

HB 1375

2004

1 A bill to be entitled

2 An act relating to naturopathic medicine; changing the  
3 title of ch. 462, F.S., from "Naturopathy" to  
4 "Naturopathic Medicine"; amending s. 462.01, F.S.;  
5 revising and providing definitions; creating s. 462.0215,  
6 F.S.; creating the Board of Naturopathic Medicine;  
7 providing membership and duties of the board; providing  
8 guidelines for probable cause panels and disciplinary  
9 decisions; providing applicability of ch. 456, F.S.;  
10 amending s. 462.023, F.S.; providing powers and duties of  
11 the board under ch. 462, F.S., including rulemaking  
12 authority; deleting obsolete language; amending s. 462.08,  
13 F.S.; conforming terminology; amending s. 462.11, F.S.;  
14 conforming and correcting terminology; amending s. 462.13,  
15 F.S.; providing additional powers and duties of the board;  
16 amending s. 462.14, F.S.; specifying authority of the  
17 department and the board with respect to disciplinary  
18 action and revising grounds for disciplinary action with  
19 respect to such authority; conforming terminology;  
20 amending s. 462.16, F.S.; specifying authority for setting  
21 the fee for the reissuance of license under certain  
22 circumstances; conforming terminology; amending s. 462.17,  
23 F.S.; conforming terminology; amending s. 462.18, F.S.,  
24 relating to educational requirements; conforming  
25 terminology; amending s. 462.19, F.S.; increasing the  
26 maximum amount at which the inactive status fee may be  
27 set; creating s. 462.193, F.S.; providing requirements for  
28 licensure as a naturopathic physician; providing fees;  
29 providing grounds for denying or restricting licenses;

HB 1375

2004

30 providing for the applicability of certain rights to  
 31 naturopathic physicians who have certain qualifications;  
 32 creating s. 462.195, F.S.; providing exemptions from  
 33 licensure requirements; amending s. 462.2001, F.S.;  
 34 updating the saving clause; conforming terminology;  
 35 providing that certain rights and privileges of active  
 36 licensees are retained; amending ss. 20.43, 381.0031,  
 37 468.301, 476.044, 477.0135, 485.003, 486.161, 627.351,  
 38 893.02, and 921.0022, F.S.; conforming terminology;  
 39 providing an effective date.

40

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

42

43 Section 1. Chapter 462, Florida Statutes, which is  
 44 entitled "Naturopathy," is redesignated as "Naturopathic  
 45 Medicine."

46 Section 2. Section 462.01, Florida Statutes, is amended to  
 47 read:

48 462.01 Definitions.--As used in this chapter, the term:

49 (1) "Board" means the Board of Naturopathic Medicine.

50 (2) "Department" means the Department of Health.

51 (3) "Doctor of naturopathic medicine" or "naturopathic  
 52 physician" means a person licensed to practice naturopathic  
 53 medicine under this chapter.

54 (4)-(1) "Natureopathy," and "naturopathy," and  
 55 "naturopathic medicine" shall be construed as synonymous terms  
 56 and mean the use and practice of psychological, mechanical, and  
 57 material health sciences to aid in purifying, cleansing, and  
 58 normalizing human tissues for the preservation or restoration of

HB 1375

2004

59 health, according to the fundamental principles of anatomy,  
 60 physiology, and applied psychology, as may be required.  
 61 Naturopathic practice employs, among other agencies,  
 62 phytotherapy, dietetics, psychotherapy, suggestotherapy,  
 63 hydrotherapy, zone therapy, biochemistry, external applications,  
 64 electrotherapy, mechanotherapy, mechanical and electrical  
 65 appliances, hygiene, first aid, sanitation, and heliotherapy. ~~÷~~  
 66 ~~provided,~~ However, ~~that~~ nothing in this chapter shall be held or  
 67 construed to authorize any doctor of naturopathic medicine or  
 68 naturopathic physician licensed under this chapter hereunder to  
 69 practice materia medica, major ~~or~~ surgery, ~~or~~ chiropractic  
 70 medicine, acupuncture, or oriental medicine, nor shall the  
 71 provisions of this chapter law in any manner apply to or affect  
 72 the practice of osteopathic medicine, chiropractic medicine,  
 73 Christian Science, or any other treatment authorized and  
 74 provided for by law for the cure or prevention of disease and  
 75 ailments.

