a registration may be held in both  
 1467 disciplines ~~practice fields~~, for independent registrations the  
 1468 board may ~~shall~~ not approve a second registration until at least  
 1469 1 year after the issuance of the first registration.

1470 Notwithstanding subsection (2), a person ~~an applicant~~ who has  
 1471 been approved by the board and registered by the department in  
 1472 one discipline ~~practice field~~ may apply for registration in the  
 1473 second discipline ~~practice field~~ without an additional state or  
 1474 national criminal history check during the period in which the  
 1475 first registration is valid. Each independent registration or

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1476 dual registration is valid for 2 years after ~~from~~ the date of  
 1477 issuance unless otherwise revoked by the department upon  
 1478 recommendation of the board. The board shall set a registration  
 1479 fee not to exceed \$500 to be paid by the applicant. A  
 1480 registration may be renewed once by the department upon  
 1481 recommendation of the board for a period no longer than 1 year,  
 1482 as such renewal is defined by the board by rule. The  
 1483 ~~registration~~ renewal fee may ~~shall~~ not exceed one-half the  
 1484 current registration fee. To be considered by the board for  
 1485 approval of registration as a resident, the applicant must have  
 1486 one of the following:

1487 (a) A Bachelor of Science or higher-level postgraduate  
 1488 degree in orthotics and prosthetics from a regionally accredited  
 1489 college or university recognized by the Commission on  
 1490 Accreditation of Allied Health Education Programs. ~~or, at~~

1491 (b) A minimum of ~~of~~ a bachelor's degree from a regionally  
 1492 accredited college or university and a certificate in orthotics  
 1493 or prosthetics from a program recognized by the Commission on  
 1494 Accreditation of Allied Health Education Programs, or its  
 1495 equivalent, as determined by the board. ~~or~~

1496 (c) A minimum of a bachelor's degree from a regionally  
 1497 accredited college or university and a dual certificate in both  
 1498 orthotics and prosthetics from programs recognized by the  
 1499 Commission on Accreditation of Allied Health Education Programs,  
 1500 or its equivalent, as determined by the board.

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1501 ~~(b) A Bachelor of Science or higher-level postgraduate~~  
 1502 ~~degree in Orthotics and Prosthetics from a regionally accredited~~  
 1503 ~~college or university recognized by the Commission on~~  
 1504 ~~Accreditation of Allied Health Education Programs or, at a~~  
 1505 ~~minimum, a bachelor's degree from a regionally accredited~~  
 1506 ~~college or university and a certificate in prosthetics from a~~  
 1507 ~~program recognized by the Commission on Accreditation of Allied~~  
 1508 ~~Health Education Programs, or its equivalent, as determined by~~  
 1509 ~~the board.~~

1510 (4) The department may develop and administer a state  
 1511 examination for an orthotist or a prosthetist license, or the  
 1512 board may approve the existing examination of a national  
 1513 standards organization. The examination must be predicated on a  
 1514 minimum of a baccalaureate-level education and formalized  
 1515 specialized training in the appropriate field. Each examination  
 1516 must demonstrate a minimum level of competence in basic  
 1517 scientific knowledge, written problem solving, and practical  
 1518 clinical patient management. The board shall require an  
 1519 examination fee not to exceed the actual cost to the board in  
 1520 developing, administering, and approving the examination, which  
 1521 fee must be paid by the applicant. To be considered by the board  
 1522 for examination, the applicant must have:

1523 (a) For an examination in orthotics:

1524 1. A Bachelor of Science or higher-level postgraduate  
 1525 degree in orthotics and prosthetics from a regionally accredited

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1526 college or university recognized by the Commission on  
 1527 Accreditation of Allied Health Education Programs or, at a  
 1528 minimum, a bachelor's degree from a regionally accredited  
 1529 college or university and a certificate in orthotics from a  
 1530 program recognized by the Commission on Accreditation of Allied  
 1531 Health Education Programs, or its equivalent, as determined by  
 1532 the board; and

1533         2. An approved orthotics internship of 1 year of qualified  
 1534 experience, as determined by the board, or an orthotic residency  
 1535 or dual residency program recognized by the board.

1536         (b) For an examination in prosthetics:

1537         1. A Bachelor of Science or higher-level postgraduate  
 1538 degree in orthotics and prosthetics from a regionally accredited  
 1539 college or university recognized by the Commission on  
 1540 Accreditation of Allied Health Education Programs or, at a  
 1541 minimum, a bachelor's degree from a regionally accredited  
 1542 college or university and a certificate in prosthetics from a  
 1543 program recognized by the Commission on Accreditation of Allied  
 1544 Health Education Programs, or its equivalent, as determined by  
 1545 the board; and

1546         2. An approved prosthetics internship of 1 year of  
 1547 qualified experience, as determined by the board, or a  
 1548 prosthetic residency or dual residency program recognized by the  
 1549 board.

1550         Section 37. Subsection (5) of section 480.033, Florida

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1551 Statutes, is amended to read:

1552 480.033 Definitions.—As used in this act:

1553 (5) "Apprentice" means a person approved by the board to  
 1554 study colonic irrigation ~~massage~~ under the instruction of a  
 1555 licensed massage therapist practicing colonic irrigation.

