

By Senator Silver

38-1447-99

See HB

1 A bill to be entitled
2 An act relating to regulation of professions
3 and occupations; amending s. 455.564, F.S.;
4 authorizing the Department of Health, if there
5 is no regulatory board, to adopt rules to
6 establish the criteria for continuing education
7 courses required for renewal of a license;
8 amending s. 455.624, F.S.; providing penalties
9 for violation of continuing education
10 requirements; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Subsection (8) of section 455.564, Florida
15 Statutes, 1998 Supplement, is amended to read:

16 455.564 Department; general licensing provisions.--

17 (8) Any board that currently requires continuing
18 education for renewal of a license, or the department if there
19 is no board, shall adopt rules to establish the criteria for
20 continuing education courses. The rules may provide that up
21 to a maximum of 25 percent of the required continuing
22 education hours can be fulfilled by the performance of pro
23 bono services to the indigent or to underserved populations or
24 in areas of critical need within the state where the licensee
25 practices. The board, or the department if there is no board,
26 must require that any pro bono services be approved in advance
27 in order to receive credit for continuing education under this
28 subsection. The standard for determining indigency shall be
29 that recognized by the Federal Poverty Income Guidelines
30 produced by the United States Department of Health and Human
31 Services. The rules may provide for approval by the board, or

1 the department if there is no board, that a part of the
2 continuing education hours can be fulfilled by performing
3 research in critical need areas or for training leading to
4 advanced professional certification. The board, or the
5 department if there is no board, may make rules to define
6 underserved and critical need areas. The department shall
7 adopt rules for administering continuing education
8 requirements adopted by the boards or the department if there
9 is no board.

10 Section 2. Present subsections (3), (4), and (5) of
11 section 455.624, Florida Statutes, are renumbered as
12 subsections (4), (5), and (6), respectively, and a new
13 subsection (3) is added to that section, to read:

14 455.624 Grounds for discipline; penalties;
15 enforcement.--

16 (3) Notwithstanding subsection (2), if the ground for
17 disciplinary action is failure of the licensee to satisfy
18 continuing education requirements established by the board, or
19 by the department if there is no board, the board or
20 department, as applicable, shall issue a citation and assess a
21 fine, as determined by the board or department by rule, not to
22 exceed \$250. In addition, for each hour of continuing
23 education not completed or completed late, the board or
24 department, as applicable, may require the licensee to take an
25 additional hour of continuing education.

26 Section 3. This act shall take effect July 1, 1999.
27
28
29
30
31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

LEGISLATIVE SUMMARY

Authorizes the Department of Health, if there is no regulatory board, to adopt rules to establish the criteria for continuing education courses required for renewal of a license. Provides that a licensee failing to satisfy continuing education requirements shall be subject to a citation, assessment of a fine, and imposition of additional hours of continuing education.