

By Senators Brown-Waite, Forman, Casas and Dudley

10-549-98

1                                   A bill to be entitled  
2           An act relating to boards and councils  
3           regulating health-related professions; amending  
4           ss. 458.307, 458.347, 459.004, 459.022,  
5           460.404, 461.004, 463.003, 464.004, 465.004,  
6           466.004, 467.004, 468.1135, 468.1665, 468.205,  
7           468.354, 468.506, 468.703, 468.801, 480.035,  
8           483.805, 483.901, 484.003, 486.023, 490.004,  
9           491.004, F.S.; adding two lay, consumer members  
10          to the Board of Medicine, the Council on  
11          Physician Assistants, the Board of Osteopathic  
12          Medicine, the Board of Chiropractic, the Board  
13          of Podiatric Medicine, the Board of Optometry,  
14          the Board of Nursing, the Board of Pharmacy,  
15          the Board of Dentistry, the Council of Licensed  
16          Midwifery, the Board of Speech-Language  
17          Pathology and Audiology, the Board of Nursing  
18          Home Administrators, the Board of Occupational  
19          Therapy Practice, the Advisory Council on  
20          Respiratory Care, the Dietetics and Nutrition  
21          Practice Council, the Council of Athletic  
22          Training, the Board of Orthotists and  
23          Prosthetists, the Board of Massage Therapy, the  
24          Board of Clinical Laboratory Personnel, the  
25          Advisory Council of Medical Physicists, the  
26          Board of Opticianry, the Board of Physical  
27          Therapy Practice, the Board of Psychology, and  
28          the Board of Clinical Social Work, Marriage and  
29          Family Therapy, and Mental Health Counseling;  
30          providing for the appointment of such new  
31          members; providing an effective date.

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

2

3 Section 1. Subsections (1) and (2) of section 458.307,  
4 Florida Statutes, are amended to read:

5 458.307 Board of Medicine.--

6 (1) There is created within the department the Board  
7 of Medicine, composed of 17 ~~15~~ members appointed by the  
8 Governor and confirmed by the Senate.

9 (2) Twelve members of the board must be licensed  
10 physicians in good standing in this state who are residents of  
11 the state and who have been engaged in the active practice or  
12 teaching of medicine for at least 4 years immediately  
13 preceding their appointment. One of the physicians must be on  
14 the full-time faculty of a medical school in this state, and  
15 one of the physicians must be in private practice and on the  
16 full-time staff of a statutory teaching hospital in this state  
17 as defined in s. 408.07. At least one of the physicians must  
18 be a graduate of a foreign medical school. The remaining five  
19 ~~three~~ members must be residents of the state who are not, and  
20 never have been, licensed health care practitioners. One  
21 member must be a hospital risk manager certified under part IX  
22 of chapter 626. At least one member of the board must be 60  
23 years of age or older.

24 Section 2. Paragraph (a) of subsection (9) of section  
25 458.347, Florida Statutes, is amended to read:

26 458.347 Physician assistants.--

27 (9) COUNCIL ON PHYSICIAN ASSISTANTS.--The Council on  
28 Physician Assistants is created within the department.

29 (a) The council shall consist of seven ~~five~~ members  
30 appointed as follows:

31

1           1. The chairperson of the Board of Medicine shall  
2 appoint three members who are physicians and members of the  
3 Board of Medicine. One of the physicians must supervise a  
4 physician assistant in the physician's practice.

5           2. The chairperson of the Board of Osteopathic  
6 Medicine shall appoint one member who is a physician and a  
7 member of the Board of Osteopathic Medicine.

8           3. The secretary of the department or his or her  
9 designee shall appoint a fully certified physician assistant  
10 licensed under this chapter or chapter 459.

11           4. The chairperson of the Board of Medicine and the  
12 chairperson of the Board of Osteopathic Medicine shall each  
13 appoint one lay member who is not a physician, an osteopathic  
14 physician, a physician assistant, or a member of any closely  
15 related profession.