1556 Section 38. Subsections (1) and (2) of section 480.041,  
 1557 Florida Statutes, are amended, and subsection (8) is added to  
 1558 that section, to read:

1559 480.041 Massage therapists; qualifications; licensure;  
 1560 endorsement.—

1561 (1) Any person is qualified for licensure as a massage  
 1562 therapist under this act who:

1563 (a) Is at least 18 years of age or has received a high  
 1564 school diploma or high school equivalency diploma;

1565 (b) Has completed a course of study at a board-approved  
 1566 massage school ~~or has completed an apprenticeship program~~ that  
 1567 meets standards adopted by the board; and

1568 (c) Has received a passing grade on a national ~~an~~  
 1569 examination designated ~~administered~~ by the board ~~department~~.

1570 (2) Every person desiring to be examined for licensure as  
 1571 a massage therapist must ~~shall~~ apply to the department in  
 1572 writing upon forms prepared and furnished by the department.  
 1573 Such applicants are ~~shall be~~ subject to ~~the provisions of s.~~  
 1574 480.046(1). ~~Applicants may take an examination administered by~~  
 1575 ~~the department only upon meeting the requirements of this~~

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1576 ~~section as determined by the board.~~

1577 (8) A person issued a license as a massage apprentice  
 1578 before July 1, 2020, may continue that apprenticeship and  
 1579 perform massage therapy as authorized under that license until  
 1580 it expires. Upon completion of the apprenticeship, which must  
 1581 occur before July 1, 2023, a massage apprentice may apply to the  
 1582 board for full licensure and be granted a license if all other  
 1583 applicable licensure requirements are met.

1584 Section 39. Section 480.042, Florida Statutes, is  
 1585 repealed.

1586 Section 40. Subsection (3) of section 490.003, Florida  
 1587 Statutes, is amended to read:

1588 490.003 Definitions.—As used in this chapter:

1589 (3) ~~(a) Prior to July 1, 1999, "doctoral-level~~  
 1590 ~~psychological education" and "doctoral degree in psychology"~~  
 1591 ~~mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology~~  
 1592 ~~from:~~

1593 ~~1. An educational institution which, at the time the~~  
 1594 ~~applicant was enrolled and graduated, had institutional~~  
 1595 ~~accreditation from an agency recognized and approved by the~~  
 1596 ~~United States Department of Education or was recognized as a~~  
 1597 ~~member in good standing with the Association of Universities and~~  
 1598 ~~Colleges of Canada; and~~

1599 ~~2. A psychology program within that educational~~  
 1600 ~~institution which, at the time the applicant was enrolled and~~



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1601 ~~graduated, had programmatic accreditation from an accrediting~~  
 1602 ~~agency recognized and approved by the United States Department~~  
 1603 ~~of Education or was comparable to such programs.~~

1604 ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological  
 1605 education" and "doctoral degree in psychology" mean a Psy.D., an  
 1606 Ed.D. in psychology, or a Ph.D. in psychology from a psychology  
 1607 program at:

1608 ~~1.~~ an educational institution that ~~which~~, at the time the  
 1609 applicant was enrolled and graduated:

1610 (a) ~~1.~~ Had institutional accreditation from an agency  
 1611 recognized and approved by the United States Department of  
 1612 Education or was recognized as a member in good standing with  
 1613 the Association of Universities and Colleges of Canada; and

1614 (b)2. ~~A psychology program within that educational~~  
 1615 ~~institution which, at the time the applicant was enrolled and~~  
 1616 ~~graduated,~~ Had programmatic accreditation from the American  
 1617 Psychological Association ~~an agency recognized and approved by~~  
 1618 ~~the United States Department of Education.~~

1619 Section 41. Paragraph (b) of subsection (1) and paragraph  
 1620 (b) of subsection (2) of section 490.005, Florida Statutes, are  
 1621 amended to read:

1622 490.005 Licensure by examination.—

1623 (1) Any person desiring to be licensed as a psychologist  
 1624 shall apply to the department to take the licensure examination.  
 1625 The department shall license each applicant who the board

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1626 certifies has:

1627 (b) Submitted proof satisfactory to the board that the  
 1628 applicant has received:

1629 1. ~~Received~~ Doctoral-level psychological education, ~~as~~  
 1630 ~~defined in s. 490.003(3); or~~

1631 2. ~~Received~~ The equivalent of a doctoral-level  
 1632 psychological education, as defined in s. 490.003(3), from a  
 1633 program at a school or university located outside the United  
 1634 States of America ~~and Canada~~, which was officially recognized by  
 1635 the government of the country in which it is located as an  
 1636 institution or program to train students to practice  
 1637 professional psychology. The applicant has the burden of  
 1638 establishing that this requirement has ~~the requirements of this~~  
 1639 ~~provision have been met shall be upon the applicant;~~

1640 3. ~~Received and submitted to the board, prior to July 1,~~  
 1641 ~~1999, certification of an augmented doctoral-level psychological~~  
 1642 ~~education from the program director of a doctoral-level~~  
 1643 ~~psychology program accredited by a programmatic agency~~  
 1644 ~~recognized and approved by the United States Department of~~  
 1645 ~~Education; or~~

