

By Senator Saunders

25-697-01

1                                   A bill to be entitled  
2           An act relating to healthcare practitioners;  
3           amending s. 240.4075, F.S.; transferring the  
4           Nursing Student Loan Forgiveness Program from  
5           the Department of Education to the Department  
6           of Health; including public schools, family  
7           practice teaching hospitals, and specialty  
8           hospitals for children as eligible facilities  
9           under the program; exempting such facilities  
10          from the fund-matching requirements of the  
11          program; amending s. 240.4076, F.S.;  
12          transferring the nursing scholarship program  
13          from the Department of Education to the  
14          Department of Health; providing requirements  
15          under the program for students seeking to  
16          qualify for a nursing faculty position and to  
17          receive credit for work in such a position;  
18          including nursing homes, hospitals, public  
19          schools, colleges of nursing, and community  
20          college nursing programs as eligible facilities  
21          under the program; transferring powers, duties,  
22          functions, rules, records, personnel, property,  
23          and appropriations and other funds relating to  
24          the Nursing Student Loan Forgiveness Program  
25          and the nursing scholarship program from the  
26          Department of Education to the Department of  
27          Health; amending s. 240.40201, F.S.; granting  
28          nursing students priority in receiving a  
29          Florida Bright Futures Scholarship; amending s.  
30          456.047, F.S.; providing intent; defining and  
31          redefining terms; revising duties of the

1 Department of Health relating to file  
2 maintenance; providing that primary-source data  
3 verified by the department or its designee may  
4 be relied upon for accreditation purposes;  
5 amending s. 464.008, F.S.; revising education  
6 requirements for licensure by examination as a  
7 registered nurse or licensed practical nurse;  
8 amending s. 464.009, F.S.; revising  
9 requirements for licensure by endorsement to  
10 practice professional or practical nursing;  
11 requiring submission of fingerprints for a  
12 criminal history check and a fee to cover the  
13 costs of such a check; providing for an  
14 electronic applicant-notification process;  
15 amending s. 464.0205, F.S.; deleting the  
16 application and processing fee for applicants  
17 for a retired volunteer nurse certificate;  
18 providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Section 240.4075, Florida Statutes, is  
23 amended to read:

24 240.4075 Nursing Student Loan Forgiveness Program.--

25 (1) To encourage qualified personnel to seek  
26 employment in areas of this state in which critical nursing  
27 shortages exist, there is established the Nursing Student Loan  
28 Forgiveness Program. The primary function of the program is  
29 to increase employment and retention of registered nurses and  
30 licensed practical nurses in nursing homes and hospitals in  
31 the state and in state-operated medical and health care

1 facilities, public schools, birth centers, and federally  
2 sponsored community health centers ~~and teaching hospitals~~ by  
3 making repayments toward loans received by students from  
4 federal or state programs or commercial lending institutions  
5 for the support of postsecondary study in accredited or  
6 approved nursing programs.

7 (2) To be eligible, a candidate must have graduated  
8 from an accredited or approved nursing program and have  
9 received a Florida license as a licensed practical nurse or a  
10 registered nurse or a Florida certificate as an advanced  
11 registered nurse practitioner.

12 (3) Only loans to pay the costs of tuition, books, and  
13 living expenses shall be covered, at an amount not to exceed  
14 \$4,000 for each year of education towards the degree obtained.

15 (4) Receipt of funds pursuant to this program shall be  
16 contingent upon continued proof of employment in the  
17 designated facilities in this state. Loan principal payments  
18 shall be made by the Department of Health ~~Education~~ directly  
19 to the federal or state programs or commercial lending  
20 institutions holding the loan as follows:

21 (a) Twenty-five percent of the loan principal and  
22 accrued interest shall be retired after the first year of  
23 nursing;

24 (b) Fifty percent of the loan principal and accrued  
25 interest shall be retired after the second year of nursing;

26 (c) Seventy-five percent of the loan principal and  
27 accrued interest shall be retired after the third year of  
28 nursing; and

29 (d) The remaining loan principal and accrued interest  
30 shall be retired after the fourth year of nursing.