76 Section 3. Section 462.0215, Florida Statutes, is created  
 77 to read:

78 462.0215 Board of Naturopathic Medicine.--

79 (1) There is created within the department the Board of  
 80 Naturopathic Medicine, composed of seven members appointed by  
 81 the Governor and confirmed by the Senate.

82 (2)(a) Five members of the board must be:

83 1. Licensed doctors of naturopathic medicine or  
 84 naturopathic physicians in good standing in this state who are  
 85 residents of the state and who have been engaged in the practice  
 86 of naturopathic medicine for at least 5 years; or

87 2. Persons who have been teaching naturopathic medicine  
 88 and who hold a doctorate of naturopathic medicine from an  
 89 institution accredited by an accrediting agency recognized by  
 90 the United States Department of Education.

91 (b) The remaining two members of the board must be  
 92 residents of the state who are not, and never have been,  
 93 licensed health care practitioners.

94 (c) At least one member of the board must be 60 years of  
 95 age or older.

96 (3) For the purpose of staggering terms, the Governor  
 97 shall initially appoint to the board three members for terms of  
 98 4 years each, two members for terms of 3 years each, and two  
 99 members for terms of 2 years each. As the terms of board members  
 100 expire, the Governor shall appoint successors for terms of 4  
 101 years, and such members shall serve until their successors are  
 102 appointed.

103 (4) The board, in conjunction with the department, shall  
 104 establish a disciplinary training program for members of the  
 105 board. The program shall provide for initial and periodic  
 106 training in the grounds for disciplinary action, the actions  
 107 that may be taken by the board and the department, changes in  
 108 relevant statutes and rules, and any relevant judicial and  
 109 administrative decisions. A member of the board may not  
 110 participate on a probable cause panel or in a disciplinary  
 111 decision of the board unless she or he has completed the  
 112 disciplinary training program.

113 (5) During the time members of the board are appointed to  
 114 a probable cause panel, they shall attempt to complete their  
 115 work on every case presented to them. If consideration of a case

HB 1375

2004

116 is begun but is not completed during the term of the board  
 117 members on the panel, they may reconvene as a probable cause  
 118 panel for the purpose of completing their deliberations on that  
 119 case.

120 (6) All provisions of chapter 456 relating to activities  
 121 of the board are applicable.

122 Section 4. Section 462.023, Florida Statutes, is amended  
 123 to read:

124 462.023 Powers and duties of the board and the  
 125 department.--The board and the department may adopt such rules  
 126 as are necessary to carry out the purposes of this chapter, may  
 127 initiate disciplinary action as provided by this chapter, and  
 128 shall establish fees as provided by this chapter based on their  
 129 ~~its~~ estimates of the revenue required to administer this chapter  
 130 provided the fees do but shall not exceed the fee amounts  
 131 provided in this chapter. ~~The department shall not adopt any~~  
 132 ~~rules which would cause any person who was not licensed in~~  
 133 ~~accordance with this chapter on July 1, 1959, and had not been a~~  
 134 ~~resident of the state for 2 years prior to such date, to become~~  
 135 ~~licensed.~~

136 Section 5. Section 462.08, Florida Statutes, is amended to  
 137 read:

138 462.08 Renewal of license to practice naturopathic  
 139 medicine naturopathy.--Each licensee licenseholder shall  
 140 biennially renew her or his license to practice naturopathic  
 141 medicine naturopathy. The applicant must furnish to the board  
 142 ~~department~~ such evidence as it requires of the applicant's  
 143 compliance with s. 462.18, relating to educational requirements.  
 144 The biennial renewal fee, the amount of which shall be

HB 1375

2004

145 determined by the board ~~department~~ but which may not exceed  
 146 \$1,000, must be paid at the time the application for renewal of  
 147 the license is filed.

148 Section 6. Section 462.11, Florida Statutes, is amended to  
 149 read:

150 462.11 Doctors of naturopathic medicine or naturopathic  
 151 physicians ~~Naturopaths~~ to observe regulations.--Doctors of  
 152 naturopathic medicine or naturopathic physicians ~~naturoopathy~~  
 153 shall observe and be subject to all state, county, and municipal  
 154 regulations in regard to the control of contagious and  
 155 infectious diseases, the reporting of births and deaths, and to  
 156 any and all other matters pertaining to the public health in the  
 157 same manner as is required of other practitioners of the healing  
 158 arts ~~art~~.