1646 4. ~~Received and submitted to the board, prior to August~~  
 1647 ~~31, 2001, certification of a doctoral-level program that at the~~  
 1648 ~~time the applicant was enrolled and graduated maintained a~~  
 1649 ~~standard of education and training comparable to the standard of~~  
 1650 ~~training of programs accredited by a programmatic agency~~

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1651 ~~recognized and approved by the United States Department of~~  
 1652 ~~Education. Such certification of comparability shall be provided~~  
 1653 ~~by the program director of a doctoral-level psychology program~~  
 1654 ~~accredited by a programmatic agency recognized and approved by~~  
 1655 ~~the United States Department of Education.~~

1656 (2) Any person desiring to be licensed as a school  
 1657 psychologist shall apply to the department to take the licensure  
 1658 examination. The department shall license each applicant who the  
 1659 department certifies has:

1660 (b) Submitted satisfactory proof to the department that  
 1661 the applicant:

1662 1. Has received a doctorate, specialist, or equivalent  
 1663 degree from a program primarily psychological in nature and has  
 1664 completed 60 semester hours or 90 quarter hours of graduate  
 1665 study, in areas related to school psychology as defined by rule  
 1666 of the department, from a college or university which at the  
 1667 time the applicant was enrolled and graduated was accredited by  
 1668 an accrediting agency recognized and approved by the Council for  
 1669 Higher Education Accreditation or its successor organization  
 1670 ~~Commission on Recognition of Postsecondary Accreditation or from~~  
 1671 ~~an institution that which is publicly recognized as a member in~~  
 1672 ~~good standing with the Association of Universities and Colleges~~  
 1673 ~~of Canada.~~

1674 2. Has had a minimum of 3 years of experience in school  
 1675 psychology, 2 years of which must be supervised by an individual

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1676 | who is a licensed school psychologist or who has otherwise  
 1677 | qualified as a school psychologist supervisor, by education and  
 1678 | experience, as set forth by rule of the department. A doctoral  
 1679 | internship may be applied toward the supervision requirement.

1680 |         3. Has passed an examination provided by the department.

1681 |         Section 42. Subsection (1) of section 490.006, Florida  
 1682 | Statutes, is amended to read:

1683 |             490.006 Licensure by endorsement.—

1684 |             (1) The department shall license a person as a  
 1685 | psychologist or school psychologist who, upon applying to the  
 1686 | department and remitting the appropriate fee, demonstrates to  
 1687 | the department or, in the case of psychologists, to the board  
 1688 | that the applicant:

1689 |             ~~(a) Holds a valid license or certificate in another state~~  
 1690 | ~~to practice psychology or school psychology, as applicable,~~  
 1691 | ~~provided that, when the applicant secured such license or~~  
 1692 | ~~certificate, the requirements were substantially equivalent to~~  
 1693 | ~~or more stringent than those set forth in this chapter at that~~  
 1694 | ~~time; and, if no Florida law existed at that time, then the~~  
 1695 | ~~requirements in the other state must have been substantially~~  
 1696 | ~~equivalent to or more stringent than those set forth in this~~  
 1697 | ~~chapter at the present time;~~

1698 |             (a) ~~(b)~~ Is a diplomate in good standing with the American  
 1699 | Board of Professional Psychology, Inc.; or

1700 |             (b) ~~(e)~~ Possesses a doctoral degree in psychology ~~as~~

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1701 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of  
 1702 experience as a licensed psychologist in any jurisdiction or  
 1703 territory of the United States within the 25 years preceding the  
 1704 date of application.

1705 Section 43. Subsection (6) of section 491.0045, Florida  
 1706 Statutes, as created by chapters 2016-80 and 2016-241, Laws of  
 1707 Florida, is amended to read:

1708 491.0045 Intern registration; requirements.—

1709 (6) A registration issued on or before March 31, 2017,  
 1710 expires March 31, 2022, and may not be renewed or reissued. Any  
 1711 registration issued after March 31, 2017, expires 60 months  
 1712 after the date it is issued. The board may make a one-time  
 1713 exception to the requirements of this subsection in emergency or  
 1714 hardship cases, as defined by board rule, if ~~A subsequent intern~~  
 1715 ~~registration may not be issued unless~~ the candidate has passed  
 1716 the theory and practice examination described in s.  
 1717 491.005(1)(d), (3)(d), and (4)(d).

1718 Section 44. Subsections (3) and (4) of section 491.005,  
 1719 Florida Statutes, are amended to read:

1720 491.005 Licensure by examination.—

1721 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
 1722 documentation and payment of a fee not to exceed \$200, as set by  
 1723 board rule, plus the actual cost of ~~to the department for~~ the  
 1724 purchase of the examination from the Association of Marital and  
 1725 Family Therapy Regulatory Board, or similar national

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1726 organization, the department shall issue a license as a marriage  
 1727 and family therapist to an applicant who the board certifies:

1728 (a) Has submitted an application and paid the appropriate  
 1729 fee.