31

1 In no case may payment for any nurse exceed \$4,000 in any  
2 12-month period.

3 (5) There is created the Nursing Student Loan  
4 Forgiveness Trust Fund to be administered by the Department of  
5 Health Education pursuant to this section and s. 240.4076 and  
6 department rules. The Comptroller shall authorize  
7 expenditures from the trust fund upon receipt of vouchers  
8 approved by the Department of Health Education. All moneys  
9 collected from the private health care industry and other  
10 private sources for the purposes of this section shall be  
11 deposited into the Nursing Student Loan Forgiveness Trust  
12 Fund. Any balance in the trust fund at the end of any fiscal  
13 year shall remain therein and shall be available for carrying  
14 out the purposes of this section and s. 240.4076.

15 (6) In addition to licensing fees imposed under part I  
16 of chapter 464, there is hereby levied and imposed an  
17 additional fee of \$5, which fee shall be paid upon licensure  
18 or renewal of nursing licensure. Revenues collected from the  
19 fee imposed in this subsection shall be deposited in the  
20 Nursing Student Loan Forgiveness Trust Fund of the Department  
21 of Health Education and will be used solely for the purpose of  
22 carrying out the provisions of this section and s. 240.4076.  
23 Up to 50 percent of the revenues appropriated to implement  
24 this subsection may be used for the nursing scholarship  
25 program established pursuant to s. 240.4076.

26 (7)(a) Funds contained in the Nursing Student Loan  
27 Forgiveness Trust Fund which are to be used for loan  
28 forgiveness for those nurses employed by hospitals, birth  
29 centers, and nursing homes must be matched on a  
30 dollar-for-dollar basis by contributions from the employing  
31 institutions, except that this provision shall not apply to

1 state-operated medical and health care facilities, public  
2 schools, county health departments, federally sponsored  
3 community health centers, ~~or~~ teaching hospitals as defined in  
4 s. 408.07, family practice teaching hospitals as defined in s.  
5 395.805, or specialty hospitals for children as that term is  
6 used in s. 409.9119. If in any given fiscal quarter there are  
7 insufficient funds in the trust fund to grant all eligible  
8 applicants' requests, awards must be based on the following  
9 priority by employer: county health departments; federally  
10 sponsored community health centers; state-operated medical and  
11 healthcare facilities; public schools; teaching hospitals as  
12 defined in s. 408.07; family practice teaching hospitals as  
13 defined in s. 395.805; specialty hospitals for children as  
14 that term is used in s. 409.9119; and other hospitals, birth  
15 centers, and nursing homes.

16 (b) All Nursing Student Loan Forgiveness Trust Fund  
17 moneys shall be invested pursuant to s. 18.125. Interest  
18 income accruing to that portion of the trust fund not matched  
19 shall increase the total funds available for loan forgiveness  
20 and scholarships. Pledged contributions shall not be eligible  
21 for matching prior to the actual collection of the total  
22 private contribution for the year.

23 (8) The Department of Health ~~Education~~ may solicit  
24 technical assistance relating to the conduct of this program  
25 from the Department of Education ~~Health~~.

26 (9) The Department of Health ~~Education~~ is authorized  
27 to recover from the Nursing Student Loan Forgiveness Trust  
28 Fund its costs for administering the Nursing Student Loan  
29 Forgiveness Program.

30 (10) The Department of Health ~~Education~~ may adopt  
31 rules necessary to administer this program.

1           (11) This section shall be implemented only as  
2 specifically funded.

3           Section 2. Section 240.4076, Florida Statutes, is  
4 amended to read:

5           240.4076 Nursing scholarship program.--

6           (1) There is established within the Department of  
7 Health Education a scholarship program for the purpose of  
8 attracting capable and promising students to the nursing  
9 profession.

10          (2) A scholarship applicant shall be enrolled as a  
11 full-time or part-time student in the upper division of an  
12 approved nursing program leading to the award of a  
13 baccalaureate degree or graduate degree that qualifies the  
14 recipient for a nursing faculty position or as an ~~or any~~  
15 advanced registered nurse practitioner ~~degree~~ or be enrolled  
16 as a full-time or part-time student in an approved program  
17 leading to the award of an associate degree in nursing ~~or a~~  
18 ~~diploma in nursing~~.

19          (3) A scholarship may be awarded for no more than 2  
20 years, in an amount not to exceed \$8,000 per year. However,  
21 registered nurses pursuing a graduate degree that qualifies  
22 the recipient for a faculty position or for practice as an  
23 advanced registered nurse practitioner ~~degree~~ may receive up  
24 to \$12,000 per year. Beginning July 1, 1998, these amounts  
25 shall be adjusted by the amount of increase or decrease in the  
26 consumer price index for urban consumers published by the  
27 United States Department of Commerce.