159 Section 7. Section 462.13, Florida Statutes, is amended to  
 160 read:

161 462.13 Additional powers and duties of the board and the  
 162 department.--The board and the department may administer oaths,  
 163 summon witnesses, and take testimony in all matters relating to  
 164 their ~~its~~ duties pursuant to this chapter. Every unrevoked  
 165 license shall be presumptive evidence in all courts and places  
 166 that the person therein named is legally licensed to practice  
 167 naturopathic medicine ~~naturoopathy~~. The board and the department  
 168 shall aid the prosecuting attorneys of the state in the  
 169 enforcement of this chapter.

170 Section 8. Section 462.14, Florida Statutes, is amended to  
 171 read:

172 462.14 Grounds for disciplinary action; action by the  
 173 board and the department.--

HB 1375

2004

174 (1) The following acts constitute grounds for denial of a  
 175 license or disciplinary action, as specified in s. 456.072(2):

176 (a) Attempting to obtain, obtaining, or renewing a license  
 177 to practice naturopathic medicine by bribery, by fraudulent  
 178 misrepresentation, or through an error of the department or the  
 179 board.

180 (b) Having a license to practice naturopathic medicine  
 181 revoked, suspended, or otherwise acted against, including the  
 182 denial of licensure, by the licensing authority of another  
 183 state, territory, or country.

184 (c) Being convicted or found guilty, regardless of  
 185 adjudication, of a crime in any jurisdiction which directly  
 186 relates to the practice of naturopathic medicine or to the  
 187 ability to practice naturopathic medicine. Any plea of nolo  
 188 contendere shall be considered a conviction for purposes of this  
 189 chapter.

190 (d) False, deceptive, or misleading advertising.

191 (e) Advertising, practicing, or attempting to practice  
 192 under a name other than one's own.

193 (f) Failing to report to the department any person who the  
 194 licensee knows is in violation of this chapter or of the rules  
 195 of the department or the board.

196 (g) Aiding, assisting, procuring, or advising any  
 197 unlicensed person to practice naturopathic medicine contrary to  
 198 this chapter or to a rule of the department or the board.

199 (h) Failing to perform any statutory or legal obligation  
 200 placed upon a licensed doctor of naturopathic medicine or  
 201 naturopathic physician.

HB 1375

2004

202 (i) Making or filing a report which the licensee knows to  
 203 be false, intentionally or negligently failing to file a report  
 204 or record required by state or federal law, willfully impeding  
 205 or obstructing such filing or inducing another person to do so.  
 206 Such reports or records shall include only those which are  
 207 signed in the capacity as a licensed doctor of naturopathic  
 208 medicine or naturopathic physician.

209 (j) Paying or receiving any commission, bonus, kickback,  
 210 or rebate, or engaging in any split-fee arrangement in any form  
 211 whatsoever with a physician, organization, agency, or person,  
 212 either directly or indirectly, for patients referred to  
 213 providers of health care goods and services, including, but not  
 214 limited to, hospitals, nursing homes, clinical laboratories,  
 215 ambulatory surgical centers, or pharmacies. The provisions of  
 216 this paragraph shall not be construed to prevent a doctor of  
 217 naturopathic medicine or naturopathic physician from receiving a  
 218 fee for professional consultation services.

219 (k) Exercising influence within a patient-physician  
 220 relationship for purposes of engaging a patient in sexual  
 221 activity. A patient shall be presumed to be incapable of giving  
 222 free, full, and informed consent to sexual activity with her or  
 223 his physician.

224 (l) Making deceptive, untrue, or fraudulent  
 225 representations in the practice of naturopathic medicine or  
 226 employing a trick or scheme in the practice of naturopathic  
 227 medicine when such scheme or trick fails to conform to the  
 228 generally prevailing standards of treatment in the medical  
 229 community.



HB 1375

2004

230 (m) Soliciting patients, either personally or through an  
 231 agent, through the use of fraud, intimidation, undue influence,  
 232 or a form of overreaching or vexatious conduct. A "solicitation"  
 233 is any communication which directly or implicitly requests an  
 234 immediate oral response from the recipient.

235 (n) Failing to keep written medical records justifying the  
 236 course of treatment of the patient, including, but not limited  
 237 to, patient histories, examination results, test results, X  
 238 rays, and records of the prescribing, dispensing, and  
 239 administering of drugs.