16           Section 3. Subsections (1) and (2) of section 459.004,  
17 Florida Statutes, is amended to read:

18           459.004 Board of Osteopathic Medicine.--

19           (1) There is created within the department the Board  
20 of Osteopathic Medicine, composed of nine ~~seven~~ members  
21 appointed by the Governor and confirmed by the Senate.

22           (2) Five members of the board must be licensed  
23 osteopathic physicians in good standing in this state who are  
24 residents of this state and who have been engaged in the  
25 practice of osteopathic medicine for at least 4 years  
26 immediately prior to their appointment. The remaining four  
27 ~~two~~ members must be citizens of the state who are not, and  
28 have never been, licensed health care practitioners. At least  
29 one member of the board must be 60 years of age or older.

30           Section 4. Paragraph (a) of subsection (9) of section  
31 459.022, Florida Statutes, is amended to read:

1           459.022 Physician assistants.--  
2           (9) COUNCIL ON PHYSICIAN ASSISTANTS.--The Council on  
3 Physician Assistants is created within the department.  
4           (a) The council shall consist of seven ~~five~~ members  
5 appointed as follows:  
6           1. The chairperson of the Board of Medicine shall  
7 appoint three members who are physicians and members of the  
8 Board of Medicine. One of the physicians must supervise a  
9 physician assistant in the physician's practice.  
10          2. The chairperson of the Board of Osteopathic  
11 Medicine shall appoint one member who is a physician and a  
12 member of the Board of Osteopathic Medicine.  
13          3. The secretary of the department or her or his  
14 designee shall appoint a fully certified physician assistant  
15 licensed under chapter 458 or this chapter.  
16          4. The chairperson of the Board of Medicine and the  
17 chairperson of the Board of Osteopathic Medicine shall each  
18 appoint one lay member who is not a physician, an osteopathic  
19 physician, a physician assistant, or a member of any closely  
20 related profession.  
21          Section 5. Subsections (1) and (2) of section 460.404,  
22 Florida Statutes, are amended to read:  
23          460.404 Board of Chiropractic; membership;  
24 appointment; terms.--  
25          (1) The Board of Chiropractic is created within the  
26 department and shall consist of nine ~~seven~~ members to be  
27 appointed by the Governor and confirmed by the Senate.  
28          (2) Five members of the board must be licensed  
29 chiropractic physicians who are residents of the state and who  
30 have been licensed chiropractic physicians engaged in the  
31 practice of chiropractic for at least 4 years. The remaining

1 four ~~two~~ members must be residents of the state who are not,  
2 and have never been, licensed as chiropractic physicians or  
3 members of any closely related profession. At least one  
4 member of the board must be 60 years of age or older.

5 Section 6. Subsections (1) and (2) of section 461.004,  
6 Florida Statutes, are amended to read:

7 461.004 Board of Podiatric Medicine; membership;  
8 appointment; terms.--

9 (1) The Board of Podiatric Medicine is created within  
10 the department and shall consist of nine ~~seven~~ members to be  
11 appointed by the Governor and confirmed by the Senate.

12 (2) Five members of the board must be licensed  
13 podiatrists who are residents of the state and who have been  
14 licensed podiatrists engaged in the practice of podiatric  
15 medicine for at least 4 years. The remaining four ~~two~~ members  
16 must be residents of the state who are not, and have never  
17 been, licensed as podiatrists or members of any closely  
18 related profession. At least one member of the board must be  
19 60 years of age or older.

20 Section 7. Subsections (1) and (2) of section 463.003,  
21 Florida Statutes, are amended to read:

22 463.003 Board of Optometry.--

23 (1) There is created within the department the Board  
24 of Optometry, composed of nine ~~seven~~ members appointed by the  
25 Governor and confirmed by the Senate.

26 (2) Five members of the board must be licensed  
27 practitioners actively practicing in this state. The  
28 remaining four ~~two~~ members must be citizens of the state who  
29 are not, and have never been, licensed practitioners and who  
30 are in no way connected with the practice of optometry or with  
31

1 any vision-oriented profession or business. At least one  
2 member of the board must be 60 years of age or older.