28          (4) Credit for repayment of a scholarship shall be as  
29 follows:

30          (a) For each full year of scholarship assistance, the  
31 recipient agrees to work for 12 months in a faculty position

1 in a college of nursing or community college nursing program  
2 in this state or at a health care facility in a medically  
3 underserved area as approved by the Department of Health  
4 Education. Scholarship recipients who attend school on a  
5 part-time basis shall have their employment service obligation  
6 prorated in proportion to the amount of scholarship payments  
7 received.

8 (b) Eligible health care facilities include nursing  
9 homes and hospitals in this state, state-operated medical or  
10 health care facilities, public schools, county health  
11 departments, federally sponsored community health centers,  
12 colleges of nursing in universities in this state, and  
13 community college nursing programs in this state ~~or teaching~~  
14 ~~hospitals as defined in s. 408.07~~. The recipient shall be  
15 encouraged to complete the service obligation at a single  
16 employment site. If continuous employment at the same site is  
17 not feasible, the recipient may apply to the department for a  
18 transfer to another approved health care facility.

19 (c) Any recipient who does not complete an appropriate  
20 program of studies or who does not become licensed shall repay  
21 to the Department of Health Education, on a schedule to be  
22 determined by the department, the entire amount of the  
23 scholarship plus 18 percent interest accruing from the date of  
24 the scholarship payment. Moneys repaid shall be deposited into  
25 the Nursing Student Loan Forgiveness Trust Fund established in  
26 s. 240.4075. However, the department may provide additional  
27 time for repayment if the department finds that circumstances  
28 beyond the control of the recipient caused or contributed to  
29 the default.

30 (d) Any recipient who does not accept employment as a  
31 nurse at an approved health care facility or who does not

1 complete 12 months of approved employment for each year of  
2 scholarship assistance received shall repay to the Department  
3 of Health ~~Education~~ an amount equal to two times the entire  
4 amount of the scholarship plus interest accruing from the date  
5 of the scholarship payment at the maximum allowable interest  
6 rate permitted by law. Repayment shall be made within 1 year  
7 of notice that the recipient is considered to be in default.  
8 However, the department may provide additional time for  
9 repayment if the department finds that circumstances beyond  
10 the control of the recipient caused or contributed to the  
11 default.

12 (5) Scholarship payments shall be transmitted to the  
13 recipient upon receipt of documentation that the recipient is  
14 enrolled in an approved nursing program. The Department of  
15 Health ~~Education~~ shall develop a formula to prorate payments  
16 to scholarship recipients so as not to exceed the maximum  
17 amount per academic year.

18 (6) The Department of Health ~~Education~~ shall adopt  
19 rules, including rules to address extraordinary circumstances  
20 that may cause a recipient to default on either the school  
21 enrollment or employment contractual agreement, to implement  
22 this section and may solicit technical assistance relating to  
23 the conduct of this program from the Department of Health.

24 (7) The Department of Health ~~Education~~ is authorized  
25 to recover from the Nursing Student Loan Forgiveness Trust  
26 Fund its costs for administering the nursing scholarship  
27 program.

28 Section 3. All powers, duties, and functions, rules,  
29 records, personnel, property, and unexpended balances of  
30 appropriations, allocations, or other funds of the Department  
31 of Education relating to the Nursing Student Loan Forgiveness



1 Program and the nursing scholarship program are transferred by  
2 a type two transfer, as defined in section 20.06(2), Florida  
3 Statutes, to the Department of Health.

4 Section 4. Subsection (11) is added to section  
5 240.40201, Florida Statutes, to read:

6 240.40201 Florida Bright Futures Scholarship  
7 Program.--

8 (11) Students who enroll full time or part time in  
9 nursing studies must be given priority for a Florida Bright  
10 Futures Scholarship.