240 (o) Exercising influence on the patient or client in such  
 241 a manner as to exploit the patient or client for the financial  
 242 gain of the licensee or of a third party, which shall include,  
 243 but not be limited to, the promoting or selling of services,  
 244 goods, appliances, or drugs and the promoting or advertising on  
 245 any prescription form of a community pharmacy unless the form  
 246 also states "This prescription may be filled at any pharmacy of  
 247 your choice."

248 (p) Performing professional services which have not been  
 249 duly authorized by the patient or client, or her or his legal  
 250 representative, except as provided in s. 743.064, s. 766.103, or  
 251 s. 768.13.

252 (q) Prescribing, dispensing, administering, mixing, or  
 253 otherwise preparing a legend drug, including any controlled  
 254 substance, other than in the course of the doctor of  
 255 naturopathic medicine's or naturopathic physician's professional  
 256 practice. For the purposes of this paragraph, it shall be  
 257 legally presumed that prescribing, dispensing, administering,  
 258 mixing, or otherwise preparing legend drugs, including all

HB 1375

2004

259 controlled substances, inappropriately or in excessive or  
 260 inappropriate quantities is not in the best interest of the  
 261 patient and is not in the course of the doctor of naturopathic  
 262 medicine's or naturopathic physician's professional practice,  
 263 without regard to her or his intent.

264 (r) Prescribing, dispensing, or administering any  
 265 medicinal drug appearing on any schedule set forth in chapter  
 266 893 by the doctor of naturopathic medicine or naturopathic  
 267 physician to herself or himself, except one prescribed,  
 268 dispensed, or administered to the doctor of naturopathic  
 269 medicine or naturopathic physician by another practitioner  
 270 authorized to prescribe, dispense, or administer medicinal  
 271 drugs.

272 (s) Being unable to practice naturopathic medicine with  
 273 reasonable skill and safety to patients by reason of illness or  
 274 use of alcohol, drugs, narcotics, chemicals, or any other type  
 275 of material or as a result of any mental or physical condition.  
 276 In enforcing this paragraph, the department shall have, upon  
 277 probable cause, authority to compel a doctor of naturopathic  
 278 medicine or naturopathic physician to submit to a mental or  
 279 physical examination by physicians designated by the department.  
 280 The failure of a doctor of naturopathic medicine or naturopathic  
 281 physician to submit to such an examination when so directed  
 282 shall constitute an admission of the allegations against her or  
 283 him upon which a default and final order may be entered without  
 284 the taking of testimony or presentation of evidence, unless the  
 285 failure was due to circumstances beyond the doctor of  
 286 naturopathic medicine's or naturopathic physician's control. A  
 287 doctor of naturopathic medicine or naturopathic physician

HB 1375

2004

288 affected under this paragraph shall at reasonable intervals be  
 289 afforded an opportunity to demonstrate that she or he can resume  
 290 the competent practice of naturopathic medicine with reasonable  
 291 skill and safety to patients. In any proceeding under this  
 292 paragraph, neither the record of proceedings nor the orders  
 293 entered by the department may be used against a doctor of  
 294 naturopathic medicine or naturopathic physician in any other  
 295 proceeding.

296 (t) Gross or repeated malpractice or the failure to  
 297 practice naturopathic medicine with that level of care, skill,  
 298 and treatment which is recognized by a reasonably prudent  
 299 similar physician as being acceptable under similar conditions  
 300 and circumstances. The board ~~department~~ shall give great weight  
 301 to the provisions of s. 766.102 when enforcing this paragraph.

302 (u) Performing any procedure or prescribing any therapy  
 303 which, by the prevailing standards of medical practice in the  
 304 community, constitutes experimentation on a human subject,  
 305 without first obtaining full, informed, and written consent.

306 (v) Practicing or offering to practice beyond the scope  
 307 permitted by law or accepting and performing professional  
 308 responsibilities which the licensee knows or has reason to know  
 309 that she or he is not competent to perform.

310 (w) Delegating professional responsibilities to a person  
 311 when the licensee delegating such responsibilities knows or has  
 312 reason to know that such person is not qualified by training,  
 313 experience, or licensure to perform them.

314 (x) Violating a lawful order of the department or the  
 315 board previously entered in a disciplinary hearing or failing to  
 316 comply with a lawfully issued subpoena of the department.