1730 (b)~~1.~~ Has a minimum of a master's degree with major  
 1731 emphasis in marriage and family therapy~~,~~ or a closely related  
 1732 field from a program accredited by the Commission on  
 1733 Accreditation for Marriage and Family Therapy Education or from  
 1734 a Florida university program accredited by the Council for  
 1735 Accreditation of Counseling and Related Educational Programs,  
 1736 and graduate courses approved by the Board of Clinical Social  
 1737 Work, Marriage and Family Therapy, and Mental Health Counseling.  
 1738 ~~has completed all of the following requirements:~~

1739 a. ~~Thirty-six semester hours or 48 quarter hours of~~  
 1740 ~~graduate coursework, which must include a minimum of 3 semester~~  
 1741 ~~hours or 4 quarter hours of graduate-level course credits in~~  
 1742 ~~each of the following nine areas: dynamics of marriage and~~  
 1743 ~~family systems; marriage therapy and counseling theory and~~  
 1744 ~~techniques; family therapy and counseling theory and techniques;~~  
 1745 ~~individual human development theories throughout the life cycle;~~  
 1746 ~~personality theory or general counseling theory and techniques;~~  
 1747 ~~psychopathology; human sexuality theory and counseling~~  
 1748 ~~techniques; psychosocial theory; and substance abuse theory and~~  
 1749 ~~counseling techniques. Courses in research, evaluation,~~  
 1750 ~~appraisal, assessment, or testing theories and procedures;~~

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1751 ~~thesis or dissertation work; or practicums, internships, or~~  
1752 ~~fieldwork may not be applied toward this requirement.~~

1753 ~~b. A minimum of one graduate-level course of 3 semester~~  
1754 ~~hours or 4 quarter hours in legal, ethical, and professional~~  
1755 ~~standards issues in the practice of marriage and family therapy~~  
1756 ~~or a course determined by the board to be equivalent.~~

1757 ~~e. A minimum of one graduate-level course of 3 semester~~  
1758 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~  
1759 ~~and testing for individual or interpersonal disorder or~~  
1760 ~~dysfunction; and a minimum of one 3 semester-hour or 4 quarter-~~  
1761 ~~hour graduate-level course in behavioral research which focuses~~  
1762 ~~on the interpretation and application of research data as it~~  
1763 ~~applies to clinical practice. Credit for thesis or dissertation~~  
1764 ~~work, practicums, internships, or fieldwork may not be applied~~  
1765 ~~toward this requirement.~~

1766 ~~d. A minimum of one supervised clinical practicum,~~  
1767 ~~internship, or field experience in a marriage and family~~  
1768 ~~counseling setting, during which the student provided 180 direct~~  
1769 ~~client contact hours of marriage and family therapy services~~  
1770 ~~under the supervision of an individual who met the requirements~~  
1771 ~~for supervision under paragraph (c). This requirement may be met~~  
1772 ~~by a supervised practice experience which took place outside the~~  
1773 ~~academic arena, but which is certified as equivalent to a~~  
1774 ~~graduate-level practicum or internship program which required a~~  
1775 ~~minimum of 180 direct client contact hours of marriage and~~

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1776 ~~family therapy services currently offered within an academic~~  
 1777 ~~program of a college or university accredited by an accrediting~~  
 1778 ~~agency approved by the United States Department of Education, or~~  
 1779 ~~an institution which is publicly recognized as a member in good~~  
 1780 ~~standing with the Association of Universities and Colleges of~~  
 1781 ~~Canada or a training institution accredited by the Commission on~~  
 1782 ~~Accreditation for Marriage and Family Therapy Education~~  
 1783 ~~recognized by the United States Department of Education.~~  
 1784 ~~Certification shall be required from an official of such~~  
 1785 ~~college, university, or training institution.~~

1786       2. If the course title that ~~which~~ appears on the  
 1787 applicant's transcript does not clearly identify the content of  
 1788 the coursework, the applicant shall ~~be required to~~ provide  
 1789 additional documentation, including, but not limited to, a  
 1790 syllabus or catalog description published for the course.

1791  
 1792 The required master's degree must have been received in an  
 1793 institution of higher education that, ~~which~~ at the time the  
 1794 applicant graduated, was ~~is~~ fully accredited by a regional  
 1795 accrediting body recognized by the Commission on Recognition of  
 1796 Postsecondary Accreditation or ~~is~~ publicly recognized as a member  
 1797 in good standing with the Association of Universities and  
 1798 Colleges of Canada, or ~~is~~ an institution of higher education  
 1799 located outside the United States and Canada, which, ~~is~~ at the time  
 1800 the applicant was enrolled and at the time the applicant



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1801 graduated, maintained a standard of training substantially  
 1802 equivalent to the standards of training of those institutions in  
 1803 the United States which are accredited by a regional accrediting  
 1804 body recognized by the Commission on Recognition of  
 1805 Postsecondary Accreditation. Such foreign education and training  
 1806 must have been received in an institution or program of higher  
 1807 education officially recognized by the government of the country  
 1808 in which it is located as an institution or program to train  
 1809 students to practice as professional marriage and family  
 1810 therapists or psychotherapists. The applicant has the burden of  
 1811 establishing that the requirements of this provision have been  
 1812 met ~~shall be upon the applicant,~~ and the board shall require  
 1813 documentation, such as, ~~but not limited to,~~ an evaluation by a  
 1814 foreign equivalency determination service, as evidence that the  
 1815 applicant's graduate degree program and education were  
 1816 equivalent to an accredited program in this country. An  
 1817 applicant with a master's degree from a program that ~~which~~ did  
 1818 not emphasize marriage and family therapy may complete the  
 1819 coursework requirement in a training institution fully  
 1820 accredited by the Commission on Accreditation for Marriage and  
 1821 Family Therapy Education recognized by the United States  
 1822 Department of Education.