3 Section 8. Subsections (1) and (2) of section 464.004,  
4 Florida Statutes, are amended to read:

5 464.004 Board of Nursing; membership; appointment;  
6 terms.--

7 (1) The Board of Nursing is created within the  
8 department and shall consist of 15 ~~13~~ members to be appointed  
9 by the Governor and confirmed by the Senate.

10 (2) Seven members of the board must be registered  
11 nurses who are residents of this state and who have been  
12 engaged in the practice of professional nursing for at least 4  
13 years, including at least one advanced registered nurse  
14 practitioner, one nurse educator member of an approved  
15 program, and one nurse executive. These seven board members  
16 should be representative of the diverse areas of practice  
17 within the nursing profession. In addition, three members of  
18 the board must be licensed practical nurses who are residents  
19 of this state and who have been actively engaged in the  
20 practice of practical nursing for at least 4 years prior to  
21 their appointment. The remaining five ~~three~~ members must be  
22 residents of the state who have never been licensed as nurses  
23 and who are in no way connected with the practice of nursing.  
24 No person may be appointed as a lay member who is in any way  
25 connected with, or has any financial interest in, any health  
26 care facility, agency, or insurer. At least one member of the  
27 board must be 60 years of age or older.

28 Section 9. Subsections (1) and (2) of section 465.004,  
29 Florida Statutes, are amended to read:

30 465.004 Board of Pharmacy.--

31

1           (1) The Board of Pharmacy is created within the  
2 department and shall consist of 11 ~~nine~~ members to be  
3 appointed by the Governor and confirmed by the Senate.

4           (2) Seven members of the board must be licensed  
5 pharmacists who are residents of this state and who have been  
6 engaged in the practice of the profession of pharmacy in this  
7 state for at least 4 years and, to the extent practicable,  
8 represent the various pharmacy practice settings. Of the  
9 pharmacist members, one must be currently engaged in the  
10 practice of pharmacy in a community pharmacy, one must be  
11 currently engaged in the practice of pharmacy in a Class II  
12 institutional pharmacy or a Modified Class II institutional  
13 pharmacy, and five shall be pharmacists licensed in this state  
14 irrespective of practice setting. The remaining four ~~two~~  
15 members must be residents of the state who have never been  
16 licensed as pharmacists and who are in no way connected with  
17 the practice of the profession of pharmacy. No person may be  
18 appointed as a consumer member who is in any way connected  
19 with a drug manufacturer or wholesaler. At least one member  
20 of the board must be 60 years of age or older.

21           Section 10. Subsection (1) of section 466.004, Florida  
22 Statutes, is amended to read:

23           466.004 Board of Dentistry.--

24           (1) To carry out the provisions of this chapter, there  
25 is created within the department the Board of Dentistry  
26 consisting of 13 ~~11~~ members who shall be appointed by the  
27 Governor and subject to confirmation by the Senate. Seven  
28 members of the board must be licensed dentists actively  
29 engaged in the practice of dentistry in this state; two  
30 members must be licensed dental hygienists actively engaged in  
31 the practice of dental hygiene in this state; and the

1 remaining four ~~two~~ members must be laypersons who are not, and  
2 have never been, dentists, dental hygienists, or members of  
3 any closely related profession or occupation. Each dental  
4 member of the board must have been actively engaged in her or  
5 his respective profession for at least 5 years preceding the  
6 date of her or his appointment to the board. At least one  
7 member of the board must be 60 years of age or older. Members  
8 shall be appointed for 4-year terms.

9 Section 11. Subsections (1) and (2) of section  
10 467.004, Florida Statutes, are amended to read:

11 467.004 Council of Licensed Midwifery.--

12 (1) The Council of Licensed Midwifery is created  
13 within the department and shall consist of 11 ~~nine~~ members to  
14 be appointed by the secretary.

15 (2) One member of the council shall be a certified  
16 nurse midwife. One member of the council shall be a physician  
17 who is an obstetrician certified by the American Board of  
18 Obstetrics and Gynecology and one family physician certified  
19 by the American Board of Family Practice. One member of the  
20 council shall be a physician who is a pediatrician certified  
21 by the American Board of Pediatrics. Four members of the  
22 council shall be licensed midwives. The three ~~one~~ remaining  
23 members ~~member~~ shall be residents ~~a resident~~ of this state who  
24 have ~~has~~ never been a licensed midwives ~~midwife~~ and who have  
25 ~~has~~ no financial interest in the practice of midwifery or in  
26 any health care facility, agency, or insurer. The council  
27 members shall serve staggered 4-year terms as determined by  
28 rule.