HB 1375

2004

317 (y) Conspiring with another licensee or with any other  
 318 person to commit an act, or committing an act, which would tend  
 319 to coerce, intimidate, or preclude another licensee from  
 320 lawfully advertising her or his services.

321 (z) Procuring, or aiding or abetting in the procuring of,  
 322 an unlawful termination of pregnancy.

323 (aa) Presigning blank prescription forms.

324 (bb) Prescribing by the doctor of naturopathic medicine or  
 325 naturopathic physician for office use any medicinal drug  
 326 appearing on Schedule II in chapter 893.

327 (cc) Prescribing, ordering, dispensing, administering,  
 328 supplying, selling, or giving any drug which is an amphetamine  
 329 or sympathomimetic amine drug, or a compound designated pursuant  
 330 to chapter 893 as a Schedule II controlled substance to or for  
 331 any person except for:

332 1. The treatment of narcolepsy; hyperkinesis; behavioral  
 333 syndrome in children characterized by the developmentally  
 334 inappropriate symptoms of moderate to severe distractability,  
 335 short attention span, hyperactivity, emotional lability, and  
 336 impulsivity; or drug-induced brain dysfunction.

337 2. The differential diagnostic psychiatric evaluation of  
 338 depression or the treatment of depression shown to be refractory  
 339 to other therapeutic modalities.

340 3. The clinical investigation of the effects of such drugs  
 341 or compounds when an investigative protocol therefor is  
 342 submitted to, reviewed, and approved by the board ~~department~~  
 343 before such investigation is begun.

344 (dd) Prescribing, ordering, dispensing, administering,  
 345 supplying, selling, or giving growth hormones, testosterone or

HB 1375

2004

346 its analogs, human chorionic gonadotropin (HCG), or other  
 347 hormones for the purpose of muscle building or to enhance  
 348 athletic performance. For the purposes of this subsection, the  
 349 term "muscle building" does not include the treatment of injured  
 350 muscle. A prescription written for the drug products listed  
 351 above may be dispensed by the pharmacist with the presumption  
 352 that the prescription is for legitimate medical use.

353 (ee) Violating any provision of this chapter or chapter  
 354 456, or any rules adopted pursuant thereto.

355 (2) The board ~~department~~ may enter an order denying  
 356 licensure or imposing any of the penalties in s. 456.072(2)  
 357 against any applicant for licensure or licensee who is found  
 358 guilty of violating any provision of subsection (1) of this  
 359 section or who is found guilty of violating any provision of s.  
 360 456.072(1).

361 (3) The board ~~department~~ shall not reinstate the license  
 362 of a doctor of naturopathic medicine or naturopathic physician  
 363 until such time as the board ~~department~~ is satisfied that such  
 364 person has complied with all the terms and conditions set forth  
 365 in the final order and that such person is capable of safely  
 366 engaging in the practice of naturopathic medicine.

367 (4) The board ~~department~~ shall by rule establish  
 368 guidelines for the disposition of disciplinary cases involving  
 369 specific types of violations. Such guidelines may include  
 370 minimum and maximum fines, periods of supervision or probation,  
 371 or conditions of probation or reissuance of a license.

372 Section 9. Section 462.16, Florida Statutes, is amended to  
 373 read:

HB 1375

2004

374           462.16 Reissue of license.--Any person who practices  
 375 naturopathic medicine ~~shall practice naturopathy~~ after her or  
 376 his license has been revoked and ~~registration annulled~~ shall be  
 377 deemed to have practiced naturopathic medicine ~~naturopathy~~  
 378 without a license; ~~provided~~, however, at any time after 6 months  
 379 after the date of said conviction, the department may grant a  
 380 license to the person affected, restoring to her or him all the  
 381 rights and privileges of and pertaining to the practice of  
 382 naturopathic medicine ~~naturopathy~~ as defined and regulated by  
 383 this chapter. The fee therefor shall be set by the board not to  
 384 exceed \$250.