1823 (c) Has had at least 2 years of clinical experience during  
 1824 which 50 percent of the applicant's clients were receiving  
 1825 marriage and family therapy services, which must be at the post-

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1826 master's level under the supervision of a licensed marriage and  
1827 family therapist with at least 5 years of experience, or the  
1828 equivalent, who is a qualified supervisor as determined by the  
1829 board. An individual who intends to practice in Florida to  
1830 satisfy the clinical experience requirements must register  
1831 pursuant to s. 491.0045 before commencing practice. If a  
1832 graduate has a master's degree with a major emphasis in marriage  
1833 and family therapy or a closely related field which ~~that~~ did not  
1834 include all of the coursework required by paragraph (b) ~~under~~  
1835 ~~sub-paragraphs (b)1.a.-c.~~, credit for the post-master's level  
1836 clinical experience may ~~shall~~ not commence until the applicant  
1837 has completed a minimum of 10 of the courses required by  
1838 paragraph (b) ~~under sub-paragraphs (b)1.a.-c.~~, as determined  
1839 by the board, and at least 6 semester hours or 9 quarter hours  
1840 of the course credits must have been completed in the area of  
1841 marriage and family systems, theories, or techniques. Within the  
1842 2 ~~3~~ years of required experience, the applicant shall provide  
1843 direct individual, group, or family therapy and counseling, ~~to~~  
1844 ~~include the following categories of cases~~ including those  
1845 involving ~~+~~ unmarried dyads, married couples, separating and  
1846 divorcing couples, and family groups that include ~~including~~  
1847 children. A doctoral internship may be applied toward the  
1848 clinical experience requirement. A licensed mental health  
1849 professional must be on the premises when clinical services are  
1850 provided by a registered intern in a private practice setting.

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1851 (d) Has passed a theory and practice examination provided  
 1852 by the department ~~for this purpose.~~

1853 (e) Has demonstrated, in a manner designated by board rule  
 1854 ~~of the board~~, knowledge of the laws and rules governing the  
 1855 practice of clinical social work, marriage and family therapy,  
 1856 and mental health counseling.

1857 ~~(f)~~

1858

1859 For the purposes of dual licensure, the department shall license  
 1860 as a marriage and family therapist any person who meets the  
 1861 requirements of s. 491.0057. Fees for dual licensure may ~~shall~~  
 1862 not exceed those stated in this subsection.

1863 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
 1864 documentation and payment of a fee not to exceed \$200, as set by  
 1865 board rule, plus the actual per applicant cost of ~~to the~~  
 1866 ~~department for~~ purchase of the examination from the National  
 1867 Board for Certified Counselors or its successor ~~Professional~~  
 1868 ~~Examination Service for the National Academy of Certified~~  
 1869 ~~Clinical Mental Health Counselors or a similar national~~  
 1870 organization, the department shall issue a license as a mental  
 1871 health counselor to an applicant who the board certifies:

1872 (a) Has submitted an application and paid the appropriate  
 1873 fee.

1874 (b)1. Has a minimum of an earned master's degree from a  
 1875 mental health counseling program accredited by the Council for

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1876 | the Accreditation of Counseling and Related Educational Programs  
 1877 | which ~~that~~ consists of at least 60 semester hours or 80 quarter  
 1878 | hours of clinical and didactic instruction, including a course  
 1879 | in human sexuality and a course in substance abuse. If the  
 1880 | master's degree is earned from a program related to the practice  
 1881 | of mental health counseling which ~~that~~ is not accredited by the  
 1882 | Council for the Accreditation of Counseling and Related  
 1883 | Educational Programs, then the coursework and practicum,  
 1884 | internship, or fieldwork must consist of at least 60 semester  
 1885 | hours or 80 quarter hours and meet all of the following  
 1886 | requirements:

1887 |       a. Thirty-three semester hours or 44 quarter hours of  
 1888 | graduate coursework, which must include a minimum of 3 semester  
 1889 | hours or 4 quarter hours of graduate-level coursework in each of  
 1890 | the following 11 content areas: counseling theories and  
 1891 | practice; human growth and development; diagnosis and treatment  
 1892 | of psychopathology; human sexuality; group theories and  
 1893 | practice; individual evaluation and assessment; career and  
 1894 | lifestyle assessment; research and program evaluation; social  
 1895 | and cultural foundations; substance abuse; and legal, ethical,  
 1896 | and professional standards issues in the practice of mental  
 1897 | health ~~counseling in community settings; and substance abuse.~~  
 1898 | Courses in research, thesis or dissertation work, practicums,  
 1899 | internships, or fieldwork may not be applied toward this  
 1900 | requirement.