29 Section 12. Subsections (1) and (2) of section  
30 468.1135, Florida Statutes, are amended to read:

31



1           468.1135 Board of Speech-Language Pathology and  
2 Audiology.--

3           (1) There is created within the department the Board  
4 of Speech-Language Pathology and Audiology, composed of nine  
5 ~~seven~~ members appointed by the Governor and confirmed by the  
6 Senate.

7           (2)(a) Four members of the board shall be persons  
8 licensed under this part, as follows:

9           1. Two members shall be practicing speech-language  
10 pathologists.

11           2. Two members shall be practicing audiologists.

12           (b) One member shall be a physician licensed pursuant  
13 to chapter 458 who is a neurologist, an otolaryngologist, or a  
14 pediatrician.

15           (c) Four ~~Two~~ members shall be citizens of the state  
16 who are communicatively impaired and who are not, and have  
17 never been, licensed as a speech-language pathologist or an  
18 audiologist and who are in no way connected with the practice  
19 of such profession. At least one of the two shall be a hearing  
20 aid user.

21           (d) At least one member of the board shall be 60 years  
22 of age or older.

23           Section 13. Subsections (1) and (2) of section  
24 468.1665, Florida Statutes, are amended to read:

25           468.1665 Board of Nursing Home Administrators;  
26 membership; appointment; terms.--

27           (1) The Board of Nursing Home Administrators is  
28 created within the department and shall consist of nine ~~seven~~  
29 members, to be appointed by the Governor and confirmed by the  
30 Senate to a term of 4 years or for a term to complete an  
31 unexpired vacancy.

1           (2) Three members of the board must be licensed  
2 nursing home administrators. Two members of the board must be  
3 health care practitioners. The remaining four ~~two~~ members of  
4 the board must be laypersons who are not, and have never been,  
5 nursing home administrators or members of any health care  
6 profession or occupation. At least one member of the board  
7 must be 60 years or older.

8           Section 14. Subsections (1) and (2) of section  
9 468.205, Florida Statutes, are amended to read:

10           468.205 Board of Occupational Therapy Practice.--

11           (1) There is created within the department the Board  
12 of Occupational Therapy Practice, composed of nine ~~seven~~  
13 members appointed by the Governor, subject to confirmation by  
14 the Senate.

15           (2) Four members shall be licensed occupational  
16 therapists in good standing in this state who are residents of  
17 this state and have been engaged in the practice of  
18 occupational therapy for at least 4 years immediately prior to  
19 their appointment. One member shall be a licensed occupational  
20 therapy assistant in good standing in this state who is a  
21 resident of the state and has been engaged in the practice of  
22 occupational therapy for at least 4 years immediately prior to  
23 the appointment. Four ~~Two~~ members shall be consumers who are  
24 residents of the state who are not connected with the practice  
25 of occupational therapy.

26           Section 15. Subsection (2), paragraph (a) of  
27 subsection (3), and paragraph (b) of subsection (4) of section  
28 468.354, Florida Statutes, are amended to read:

29           468.354 Advisory Council on Respiratory Care;  
30 organization; function.--

31

1           (2) The council shall consist of seven ~~five~~ members  
2 appointed by the board and shall include:

3           (a) A respiratory therapist.

4           (b) A respiratory care practitioner.

5           (c) A respiratory care professional from each of the  
6 following areas:

7           1. Respiratory care education.

8           2. Respiratory care management and supervision.

9           3. Cardiopulmonary diagnostics.

10          (d) Two lay members who are not respiratory care  
11 professionals and who have never been engaged in the practice  
12 of respiratory care.

13  
14 Each member of the council who is appointed under paragraph  
15 (a), paragraph (b), or paragraph (c) shall be a respiratory  
16 care professional who has been actively engaged in the  
17 delivery of respiratory care services in this state for at  
18 least 4 consecutive years prior to appointment.