11 Section 5. Section 456.047, Florida Statutes, is  
12 amended to read:

13 456.047 Standardized credentialing for health care  
14 practitioners.--

15 (1) INTENT.--The Legislature recognizes that an  
16 efficient and effective health care practitioner credentialing  
17 program helps to ensure access to quality health care and also  
18 recognizes that health care practitioner credentialing  
19 activities have increased significantly as a result of health  
20 care reform and recent changes in health care delivery and  
21 reimbursement systems. Moreover, the resulting duplication of  
22 health care practitioner credentialing activities is  
23 unnecessarily costly and cumbersome for both the practitioner  
24 and the entity granting practice privileges. Therefore, it is  
25 the intent of this section that a credentials collection  
26 program be established which provides that, once a health care  
27 practitioner's core credentials data are collected, they need  
28 not be collected again, except for corrections, updates, and  
29 modifications thereto. Furthermore, it is the intent of the  
30 Legislature that the department and all entities and  
31 practitioners work cooperatively to ensure the integrity and

1 accuracy of the program. Participation under this section  
2 shall include those individuals licensed under chapter 458,  
3 chapter 459, chapter 460, chapter 461, or s. 464.012. However,  
4 the department shall, with the approval of the applicable  
5 board, include other professions under the jurisdiction of the  
6 Division of Medical Quality Assurance in this program,  
7 provided they meet the requirements of s. 456.039 or s.  
8 456.0391.

9 (2) DEFINITIONS.--As used in this section, the term:

10 (a) "Certified" or "accredited," as applicable, means  
11 approved by a quality assessment program, from the National  
12 Committee for Quality Assurance, the Joint Commission on  
13 Accreditation of Healthcare Organizations, the American  
14 Accreditation HealthCare Commission/URAC, or any such other  
15 nationally recognized and accepted organization authorized by  
16 the department, used to assess and certify any credentials  
17 verification program, entity, or organization that verifies  
18 the credentials of any health care practitioner.

19 (b) "Core credentials data" means ~~the following data~~  
20 that is primary-source verified and includes: current name,  
21 ~~any former name, and any alias, any professional education,~~  
22 professional training, licensure, current Drug Enforcement  
23 Administration certification, ~~social security number,~~  
24 specialty board certification, Educational Commission for  
25 Foreign Medical Graduates certification, and hospital or other  
26 ~~institutional affiliations, evidence of professional liability~~  
27 ~~coverage or evidence of financial responsibility as required~~  
28 ~~by s. 458.320, s. 459.0085, or s. 456.048, history of claims,~~  
29 ~~suits, judgments, or settlements, final disciplinary action~~  
30 reported pursuant to s. 456.039(1)(a)8. or s.  
31 456.0391(1)(a)8., ~~and Medicare or Medicaid sanctions. The~~

1 department may by rule designate additional elements of core  
2 credentials data.

3 (c) "Credential" or "credentialing" means the process  
4 of assessing and verifying the qualifications of a licensed  
5 health care practitioner or applicant for licensure as a  
6 health care practitioner.

7 (d) "Credentials verification organization" means any  
8 organization certified or accredited as a credentials  
9 verification organization.

10 (e) "Department" means the Department of Health,  
11 Division of Medical Quality Assurance.

12 (f) "Designated credentials verification organization"  
13 means the credentials verification organization which is  
14 selected by the health care practitioner, if the health care  
15 practitioner chooses to make such a designation.

16 (g) "Drug Enforcement Administration certification"  
17 means certification issued by the Drug Enforcement  
18 Administration for purposes of administration or prescription  
19 of controlled substances. Submission of such certification  
20 under this section must include evidence that the  
21 certification is current and must also include all current  
22 addresses to which the certificate is issued.

23 (h) "Health care entity" means:

24 1. Any health care facility or other health care  
25 organization licensed or certified to provide approved medical  
26 and allied health services in this state;

27 2. Any entity licensed by the Department of Insurance  
28 as a prepaid health care plan or health maintenance  
29 organization or as an insurer to provide coverage for health  
30 care services through a network of providers, or any similar  
31

1 organization licensed under chapter 627, chapter 636, chapter  
2 641, or chapter 651; or

3 3. Any accredited medical school in this state.

4 (i) "Health care practitioner" means any person  
5 licensed, or, for credentialing purposes only, any person  
6 applying for licensure, under chapter 458, chapter 459,  
7 chapter 460, chapter 461, or s. 464.012 or any person licensed  
8 or applying for licensure under a chapter subsequently made  
9 subject to this section by the department with the approval of  
10 the applicable board, except a person registered or applying  
11 for registration pursuant to s. 458.345 or s. 459.021.