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1901           b. A minimum of 3 semester hours or 4 quarter hours of  
 1902 graduate-level coursework addressing diagnostic processes,  
 1903 including differential diagnosis and the use of the current  
 1904 diagnostic tools, such as the current edition of the American  
 1905 Psychiatric Association's Diagnostic and Statistical Manual of  
 1906 Mental Disorders. The graduate program must have emphasized the  
 1907 common core curricular experience in legal, ethical, and  
 1908 ~~professional standards issues in the practice of mental health~~  
 1909 ~~counseling, which includes goals, objectives, and practices of~~  
 1910 ~~professional counseling organizations, codes of ethics, legal~~  
 1911 ~~considerations, standards of preparation, certifications and~~  
 1912 ~~licensing, and the role identity and professional obligations of~~  
 1913 ~~mental health counselors. Courses in research, thesis or~~  
 1914 ~~dissertation work, practicums, internships, or fieldwork may not~~  
 1915 ~~be applied toward this requirement.~~

1916           c. The equivalent, as determined by the board, of at least  
 1917 700 ~~1,000~~ hours of university-sponsored supervised clinical  
 1918 practicum, internship, or field experience that includes at  
 1919 least 280 hours of direct client services, as required in the  
 1920 accrediting standards of the Council for Accreditation of  
 1921 Counseling and Related Educational Programs for mental health  
 1922 counseling programs. This experience may not be used to satisfy  
 1923 the post-master's clinical experience requirement.

1924           2. Has provided additional documentation if a ~~the~~ course  
 1925 title that ~~which~~ appears on the applicant's transcript does not

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1926 | clearly identify the content of the coursework.~~7~~ The ~~applicant~~  
 1927 | ~~shall be required to provide additional~~ documentation must  
 1928 | include, including, but is not limited to, a syllabus or catalog  
 1929 | description published for the course.

1930 |  
 1931 | Education and training in mental health counseling must have  
 1932 | been received in an institution of higher education that, which  
 1933 | at the time the applicant graduated, was~~+~~ fully accredited by a  
 1934 | regional accrediting body recognized by the Council for Higher  
 1935 | Education Accreditation or its successor organization or  
 1936 | ~~Commission on Recognition of Postsecondary Accreditation;~~  
 1937 | publicly recognized as a member in good standing with the  
 1938 | Association of Universities and Colleges of Canada, + or an  
 1939 | institution of higher education located outside the United  
 1940 | States and Canada, 7 which, + at the time the applicant was enrolled  
 1941 | and at the time the applicant graduated, + maintained a standard  
 1942 | of training substantially equivalent to the standards of  
 1943 | training of those institutions in the United States which are  
 1944 | accredited by a regional accrediting body recognized by the  
 1945 | Council for Higher Education Accreditation or its successor  
 1946 | organization ~~Commission on Recognition of Postsecondary~~  
 1947 | ~~Accreditation~~. Such foreign education and training must have  
 1948 | been received in an institution or program of higher education  
 1949 | officially recognized by the government of the country in which  
 1950 | it is located as an institution or program to train students to

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1951 | practice as mental health counselors. The applicant has the  
1952 | burden of establishing that the requirements of this provision  
1953 | have been met ~~shall be upon the applicant~~, and the board shall  
1954 | require documentation, such as, ~~but not limited to~~, an  
1955 | evaluation by a foreign equivalency determination service, as  
1956 | evidence that the applicant's graduate degree program and  
1957 | education were equivalent to an accredited program in this  
1958 | country. Beginning July 1, 2025, an applicant must have a  
1959 | master's degree from a program that is accredited by the Council  
1960 | for Accreditation of Counseling and Related Educational Programs  
1961 | which consists of at least 60 semester hours or 80 quarter hours  
1962 | to apply for licensure under this paragraph.

1963 | (c) Has had at least 2 years of clinical experience in  
1964 | mental health counseling, which must be at the post-master's  
1965 | level under the supervision of a licensed mental health  
1966 | counselor or the equivalent who is a qualified supervisor as  
1967 | determined by the board. An individual who intends to practice  
1968 | in Florida to satisfy the clinical experience requirements must  
1969 | register pursuant to s. 491.0045 before commencing practice. If  
1970 | a graduate has a master's degree with a major related to the  
1971 | practice of mental health counseling which ~~that~~ did not include  
1972 | all the coursework required under sub-subparagraphs (b)1.a. and  
1973 | b. (b)1.a. b., credit for the post-master's level clinical  
1974 | experience may ~~shall~~ not commence until the applicant has  
1975 | completed a minimum of seven of the courses required under sub-

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1976 subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, as determined by the  
 1977 board, one of which must be a course in psychopathology or  
 1978 abnormal psychology. A doctoral internship may be applied toward  
 1979 the clinical experience requirement. A licensed mental health  
 1980 professional must be on the premises when clinical services are  
 1981 provided by a registered intern in a private practice setting.

1982 (d) Has passed a theory and practice examination provided  
 1983 by the department for this purpose.