385           Section 10. Section 462.17, Florida Statutes, is amended  
 386 to read:

387           462.17 Penalty for offenses relating to naturopathic  
 388 medicine ~~naturopathy~~.--Any person who shall:

389           (1) Sell, fraudulently obtain, or furnish any naturopathic  
 390 diploma, license, record, or registration or aid or abet in the  
 391 same;

392           (2) Practice naturopathic medicine ~~naturopathy~~ under the  
 393 cover of any diploma, license, record, or registration illegally  
 394 or fraudulently obtained or secured or issued unlawfully or upon  
 395 fraudulent representations;

396           (3) Advertise to practice naturopathic medicine  
 397 ~~naturopathy~~ under a name other than her or his own or under an  
 398 assumed name;

399           (4) Falsely impersonate another practitioner of a like or  
 400 different name;

401           (5) Practice or advertise to practice naturopathic  
 402 medicine ~~naturopathy~~ or use in connection with her or his name

HB 1375

2004

403 any designation tending to imply or to designate the person as a  
 404 practitioner of naturopathic medicine ~~naturopathy~~ without then  
 405 being lawfully licensed and authorized to practice naturopathic  
 406 medicine ~~naturopathy~~ in this state; or

407 (6) Practice naturopathic medicine ~~naturopathy~~ during the  
 408 time her or his license is suspended or revoked

409  
 410 commits ~~shall be guilty of~~ a felony of the third degree,  
 411 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

412 Section 11. Section 462.18, Florida Statutes, is amended  
 413 to read:

414 462.18 Educational requirements.--

415 (1) At the time each licensee shall renew her or his  
 416 license as otherwise provided in this chapter, each licensee,  
 417 ~~beginning with the license renewal due May 1, 1944,~~ in addition  
 418 to the payment of the regular renewal fee, shall furnish to the  
 419 board ~~department~~ satisfactory evidence that, in the year  
 420 preceding each such application for renewal, the licensee has  
 421 attended the 2-day educational program as promulgated and  
 422 conducted by the Florida Naturopathic Physicians Association,  
 423 Inc., or, as a substitute therefor, the equivalent of that  
 424 program as approved by the board ~~department~~. The department  
 425 shall send a written notice to this effect to every person  
 426 holding a valid license to practice naturopathic medicine  
 427 ~~naturopathy~~ within this state at least 30 days prior to May 1 in  
 428 each biennial year, directed to the last known address of such  
 429 licensee, and shall enclose with the notice proper blank forms  
 430 for application for ~~annual~~ license renewal. All of the details  
 431 and requirements of the ~~aforsaid~~ educational program shall be

HB 1375

2004

432 adopted and prescribed by the board ~~department~~. In the event of  
 433 national emergencies, or for sufficient reason, the board may  
 434 ~~department shall have the power to~~ excuse the naturopathic  
 435 physicians as a group or as individuals from taking this  
 436 postgraduate course.

437 (2) The determination of whether a substitute ~~annual~~  
 438 educational program is necessary shall be solely within the  
 439 discretion of the board ~~department~~.

440 Section 12. Subsection (3) of section 462.19, Florida  
 441 Statutes, is amended to read:

442 462.19 Renewal of license; inactive status.--

443 (3) A licensee may request that her or his license be  
 444 placed in an inactive status by making application to the  
 445 department and paying a fee in an amount set by the department  
 446 not to exceed \$100 ~~\$50~~.

447 Section 13. Section 462.193, Florida Statutes, is created  
 448 to read:

449 462.193 Licensure by examination; requirements; fees.--

450 (1) Any person desiring to be licensed as a naturopathic  
 451 physician shall apply to the department on forms furnished by  
 452 the department. The department shall license each applicant who  
 453 the board certifies:

454 (a) Has completed the application form and remitted a  
 455 nonrefundable application fee set by the board not to exceed  
 456 \$500.

457 (b) Is at least 21 years of age.

458 (c) Is of good moral character.



HB 1375

2004

459 (d) Has not committed any act or offense in this or any  
 460 other jurisdiction which would constitute the basis for  
 461 disciplining a naturopathic physician pursuant to s. 462.14.