19          (3)(a) Except as provided in paragraph (b), the term  
20 of office for each council member shall be 4 years. No member  
21 shall serve for more than two consecutive terms. Any time  
22 there is a vacancy to be filled among the professional members  
23 on the council, all professional organizations dealing with  
24 respiratory therapy incorporated within the state as not for  
25 profit which register their interest with the board shall  
26 recommend at least twice as many persons to fill the vacancy  
27 to the council as the number of vacancies to be filled, and  
28 the board may appoint from the submitted list, in its  
29 discretion, any of those persons so recommended. The board  
30 shall, insofar as possible, appoint persons from different  
31 geographical areas.

1 (4)

2 (b) The council shall meet at least twice a year and  
3 shall hold such additional meetings as are deemed necessary by  
4 the board. Four ~~Three~~ members of the council constitute a  
5 quorum.

6 Section 16. Section 468.506, Florida Statutes, is  
7 amended to read:

8 468.506 Dietetics and Nutrition Practice  
9 Council.--There is created the Dietetics and Nutrition  
10 Practice Council under the supervision of the board. The  
11 council shall consist of four persons licensed under this part  
12 and three consumers, at least one of whom ~~one consumer who~~ is  
13 60 years of age or older. Council members shall be appointed  
14 by the board. Licensed members shall be appointed based on the  
15 proportion of licensees within each of the respective  
16 disciplines. Members shall be appointed for 4-year staggered  
17 terms. In order to be eligible for appointment, each licensed  
18 member must have been a licensee under this part for at least  
19 3 years prior to his or her appointment. No council member  
20 shall serve more than two successive terms. The board may  
21 delegate such powers and duties to the council as it may deem  
22 proper to carry out the operations and procedures necessary to  
23 effectuate the provisions of this part. However, the powers  
24 and duties delegated to the council by the board must  
25 encompass both dietetics and nutrition practice and nutrition  
26 counseling. Any time there is a vacancy on the council, any  
27 professional association composed of persons licensed under  
28 this part may recommend licensees to fill the vacancy to the  
29 board in a number at least twice the number of vacancies to be  
30 filled, and the board may appoint from the submitted list, in  
31 its discretion, any of those persons so recommended. Any

1 professional association composed of persons licensed under  
2 this part may file an appeal regarding a council appointment  
3 with the director of the agency, whose decision shall be  
4 final. The board shall fix council members' compensation and  
5 pay their expenses in the same manner as provided in s.  
6 455.207.

7 Section 17. Subsections (1) and (2) of section  
8 468.703, Florida Statutes, are amended to read:

9 468.703 Council of Athletic Training.--

10 (1) The Council of Athletic Training is created within  
11 the department and shall consist of nine ~~seven~~ members to be  
12 appointed by the secretary.

13 (2) Four members of the council shall be licensed  
14 athletic trainers. One member of the council shall be a  
15 physician licensed under chapter 458 or chapter 459. One  
16 member of the council shall be a physician licensed under  
17 chapter 460 and certified in the specialty of sports medicine  
18 by the Chiropractic Council on Sports Medicine. Three members  
19 ~~One member~~ of the council shall be residents ~~a resident~~ of  
20 this state who have ~~has~~ never worked as an athletic trainer,  
21 who have ~~has~~ no financial interest in the practice of athletic  
22 training, and who have ~~has~~ never been a licensed health care  
23 practitioner as defined in s. 455.01(4). Members of the  
24 council shall serve staggered 4-year terms as determined by  
25 rule of the department; however, no member may serve more than  
26 two consecutive terms.

27 Section 18. Subsections (1) and (2) of section  
28 468.801, Florida Statutes, are amended to read:

29 468.801 Board of Orthotists and Prosthetists;  
30 appointment; membership; terms; headquarters.--

31

1           (1) The Board of Orthotists and Prosthetists is  
2 created within the Department of Health and shall consist of  
3 nine ~~seven~~ members appointed by the Governor and confirmed by  
4 the Senate.