1984 (e) Has demonstrated, in a manner designated by board rule  
 1985 ~~of the board~~, knowledge of the laws and rules governing the  
 1986 practice of clinical social work, marriage and family therapy,  
 1987 and mental health counseling.

1988 Section 45. Paragraph (b) of subsection (1) of section  
 1989 491.006, Florida Statutes, is amended to read:

1990 491.006 Licensure or certification by endorsement.—

1991 (1) The department shall license or grant a certificate to  
 1992 a person in a profession regulated by this chapter who, upon  
 1993 applying to the department and remitting the appropriate fee,  
 1994 demonstrates to the board that he or she:

1995 (b)1. Holds an active valid license to practice and has  
 1996 actively practiced the licensed profession ~~for which licensure~~  
 1997 ~~is applied~~ in another state for 3 of the last 5 years  
 1998 immediately preceding licensure; ~~:-~~

1999 ~~2. Meets the education requirements of this chapter for~~  
 2000 ~~the profession for which licensure is applied.~~



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2001            ~~2.3.~~ Has passed a substantially equivalent licensing  
 2002 examination in another state or has passed the licensure  
 2003 examination in this state in the profession for which the  
 2004 applicant seeks licensure; and.

2005            ~~3.4.~~ Holds a license in good standing, is not under  
 2006 investigation for an act that would constitute a violation of  
 2007 this chapter, and has not been found to have committed any act  
 2008 that would constitute a violation of this chapter.

2009  
 2010 The fees paid by any applicant for certification as a master  
 2011 social worker under this section are nonrefundable.

2012            Section 46. Subsection (3) of section 491.007, Florida  
 2013 Statutes, is amended to read:

2014            491.007 Renewal of license, registration, or certificate.—

2015            ~~(3) The board or department shall prescribe by rule a~~  
 2016 ~~method for the biennial renewal of an intern registration at a~~  
 2017 ~~fee set by rule, not to exceed \$100.~~

2018            Section 47. Subsection (2) of section 491.009, Florida  
 2019 Statutes, is amended to read:

2020            491.009 Discipline.—

2021            (2) The board ~~department~~, or, in the case of certified  
 2022 master social workers ~~psychologists~~, the department ~~board~~, may  
 2023 enter an order denying licensure or imposing any of the  
 2024 penalties authorized in s. 456.072(2) against any applicant for  
 2025 licensure or any licensee who violates ~~is found guilty of~~

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2026 | ~~violating any provision of subsection (1) of this section or who~~  
 2027 | ~~is found guilty of violating any provision of s. 456.072(1).~~

2028 | Section 48. Subsection (2) of section 491.0046, Florida  
 2029 | Statutes, is amended to read:

2030 | 491.0046 Provisional license; requirements.—

2031 | (2) The department shall issue a provisional clinical  
 2032 | social worker license, provisional marriage and family therapist  
 2033 | license, or provisional mental health counselor license to each  
 2034 | applicant who the board certifies has:

2035 | (a) Completed the application form and remitted a  
 2036 | nonrefundable application fee not to exceed \$100, as set by  
 2037 | board rule; and

2038 | (b) Earned a graduate degree in social work, a graduate  
 2039 | degree with a major emphasis in marriage and family therapy or a  
 2040 | closely related field, or a graduate degree in a major related  
 2041 | to the practice of mental health counseling; and

2042 | (c) ~~Has~~ Met the following minimum coursework requirements:

2043 | 1. For clinical social work, a minimum of 15 semester  
 2044 | hours or 22 quarter hours of the coursework required by s.  
 2045 | 491.005(1)(b)2.b.

2046 | 2. For marriage and family therapy, 10 of the courses  
 2047 | required by s. 491.005(3)(b) ~~s. 491.005(3)(b)1.a.-c.~~, as  
 2048 | determined by the board, and at least 6 semester hours or 9  
 2049 | quarter hours of the course credits must have been completed in  
 2050 | the area of marriage and family systems, theories, or

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2051 techniques.

2052 3. For mental health counseling, a minimum of seven of the  
2053 courses required under s. 491.005(4)(b)1.a.-c.

2054 Section 49. Subsection (11) of section 945.42, Florida  
2055 Statutes, is amended to read:

2056 945.42 Definitions; ss. 945.40-945.49.—As used in ss.  
2057 945.40-945.49, the following terms shall have the meanings  
2058 ascribed to them, unless the context shall clearly indicate  
2059 otherwise:

2060 (11) "Psychological professional" means a behavioral  
2061 practitioner who has an approved doctoral degree in psychology  
2062 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by  
2063 the department or who is licensed as a psychologist pursuant to  
2064 chapter 490.

2065 Section 50. For the purpose of incorporating the amendment  
2066 made by this act to section 459.0055, Florida Statutes, in a  
2067 reference thereto, subsection (6) of section 459.021, Florida  
2068 Statutes, is reenacted to read:

2069 459.021 Registration of resident physicians, interns, and  
2070 fellows; list of hospital employees; penalty.—

2071 (6) Any person desiring registration pursuant to this  
2072 section shall meet all the requirements of s. 459.0055, except  
2073 paragraphs (1)(l) and (m).