12 ~~(j) "Hospital or other institutional affiliations"~~  
13 ~~means each hospital or other institution for which the health~~  
14 ~~care practitioner or applicant has provided medical services.~~  
15 ~~Submission of such information under this section must~~  
16 ~~include, for each hospital or other institution, the name and~~  
17 ~~address of the hospital or institution, the staff status of~~  
18 ~~the health care practitioner or applicant at that hospital or~~  
19 ~~institution, and the dates of affiliation with that hospital~~  
20 ~~or institution.~~

21 (j)(k) "National accrediting organization" means an  
22 organization that awards accreditation or certification to  
23 hospitals, managed care organizations, credentials  
24 verification organizations, or other health care  
25 organizations, including, but not limited to, the Joint  
26 Commission on Accreditation of Healthcare Organizations, the  
27 American Accreditation HealthCare Commission/URAC, and the  
28 National Committee for Quality Assurance.

29 (k) "Primary-source verification" means verification  
30 of professional qualifications which is based on evidence  
31 obtained directly from the issuing source of the applicable

1 qualification or from any other source that the department or  
2 an accrediting body approved by the department considers to be  
3 a primary source.

4 (1) "Professional training" means any internship,  
5 residency, or fellowship relating to the profession for which  
6 the health care practitioner is licensed or seeking licensure.

7 (m) "Specialty board certification" means  
8 certification in a specialty issued by a specialty board  
9 recognized by the board in this state that regulates the  
10 profession for which the health care practitioner is licensed  
11 or seeking licensure.

12 (3) STANDARDIZED CREDENTIALS VERIFICATION PROGRAM.--

13 (a) Every health care practitioner shall:

14 1. Report all core credentials data to the department  
15 which is not already on file with the department, either by  
16 designating a credentials verification organization to submit  
17 the data or by submitting the data directly.

18 2. Notify the department within 45 days of any  
19 corrections, updates, or modifications to the core credentials  
20 data either through his or her designated credentials  
21 verification organization or by submitting the data directly.  
22 Corrections, updates, and modifications to the core  
23 credentials data provided the department under this section  
24 shall comply with the updating requirements of s. 456.039(3)  
25 or s. 456.0391(3) related to profiling.

26 (b) The department shall:

27 1. Maintain a complete, current file of applicable  
28 core credentials data on each health care practitioner, which  
29 shall include data provided in accordance with subparagraph  
30 (a)1. and all updates provided in accordance with subparagraph  
31 (a)2.

1           2. Release the core credentials data that is otherwise  
2 confidential or exempt from the provisions of chapter 119 and  
3 s. 24(a), Art. I of the State Constitution and any  
4 corrections, updates, and modifications thereto, if authorized  
5 by the health care practitioner.

6           3. Charge a fee to access the core credentials data,  
7 which may not exceed the actual cost, including prorated setup  
8 and operating costs, pursuant to the requirements of chapter  
9 119.

10          4. Develop standardized forms to be used by the health  
11 care practitioner or designated credentials verification  
12 organization for the initial reporting of core credentials  
13 data, for the health care practitioner to authorize the  
14 release of core credentials data, and for the subsequent  
15 reporting of corrections, updates, and modifications thereto.

16          (c) A registered credentials verification organization  
17 may be designated by a health care practitioner to assist the  
18 health care practitioner to comply with the requirements of  
19 subparagraph (a)2. A designated credentials verification  
20 organization shall:

21           1. Timely comply with the requirements of subparagraph  
22 (a)2., pursuant to rules adopted by the department.

23           2. Not provide the health care practitioner's core  
24 credentials data, including all corrections, updates, and  
25 modifications, without the authorization of the practitioner.

26          (d) This section shall not be construed to restrict in  
27 any way the authority of the health care entity to credential  
28 and to approve or deny an application for hospital staff  
29 membership, clinical privileges, or managed care network  
30 participation.

31          (4) DUPLICATION OF DATA PROHIBITED.--

1           (a) A health care entity or credentials verification  
2 organization is prohibited from collecting or attempting to  
3 collect duplicate core credentials data from any health care  
4 practitioner if the information is available from the  
5 department. This section shall not be construed to restrict  
6 the right of any health care entity or credentials  
7 verification organization to collect additional information  
8 from the health care practitioner which is not included in the  
9 core credentials data file. This section shall not be  
10 construed to prohibit a health care entity or credentials  
11 verification organization from obtaining all necessary  
12 attestation and release form signatures and dates.

13           (b) Effective July 1, 2002, a state agency in this  
14 state which credentials health care practitioners may not  
15 collect or attempt to collect duplicate core credentials data  
16 from any individual health care practitioner if the  
17 information is already available from the department. This  
18 section shall not be construed to restrict the right of any  
19 such state agency to request additional information not  
20 included in the core credentials ~~credential~~ data file, but  
21 which is deemed necessary for the agency's specific  
22 credentialing purposes.