5           (2) The members of the board must be residents of this  
6 state. One member must be a practicing prosthetist with 3  
7 years' experience after receiving a Bachelor of Science degree  
8 in Orthotics and Prosthetics; one member must be a practicing  
9 prosthetist with at least 6 years' experience after  
10 certification by a national certifying body; one member must  
11 be a practicing orthotist with 3 years' experience after  
12 receiving a Bachelor of Science degree in Orthotics and  
13 Prosthetics; one member must be a practicing orthotist with at  
14 least 6 years' experience after certification by a national  
15 certifying body; four ~~two~~ members must be prosthetic or  
16 orthotic users who are not deriving economic benefit from the  
17 fitting or dispensing of orthotic or prosthetic devices and  
18 who have never been orthotists or prosthetists or members of a  
19 closely related profession; and one member must be a physician  
20 licensed under chapter 458, chapter 459, chapter 460, or  
21 chapter 461, who has extensive knowledge of orthotics or  
22 prosthetics. One of the prosthetist or orthotist members must  
23 have received training in pedorthics and have 3 years of  
24 pedorthic experience as part of his or her practice.

25           Section 19. Subsections (1), (2), and (5) of section  
26 480.035, Florida Statutes, are amended to read:

27           480.035 Board of Massage Therapy.--

28           (1) The Board of Massage Therapy is created within the  
29 department. The board shall consist of nine ~~seven~~ members, who  
30 shall be appointed by the Governor and whose function it shall  
31 be to carry out the provisions of this act.

1           (2) Five members of the board shall be licensed  
2 massage therapists and shall have been engaged in the practice  
3 of massage for not less than 5 consecutive years prior to the  
4 date of appointment to the board. The Governor shall appoint  
5 each member for a term of 4 years. Four ~~Two~~ members of the  
6 board shall be laypersons. Each board member shall be a high  
7 school graduate or shall have received a graduate equivalency  
8 diploma. Each board member shall be a citizen of the United  
9 States and a resident of this state for not less than 5 years.  
10 The appointments will be subject to confirmation by the  
11 Senate.

12           (5) The board shall hold such meetings during the year  
13 as it may determine to be necessary, one of which shall be the  
14 annual meeting. The chair of the board shall have the  
15 authority to call other meetings at her or his discretion. A  
16 quorum of the board shall consist of not fewer ~~less~~ than five  
17 ~~four~~ members.

18           Section 20. Subsections (1) and (2) of section  
19 483.805, Florida Statutes, are amended to read:

20           483.805 Board of Clinical Laboratory Personnel.--

21           (1) There is created within the department the Board  
22 of Clinical Laboratory Personnel, composed of nine ~~seven~~  
23 members appointed by the Governor and confirmed by the Senate.

24           (2)(a) Five members of the board shall be persons  
25 licensed under this part, as follows:

26           1. At least one member shall be a practicing clinical  
27 laboratory director.

28           2. At least two members shall be practicing clinical  
29 laboratory supervisors.

30           3. Two members shall be practicing clinical laboratory  
31 personnel.

1 (b) Four ~~Two~~ members of the board shall be citizens of  
2 the state who have never been licensed health care  
3 practitioners and who are not, and have never been, licensed  
4 as clinical laboratory personnel and who are in no way  
5 connected with the practice of such profession.

6 Section 21. Paragraph (a) of subsection (4) of section  
7 483.901, Florida Statutes, is amended to read:

8 483.901 Medical physicists; definitions; licensure.--

9 (4) COUNCIL.--The Advisory Council of Medical  
10 Physicists is created in the Department of Health to advise  
11 the department in regulating the practice of medical physics  
12 in this state.

13 (a) The council shall be composed of 11 ~~nine~~ members  
14 appointed by the secretary of the department as follows:

15 1. A licensed medical physicist who specializes in  
16 diagnostic radiological physics.

17 2. A licensed medical physicist who specializes in  
18 therapeutic radiological physics.

19 3. A licensed medical physicist who specializes in  
20 medical nuclear radiological physics.

21 4. A physician who is board certified by the American  
22 Board of Radiology or its equivalent.