2074 Section 51. Present subsection (7) of section 514.0115,  
2075 Florida Statutes, is redesignated as subsection (8), and a new

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2076 subsection (7) is added to that section, to read:  
 2077       514.0115 Exemptions from supervision or regulation;  
 2078 variances.—  
 2079       (7) Until such time as the department adopts rules for the  
 2080 supervision and regulation of surf pools, a surf pool that is  
 2081 larger than 4 acres is exempt from supervision under this  
 2082 chapter if the surf pool is permitted by a local government  
 2083 pursuant to a special use permit process in which the local  
 2084 government asserts regulatory authority over the construction of  
 2085 the surf pool and, in consultation with the department,  
 2086 establishes through the local government's special use  
 2087 permitting process the conditions for the surf pool's operation,  
 2088 water quality, and necessary lifesaving equipment. This  
 2089 subsection does not affect the department's or a county health  
 2090 department's right of entry pursuant to s. 514.04 or its  
 2091 authority to seek an injunction pursuant to s. 514.06 to  
 2092 restrain the operation of a surf pool permitted and operated  
 2093 under this subsection if the surf pool presents significant  
 2094 risks to public health. For the purposes of this subsection, the  
 2095 term "surf pool" means a pool that is designed to generate waves  
 2096 dedicated to the activity of surfing on a surfboard or an  
 2097 analogous surfing device commonly used in the ocean and intended  
 2098 for sport, as opposed to the general play intent of wave pools,  
 2099 other large-scale public swimming pools, or other public bathing  
 2100 places.

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2101           Section 52. Subsection (7) of section 553.77, Florida  
 2102 Statutes, is amended to read:  
 2103           553.77 Specific powers of the commission.—  
 2104           (7) Building officials shall recognize and enforce  
 2105 variance orders issued by the Department of Health pursuant to  
 2106 s. 514.0115(8) ~~s. 514.0115(7)~~, including any conditions attached  
 2107 to the granting of the variance.

2108           Section 53. Present paragraphs (g) through (v) of  
 2109 subsection (4) of section 408.809, Florida Statutes, are  
 2110 redesignated as paragraphs (h) through (w), respectively, and a  
 2111 new paragraph (g) is added to that subsection, to read:

2112           408.809 Background screening; prohibited offenses.—

2113           (4) In addition to the offenses listed in s. 435.04, all  
 2114 persons required to undergo background screening pursuant to  
 2115 this part or authorizing statutes must not have an arrest  
 2116 awaiting final disposition for, must not have been found guilty  
 2117 of, regardless of adjudication, or entered a plea of nolo  
 2118 contendere or guilty to, and must not have been adjudicated  
 2119 delinquent and the record not have been sealed or expunged for  
 2120 any of the following offenses or any similar offense of another  
 2121 jurisdiction:

2122           (g) Section 784.03, relating to battery, if the victim is  
 2123 a vulnerable adult as defined in s. 415.102 or a patient or  
 2124 resident of a facility licensed under chapter 395, chapter 400,  
 2125 or chapter 429.

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2126  
2127 If, upon rescreening, a person who is currently employed or  
2128 contracted with a licensee as of June 30, 2014, and was screened  
2129 and qualified under ss. 435.03 and 435.04, has a disqualifying  
2130 offense that was not a disqualifying offense at the time of the  
2131 last screening, but is a current disqualifying offense and was  
2132 committed before the last screening, he or she may apply for an  
2133 exemption from the appropriate licensing agency and, if agreed  
2134 to by the employer, may continue to perform his or her duties  
2135 until the licensing agency renders a decision on the application  
2136 for exemption if the person is eligible to apply for an  
2137 exemption and the exemption request is received by the agency no  
2138 later than 30 days after receipt of the rescreening results by  
2139 the person.

2140 Section 54. Subsection (5) is added to section 456.0135,  
2141 Florida Statutes, to read:

2142 456.0135 General background screening provisions.—

2143 (5) In addition to the offenses listed in s. 435.04, all  
2144 persons required to undergo background screening under this  
2145 section, other than those licensed under s. 465.022, must not  
2146 have an arrest awaiting final disposition for, must not have  
2147 been found guilty of, regardless of adjudication, or entered a  
2148 plea of nolo contendere or guilty to, and must not have been  
2149 adjudicated delinquent and the record not have been sealed or  
2150 expunged for an offense under s. 784.03 or any similar offense

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2151 | of another jurisdiction relating to battery, if the victim is a  
2152 | vulnerable adult as defined in s. 415.102 or a patient or  
2153 | resident of a facility licensed under chapter 395, chapter 400,  
2154 | or chapter 429.

2155 |       Section 55. The amendments and reenactments made by this  
2156 | act to sections 466.0067, 466.00671, and 466.00672, Florida  
2157 | Statutes, are remedial in nature, shall take effect upon this  
2158 | act becoming a law, and shall apply retroactively to January 1,  
2159 | 2020. This section shall take effect upon this act becoming a  
2160 | law.

2161 |       Section 56. Except as otherwise expressly provided in this  
2162 | act and except for this section, which shall take effect upon  
2163 | this act becoming a law, this act shall take effect July 1,  
2164 | 2020.