

By Senator Silver

38-1446-99

1 A bill to be entitled
2 An act relating to the "Nurse Practice Act";
3 amending s. 464.003, F.S.; defining the term
4 "telehealth"; amending s. 464.015, F.S.;
5 prohibiting any person from advertising or
6 assuming the title of "nurse" unless the person
7 is certified; amending s. 464.016, F.S.;
8 providing that the use of the title "nurse"
9 without being licensed or certified is a crime;
10 providing an effective date.

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

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14 Section 1. Subsection (8) is added to section 464.003,
15 Florida Statutes, 1998 Supplement, to read:

16 464.003 Definitions.--As used in this chapter:

17 (8) "Telehealth" means the use of telecommunication
18 technologies to deliver health care services authorized
19 pursuant to this chapter to a patient by transporting the
20 patient to a licensed practitioner's office by use of
21 telecommunications. This is comparable to the patient
22 traveling to the licensed practitioner's office. Therefore,
23 the "site of service" for such health care services means the
24 location of the practitioner when practicing through the use
25 of telecommunication technologies, as long as such
26 practitioner has an active license to practice in such
27 location.

28 Section 2. Subsection (6) of section 464.015, Florida
29 Statutes, is amended to read:

30 464.015 Titles and abbreviations; restrictions;
31 penalty.--

1 (6) No person shall practice or advertise as, or
2 assume the title of, nurse, registered nurse, licensed
3 practical nurse, or advanced registered nurse practitioner or
4 use the abbreviation "R.N.," "L.P.N.," or "A.R.N.P." or take
5 any other action that would lead the public to believe that
6 person was certified as such or is performing nursing services
7 pursuant to the exception set forth in s. 464.022(8), unless
8 that person is licensed or certified to practice as such.

9 Section 3. Paragraph (a) of subsection (2) of section
10 464.016, Florida Statutes, is amended to read:

11 464.016 Violations and penalties.--

12 (2) Each of the following acts constitutes a
13 misdemeanor of the first degree, punishable as provided in s.
14 775.082 or s. 775.083:

15 (a) Using the name or title "Nurse," "Registered
16 Nurse," "Licensed Practical Nurse," "Advanced Registered Nurse
17 Practitioner," or any other name or title which implies that a
18 person was licensed or certified as same, unless such person
19 is duly licensed or certified.

20 Section 4. This act shall take effect July 1, 1999.

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23 SENATE SUMMARY

24 Defines the term "telehealth" for purposes of the "Nurse
25 Practice Act." Prohibits any person from advertising or
26 assuming the title of "nurse" unless the person is
27 certified. Provides that the use of the title "nurse"
28 without being certified or licensed is a first-degree
29 misdemeanor.
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