462 (e) Meets one of the following naturopathic medical  
 463 education and postgraduate training requirements:

464 1. Is a graduate of an approved school of naturopathic  
 465 medicine which is licensed by the Florida Commission for  
 466 Independent Education to grant the degree of Doctor of  
 467 Naturopathic Medicine;

468 2. Is a graduate of a naturopathic medical school or a  
 469 naturopathic college recognized and approved by the Council on  
 470 Naturopathic Medical Education(CNME);

471 3. Is a graduate of a naturopathic medical school that was  
 472 at the time licensed by a state board of education and approved  
 473 by that state's naturopathic licensure board, which has  
 474 requirements comparable to those of this state; or

475 4. Is a graduate of an international medical school listed  
 476 by the World Health Organization (WHO) and deemed eligible by  
 477 the Educational Commission for Foreign Medical Graduates (ECFMG)  
 478 to be examined in the basic and clinical medical sciences, or a  
 479 graduate of an accredited United States allopathic or  
 480 osteopathic medical school, and has completed a 2-year course in  
 481 naturopathic medicine from a naturopathic medical school or a  
 482 naturopathic college recognized and approved by the Council on  
 483 Naturopathic Medical Education(CNME).

484 (f) Has submitted to the department a set of fingerprints  
 485 on a form and in accordance with procedures specified by the  
 486 department, along with payment in an amount equal to the costs

HB 1375

2004

487 incurred by the department for the criminal background check of  
 488 the applicant.

489 (g) Has obtained on the examinations in basic medical and  
 490 clinical medical sciences a passing score, as established by  
 491 rule of the board, from one of the following:

492 1. Naturopathic Physicians Licensing Examination (NPLEX),  
 493 administered by the North American Board of Naturopathic  
 494 Examiners (NABNE), with a converted score of not less than 75 on  
 495 all part one examinations and a converted score of not less than  
 496 75 on all part two examinations, or passage under the  
 497 compensatory model;

498 2. Federation Licensing Examination (FLEX), medical  
 499 examination parts one and two, with a minimum score of 70 on  
 500 part one (basic medical sciences) and a minimum score of 75 on  
 501 part two (clinical medical sciences);

502 3. United States Medical Licensing Examination (USMLE),  
 503 medical examination parts one and two, with a minimum score of  
 504 70 on part one (basic medical sciences) and a minimum score of  
 505 75 on part two (clinical medical sciences);

506 4. State or national board examination for licensure in  
 507 another state which is comparable to the examination for  
 508 licensure in this state;

509 5. A Department of Health special purpose examination  
 510 (SPEX) for applicants who are in unusual circumstances; or

511 6. Comprehensive Osteopathic Medical Licensing Examination  
 512 (COMLEX), with a minimum score of 70 on part one (basic medical  
 513 sciences) and a minimum score of 75 on part two (clinical  
 514 medical sciences).

HB 1375

2004

515 (h) Has completed an approved internship or residency of  
516 at least 1 year.

517 (i) Is physically and mentally fit to practice as a doctor  
518 of naturopathic medicine.

519 (j) Has not had her or his license to practice any  
520 profession refused, revoked, or suspended by any other state,  
521 district, or territory of the United States or another country  
522 for reasons that relate to her or his ability to skillfully and  
523 safely practice as a doctor of naturopathic medicine or  
524 naturopathic physician in this state.

525 (k) Has not been found guilty of a felony.

526 (2) As prescribed by board rule, the board may require an  
527 applicant who does not pass the licensing examination after five  
528 attempts to complete additional remedial education or training.  
529 The board shall prescribe the additional requirements in a  
530 manner that permits the applicant to complete the requirements  
531 and be reexamined within 2 years after the date the applicant  
532 petitions the board to retake the examination a sixth or  
533 subsequent time.

534 (3) The department and the board shall ensure that  
535 applicants for licensure meet the criteria in subsection (1)  
536 through an investigative process. When the investigation is not  
537 completed within the time set out in s. 120.60(1) and the  
538 department or board has reason to believe that the applicant  
539 does not meet the criteria, the secretary or the secretary's  
540 designee may issue a 90-day licensure delay, which must be in  
541 writing and sufficient to notify the applicant of the reason for  
542 the delay. This subsection controls over any conflicting  
543 provisions of s. 120.60(1).

HB 1375

2004

544       (4) The board may not certify to the department for  
545       licensure any applicant who is under investigation in another  
546       jurisdiction for an offense that would constitute a violation of  
547       this chapter until the investigation has been completed. Upon  
548       completion of the investigation, s. 462.14 applies. Furthermore,  
549       the department may not issue an unrestricted license to any  
550       individual who has committed an act or offense in any  
551       jurisdiction which would constitute the basis for disciplining a  
552       naturopathic physician under s. 462.14. If the board finds that  
553       an individual has committed an act or offense in any  
554       jurisdiction which would constitute the basis for disciplining a  
555       naturopathic physician under s. 462.14, the board may enter an  
556       order imposing one or more of the sanctions set forth in  
557       subsection (7).

