



HB 0511

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1 A bill to be entitled
 2 An act relating to nursing; amending s. 464.009, F.S.;
 3 authorizing the licensure by endorsement in this state of
 4 applicants who hold a valid license to practice
 5 professional or practical nursing in the Commonwealth of
 6 Puerto Rico; providing an effective date.

7
 8 WHEREAS, those who hold a license to practice professional
 9 or practical nursing in the Commonwealth of Puerto Rico are
 10 subject to requirements for licensure that are substantially
 11 equivalent to or more stringent than those existing in Florida,
 12 and

13 WHEREAS, nurses in Puerto Rico are educated and tested in
 14 the English language, and

15 WHEREAS, the acute nursing shortage in Florida can be
 16 substantially relieved by endorsing applicants who hold a valid
 17 license in Puerto Rico and now live in Florida, NOW, THEREFORE,

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Section 464.009, Florida Statutes, is amended
 22 to read:

23 464.009 Licensure by endorsement.--

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

29 (a) Holds a valid license to practice professional or
 30 practical nursing in another state or territory of the United



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31 States, provided that, when the applicant secured his or her
 32 original license, the requirements for licensure were
 33 substantially equivalent to or more stringent than those
 34 existing in Florida at that time;

35 (b) Meets the qualifications for licensure in s. 464.008
 36 and has successfully completed a state, regional, or national
 37 examination which is substantially equivalent to or more
 38 stringent than the examination given by the department; ~~or~~

39 (c) Holds a valid license to practice professional or
 40 practical nursing in the Commonwealth of Puerto Rico; or

41 (d)~~(e)~~ Has actively practiced nursing in another state,
 42 jurisdiction, or territory of the United States for 2 of the
 43 preceding 3 years without having his or her license acted
 44 against by the licensing authority of any jurisdiction.

45 Applicants who become licensed pursuant to this paragraph must
 46 complete within 6 months after licensure a Florida laws and
 47 rules course that is approved by the board. Once the department
 48 has received the results of the national criminal history check
 49 and has determined that the applicant has no criminal history,
 50 the appropriate license by endorsement shall be issued to the
 51 applicant. This paragraph is repealed July 1, 2004, unless
 52 reenacted by the Legislature.

53

54 ~~(2)~~ For purposes of this subsection, such examinations and
 55 requirements from other states and territories of the United
 56 States shall be presumed to be substantially equivalent to or
 57 more stringent than those in this state. Such presumption shall
 58 not arise until January 1, 1980. However, the board may, by
 59 rule, specify states and territories the examinations and



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60 requirements of which shall not be presumed to be substantially
61 equivalent to those of this state.

62 (2)~~(3)~~ The applicant must submit to the department a set
63 of fingerprints on a form and under procedures specified by the
64 department, along with a payment in an amount equal to the costs
65 incurred by the Department of Health for the criminal background
66 check of the applicant. The Department of Health shall submit
67 the fingerprints provided by the applicant to the Florida
68 Department of Law Enforcement for a statewide criminal history
69 check, and the Florida Department of Law Enforcement shall
70 forward the fingerprints to the Federal Bureau of Investigation
71 for a national criminal history check of the applicant. The
72 Department of Health shall review the results of the criminal
73 history check, issue a license to an applicant who has met all
74 of the other requirements for licensure and has no criminal
75 history, and shall refer all applicants with criminal histories
76 back to the board for determination as to whether a license
77 should be issued and under what conditions.

78 (3)~~(4)~~ The department shall not issue a license by
79 endorsement to any applicant who is under investigation in
80 another state, jurisdiction, or territory of the United States
81 for an act which would constitute a violation of this part or
82 chapter 456 until such time as the investigation is complete, at
83 which time the provisions of s. 464.018 shall apply.

84 (4)~~(5)~~ The department shall develop an electronic
85 applicant notification process and provide electronic
86 notification when the application has been received and when
87 background screenings have been completed, and shall issue a
88 license within 30 days after completion of all required data
89 collection and verification. This 30-day period to issue a



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90 license shall be tolled if the applicant must appear before the
91 board due to information provided on the application or obtained
92 through screening and data collection and verification
93 procedures.

94 Section 2. This act shall take effect July 1, 2003.