23 5. A physician who is board certified by the American  
24 Osteopathic Board of Radiology or its equivalent.

25 6. A physician who is board certified by the American  
26 Chiropractic Radiology Board or its equivalent.

27 7. Five ~~Three~~ consumer members who are not, and have  
28 never been, licensed as a medical physicist or licensed in any  
29 closely related profession.

30 Section 22. Subsections (1) and (2) of section  
31 484.003, Florida Statutes, are amended to read:



1           484.003 Board of Opticianry; membership; appointment;  
2 terms.--

3           (1) The Board of Opticianry is created within the  
4 Department of Business and Professional Regulation and shall  
5 consist of nine ~~seven~~ members to be appointed by the Governor  
6 and confirmed by the Senate.

7           (2) Five members of the board must be licensed  
8 opticians. The remaining four ~~two~~ members must be residents  
9 of the state who never have been licensed as opticians and who  
10 are in no way connected with the practice of opticianry. At  
11 least one member of the board must be 60 years of age or  
12 older.

13           Section 23. Subsections (1) and (2) of section  
14 486.023, Florida Statutes, are amended to read:

15           486.023 Board of Physical Therapy Practice.--

16           (1) There is created within the department the Board  
17 of Physical Therapy Practice, composed of nine ~~seven~~ members  
18 appointed by the Governor and subject to confirmation by the  
19 Senate.

20           (2) Five board members shall be licensed physical  
21 therapists in good standing in this state who are residents of  
22 this state and who have been engaged in the practice of  
23 physical therapy for at least 4 years immediately prior to  
24 their appointment. One licensed physical therapist board  
25 member may be a full-time faculty member teaching in a  
26 physical therapy curriculum in an educational institution in  
27 this state. The four ~~two~~ remaining members shall be residents  
28 of this state who have never been licensed health care  
29 practitioners.

30           Section 24. Subsections (1) and (2) of section  
31 490.004, Florida Statutes, are amended to read:

1           490.004 Board of Psychology.--

2           (1) There is created within the department the Board  
3 of Psychology, composed of nine ~~seven~~ members appointed by the  
4 Governor and confirmed by the Senate.

5           (2) Five members of the board must be psychologists  
6 licensed pursuant to this chapter in good standing in this  
7 state. The remaining four ~~two~~ members must be citizens of the  
8 state who are not and have never been licensed psychologists  
9 and who are in no way connected with the practice of  
10 psychology. At least one member of the board must be 60 years  
11 of age or older.

12           Section 25. Subsections (1) and (2) of section  
13 491.004, Florida Statutes, are amended to read:

14           491.004 Board of Clinical Social Work, Marriage and  
15 Family Therapy, and Mental Health Counseling.--

16           (1) There is created within the department the Board  
17 of Clinical Social Work, Marriage and Family Therapy, and  
18 Mental Health Counseling composed of 11 ~~nine~~ members appointed  
19 by the Governor and confirmed by the Senate.

20           (2)(a) Six members of the board shall be persons  
21 licensed under this chapter as follows:

22           1. Two members shall be licensed practicing clinical  
23 social workers.

24           2. Two members shall be licensed practicing marriage  
25 and family therapists.

26           3. Two members shall be licensed practicing mental  
27 health counselors.

28           (b) Five ~~Three~~ members shall be citizens of the state  
29 who are not and have never been licensed in a mental  
30 health-related profession and who are in no way connected with  
31 the practice of any such profession.

1           Section 26. When vacancies occur on a board or council  
2 as a result of the creation of additional memberships by this  
3 act, unless another term is required in order to comply with  
4 section 20.43(4)(a), Florida Statutes, the appointing  
5 authority shall appoint one of the new members for an initial  
6 term of 3 years and one member for an initial term of 1 year.  
7 With respect to the Council on Physician Assistants, the Board  
8 of Medicine shall appoint the new member for an initial term  
9 of 3 years and the Board of Osteopathic Medicine shall appoint  
10 the new member for an initial term of 1 year.

11           Section 27. This act shall take effect July 1, 1998.

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SENATE SUMMARY

Adds two consumer members to boards and councils  
regulating specified health-related professions.