23           (5) STANDARDS AND REGISTRATION.--Any credentials  
24 verification organization that does business in this state  
25 must be fully accredited or certified as a credentials  
26 verification organization by a national accrediting  
27 organization as specified in paragraph (2)(a) and must  
28 register with the department. The department may charge a  
29 reasonable registration fee, not to exceed an amount  
30 sufficient to cover its actual expenses in providing and  
31 enforcing such registration. The department shall establish by

1 rule for biennial renewal of such registration. Failure by a  
2 registered credentials verification organization to maintain  
3 full accreditation or certification, to provide data as  
4 authorized by the health care practitioner, to report to the  
5 department changes, updates, and modifications to a health  
6 care practitioner's records within the time period specified  
7 in subparagraph (3)(a)2., or to comply with the prohibition  
8 against collection of duplicate core credentials data from a  
9 practitioner may result in denial of an application for  
10 renewal of registration or in revocation or suspension of a  
11 registration.

12 (6) PRIMARY-SOURCE VERIFIED DATA.--Healthcare entities  
13 and credentials verification organizations may rely upon any  
14 data that has been primary-source verified by the department  
15 or its designee to meet primary-source verification  
16 requirements of national accrediting organizations.

17 (7)~~(6)~~ LIABILITY.--No civil, criminal, or  
18 administrative action may be instituted, and there shall be no  
19 liability, against any registered credentials verification  
20 organization or health care entity on account of its reliance  
21 on any data obtained directly from the department.

22 (8)~~(7)~~ LIABILITY INSURANCE REQUIREMENTS.--Each  
23 credentials verification organization doing business in this  
24 state shall maintain liability insurance appropriate to meet  
25 the certification or accreditation requirements established in  
26 this section.

27 (9)~~(8)~~ RULES.--The department shall adopt rules  
28 necessary to develop and implement the standardized core  
29 credentials data collection program established by this  
30 section.

31



1           Section 6. Subsections (1) and (2) of section 464.008,  
2 Florida Statutes, are amended to read:

3           464.008 Licensure by examination.--

4           (1) Any person desiring to be licensed as a registered  
5 nurse or licensed practical nurse shall apply to the  
6 department to take the licensure examination. The department  
7 shall examine each applicant who:

8           (a) Has completed the application form and remitted a  
9 fee set by the board not to exceed \$150 and has remitted an  
10 examination fee set by the board not to exceed \$75 plus the  
11 actual per applicant cost to the department for purchase of  
12 the examination from the National Council of State Boards of  
13 Nursing or a similar national organization.

14           (b) Has provided sufficient information on or after  
15 October 1, 1989, which must be submitted by the department for  
16 a statewide criminal records correspondence check through the  
17 Department of Law Enforcement.

18           (c) Is in good mental and physical health, is a  
19 recipient of a high school diploma or the equivalent, and has  
20 completed the requirements for graduation from an approved  
21 program, or its equivalent as determined by the board, for the  
22 preparation of registered nurses or licensed practical nurses,  
23 whichever is applicable. Courses successfully completed in a  
24 professional nursing program which are at least equivalent to  
25 a practical nursing program may be used to satisfy the  
26 education requirements for licensure as a licensed practical  
27 nurse.

28           (d) Has the ability to communicate in the English  
29 language, which may be determined by an examination given by  
30 the department.

31

1           (2) Each applicant who passes the examination and  
2 provides proof of meeting the educational requirements  
3 specified in subsection (1)~~graduation from an approved~~  
4 ~~nursing program~~ shall, unless denied pursuant to s. 464.018,  
5 be entitled to licensure as a registered professional nurse or  
6 a licensed practical nurse, whichever is applicable.

7           Section 7. Section 464.009, Florida Statutes, is  
8 amended to read:

9           464.009 Licensure by endorsement.--

10          (1) The department shall issue the appropriate license  
11 by endorsement to practice professional or practical nursing  
12 to an applicant who, upon applying to the department and  
13 remitting a fee set by the board not to exceed \$100,  
14 demonstrates to the board that he or she:

15          (a) Holds a valid license to practice professional or  
16 practical nursing in another state of the United States,  
17 provided that, when the applicant secured his or her original  
18 license, the requirements for licensure were substantially  
19 equivalent to or more stringent than those existing in Florida  
20 at that time; or

21          (b) Meets the qualifications for licensure in s.  
22 464.008 and has successfully completed a state, regional, or  
23 national examination which is substantially equivalent to or  
24 more stringent than the examination given by the department.

