

By the Committee on Education; and Senator Miller

304-2161-02

1 A bill to be entitled
2 An act relating to public school health care
3 services; creating s. 381.00593, F.S.; creating
4 a public school volunteer health care
5 practitioner program; providing a short title;
6 providing purpose; providing a definition;
7 providing for waiver of biennial active license
8 renewal fees and fulfillment of continuing
9 education hours for specified health care
10 practitioners who provide their services,
11 without compensation, in the public schools;
12 providing program and eligibility requirements;
13 providing immunity from liability and workers'
14 compensation protection; providing for payment
15 of any resulting increase in liability
16 insurance premiums; providing administrative
17 responsibilities; providing rulemaking
18 authority; providing for implementation;
19 providing an effective date.

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

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23 Section 1. Section 381.00593, Florida Statutes, is
24 created to read:

25 381.00593 Public school volunteer health care
26 practitioner program.--

27 (1) This section may be cited as the "Public School
28 Volunteer Health Care Practitioner Act."

29 (2) The purpose of this section is to establish a
30 public school volunteer health care practitioner program with
31 incentives and coordinate the program with the "School Health

1 Services Act," pursuant to s. 381.0056, to encourage health
2 care practitioners to provide their services, without
3 compensation, in the public schools, and such program is
4 intended to complement other programs designed to provide
5 health services or increase the level of health care in the
6 public schools.

7 (3) For purposes of this section, the term "health
8 care practitioner" means a physician licensed under chapter
9 458; an osteopathic physician licensed under chapter 459; a
10 chiropractic physician licensed under chapter 460; a podiatric
11 physician licensed under chapter 461; a practitioner of
12 optometry licensed under chapter 463; an advanced registered
13 nurse practitioner, registered nurse, or licensed practical
14 nurse licensed under chapter 464; a pharmacist licensed under
15 chapter 465; a dentist or dental hygienist licensed under
16 chapter 466; a midwife practitioner licensed under chapter
17 467; a speech-language pathologist and audiologist licensed
18 under chapter 468, part I; or a physical therapist licensed
19 under chapter 486.

20 (4)(a) Notwithstanding any provision of chapter 458;
21 chapter 459; chapter 460; chapter 461; chapter 463; chapter
22 464; chapter 465; chapter 466; chapter 467; chapter 468, part
23 I; and chapter 486 to the contrary, any health care
24 practitioner who participates in the program established in
25 this section and thereby agrees to provide his or her
26 services, without compensation, in a public school for at
27 least 80 hours a year for each school year during the biennial
28 licensure period, or, if the health care practitioner is
29 retired, for at least 400 hours a year for each school year
30 during the licensure period shall be eligible for the
31 following:

1 1. The biennial license renewal fee for an active
2 license is waived; and

3 2. A maximum of 25 percent of the continuing education
4 hours required for license renewal may be fulfilled by
5 participating in this program, pursuant to s. 456.013(9).

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7 The school district may establish a schedule for health care
8 practitioners who participate in the program.

9 (b) A health care practitioner must complete all forms
10 and procedures for participation in the program prior to the
11 applicable license renewal date, and a health care
12 practitioner who fails at any time during the applicable
13 licensure period to provide the services agreed to under
14 paragraph (a) shall be required to pay the entire biennial
15 licensure fee that was waived for that licensure period.

16 (5) To participate in the program, a health care
17 practitioner must:

18 (a) Have a valid, active license to practice his or
19 her profession in this state.

20 (b) Submit fingerprints and have a background
21 screening in accordance with the requirements of s. 381.0059,
22 unless already provided and completed for practitioner
23 licensing, profiling, or credentialing purposes.

24 (6) The school district, through its self-insurance
25 program, shall bear the cost of any increase in premiums for
26 liability protection for health care practitioners
27 participating in the program other than those employed by the
28 school or school district.

29 (7)(a) The Department of Health shall have the
30 responsibility to supervise the public school volunteer health

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1 care practitioner program and perform periodic program reviews
2 as provided in s. 381.0056(4).

3 (b) The Department of Health, in cooperation with the
4 Department of Education, shall publicize the availability of
5 the program and its benefits.

6 (8) The Department of Health, in cooperation with the
7 Department of Education, may adopt rules necessary to
8 implement this section. The rules shall include the forms to
9 be completed and procedures to be followed by applicants and
10 school personnel under the program.

11 Section 2. Implementation of the public school
12 volunteer health care practitioner program under section
13 381.00593, Florida Statutes, as created by this act, shall be
14 according to the following schedule:

15 (1) The forms and procedures required by section
16 381.00593(8), Florida Statutes, must be completed and
17 distributed to the school districts by November 30, 2002.

18 (2) Each school district must make the application
19 forms and any other materials required by section
20 381.00593(8), Florida Statutes, available to all public
21 schools in the district within 1 month after the forms and
22 procedures are completed and distributed to the school
23 district.

24 (3) Publication of the program, as required by section
25 381.00593(7)(b), Florida Statutes, must begin within 1 month
26 after the forms and procedures are completed and distributed
27 to the school district.

28 Section 3. This act shall take effect upon becoming a
29 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1250

The Committee Substitute:

Adds the following health professionals to the list of practitioners who may participate in this program: chiropractors, podiatrists, practitioners of optometry, pharmacists, dentists or dental hygienists, midwives, speech language pathologists, audiologists, and physical therapists.

Adds flexibility by expressing the required volunteer hours in terms of hours-per-year instead of hours-per-month. The requirement is 80 hours per year for active practitioners and 400 hours per year for retired practitioners.

Adds to the incentive for volunteering. In addition to a fee waiver for license renewal, the practitioner will earn 25 percent of continuing education hours required for license renewal.

Changes the supervising agent of this program from the Department of Education to the Department of Health.