25          (2) Such examinations and requirements from other  
26 states shall be presumed to be substantially equivalent to or  
27 more stringent than those in this state. Such presumption  
28 shall not arise until January 1, 1980. However, the board may,  
29 by rule, specify states the examinations and requirements of  
30 which shall not be presumed to be substantially equivalent to  
31 those of this state.

1           (3) The applicant must submit to the department a set  
2 of fingerprints on a form and in accordance with procedures  
3 specified by the department, together with a payment in an  
4 amount equal to the costs incurred by the Department of Health  
5 for the criminal background check of the applicant. The  
6 Department of Health shall submit the fingerprints provided by  
7 the applicant to the Florida Department of Law Enforcement for  
8 a statewide criminal history check, and the Florida Department  
9 of Law Enforcement shall forward the fingerprints to the  
10 Federal Bureau of Investigation for a national criminal  
11 history check of the applicant. The Department of Health shall  
12 review the results of the criminal history check, shall issue  
13 a license to an applicant who has met all of the other  
14 requirements for licensure and has no criminal history, and  
15 shall refer all applicants who have criminal histories back to  
16 the board for a determination as to whether a license should  
17 be issued and, if so, under what conditions.

18           ~~(4)~~~~(3)~~ The department shall not issue a license by  
19 endorsement to any applicant who is under investigation in  
20 another state for an act which would constitute a violation of  
21 this part or chapter 456 until such time as the investigation  
22 is complete, at which time the provisions of s. 464.018 shall  
23 apply.

24           (5) The department shall develop an electronic  
25 applicant notification process, shall provide electronic  
26 notification when the application has been received and when  
27 background screenings have been completed, and shall issue a  
28 license within 30 days after the completion of all required  
29 data collection and verification. This 30-day period for  
30 issuing a license shall be tolled if the applicant must appear  
31 before the board due to information provided on the

1 application or obtained through screening and data collection  
2 and verification procedures.

3 Section 8. Subsection (1) of section 464.0205, Florida  
4 Statutes, is amended to read:

5 464.0205 Retired volunteer nurse certificate.--

6 (1) Any retired practical or registered nurse desiring  
7 to serve indigent, underserved, or critical need populations  
8 in this state may apply to the department for a retired  
9 volunteer nurse certificate by providing:

10 (a) A complete application.

11 ~~(b) An application and processing fee of \$25.~~

12 (b)(c) Verification that the applicant had been  
13 licensed to practice nursing in any jurisdiction in the United  
14 States for at least 10 years, had retired or plans to retire,  
15 intends to practice nursing only pursuant to the limitations  
16 provided by the retired volunteer nurse certificate, and has  
17 not committed any act that would constitute a violation under  
18 s. 464.018(1).

19 (c)(d) Proof that the applicant meets the requirements  
20 for licensure under s. 464.008 or s. 464.009.

21 Section 9. This act shall take effect July 1, 2001.  
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SENATE SUMMARY

Transfers the Nursing Student Loan Forgiveness Program from the Department of Education to the Department of Health. Includes public schools, family practice teaching hospitals, and specialty hospitals for children as facilities eligible under the program. Exempts such facilities from the fund-matching requirements of the program. Transfers the nursing scholarship program from the Department of Education to the Department of Health. Provides requirements under the program for students seeking to qualify for a nursing faculty position and to receive credit for work in such a position. Includes nursing homes, hospitals, public schools, colleges of nursing, and community college nursing programs as facilities eligible under the program. Transfers the powers, duties, functions, rules, records, personnel, property, and appropriations and other funds relating to the Nursing Student Loan Forgiveness Program and the nursing scholarship program from the Department of Education to the Department of Health. Grants nursing students priority in receiving a Florida Bright Futures Scholarship. Revises duties of the Department of Health relating to file maintenance. Provides that primary-source data verified by the department or its designee may be relied upon for accreditation purposes. Revises education requirements for licensure by examination as a registered nurse or licensed practical nurse. Revises requirements for licensure by endorsement to practice professional or practical nursing. Requires the submission of fingerprints for a criminal-history check and a fee to cover the costs of the check. Provides for an electronic applicant-notification process. Deletes the application and processing fee for applicants for a retired volunteer nurse certificate.