558       (5) Each applicant who meets the requirements of this  
559       chapter shall be licensed as a doctor of naturopathic medicine  
560       or naturopathic physician, with rights as defined by law.

561       (6) Upon certification by the board, the department shall  
562       impose conditions, limitations, or restrictions on a license if  
563       the applicant is on probation in another jurisdiction for an act  
564       that would constitute a violation of this chapter.

565       (7) If the board determines that an applicant for  
566       licensure has failed to meet, to the board's satisfaction, any  
567       of the applicable requirements set forth in this section, it may  
568       enter an order that imposes one or more of the following  
569       sanctions:

570               (a) Refusal to certify to the department an application  
571               for licensure.

HB 1375

2004

572 (b) Certification to the department of an application for  
 573 licensure with restrictions on the scope of practice of the  
 574 doctor of naturopathic medicine or naturopathic physician.

575 (c) Certification to the department of an application for  
 576 licensure with placement of the doctor of naturopathic medicine  
 577 or naturopathic physician on probation for a period of time and  
 578 subject to such conditions as the board specifies, including,  
 579 but not limited to, requiring the doctor of naturopathic  
 580 medicine or naturopathic physician to submit to treatment,  
 581 attend continuing education courses, submit to reexamination, or  
 582 work under the supervision of another doctor of naturopathic  
 583 medicine or naturopathic physician.

584 (8) A physician who holds the doctor of medicine or doctor  
 585 of osteopathy degree, who has completed a 1-year internship  
 586 approved by the American Medical Association or the American  
 587 Osteopathic Association, and who is licensed under this section  
 588 as a doctor of naturopathic medicine or naturopathic physician  
 589 has rights and privileges equal to those of physicians licensed  
 590 under chapter 458 or chapter 459.

591 Section 14. Section 462.195, Florida Statutes, is created  
 592 to read:

593 462.195 Exemptions from naturopathic licensure  
 594 requirements.--Licensure requirements for practitioners of  
 595 naturopathic medicine under this chapter are inapplicable to:

596 (1) Any individual who is engaged in selling vitamins,  
 597 health foods, dietary supplements, herbs, or other products of  
 598 nature, the sale of which is not otherwise prohibited under  
 599 state or federal law. This exemption does not:

HB 1375

2004

600 (a) Allow a person to diagnose any human disease, ailment,  
 601 injury, infirmity, deformity, pain, or other condition; or

602 (b) Prohibit providing information regarding any of the  
 603 products listed in this subsection, which information is  
 604 truthful and is not misleading.

605 (2) Any individual who is:

606 (a) Engaged in good faith in the practice of the religious  
 607 tenets of any church or religious belief, without the use of  
 608 prescription drugs; or

609 (b) Acting in good faith for religious reasons as a matter  
 610 of conscience or on the basis of a personal belief when  
 611 obtaining or providing information regarding health care and the  
 612 use of any product.

613 (3) Any individual who is administering a domestic or  
 614 family remedy.

615 Section 15. Section 462.2001, Florida Statutes, is amended  
 616 to read:

617 462.2001 Saving clause.--All licenses to practice  
 618 naturopathic medicine ~~naturopathy~~ issued pursuant to this  
 619 chapter and valid on July 1, 2004 ~~October 1, 1985~~, shall remain  
 620 in full force and effect.

621 Section 16. Licensed doctors of naturopathic medicine or  
 622 naturopathic physicians (N.M.D.'s, N.D.'s, or N.P.'s) on the  
 623 effective date of this act shall retain the same rights and  
 624 privileges as they had before implementation of the amendments  
 625 to chapter 462, Florida Statutes, by this act.

626 Section 17. Paragraph (g) of subsection (3) of section  
 627 20.43, Florida Statutes, is amended to read:

HB 1375

2004

628 20.43 Department of Health.--There is created a Department  
629 of Health.

630 (3) The following divisions of the Department of Health  
631 are established:

632 (g) Division of Medical Quality Assurance, which is  
633 responsible for the following boards and professions established  
634 within the division:

635 1. The Board of Acupuncture, created under chapter 457.

636 2. The Board of Medicine, created under chapter 458.

637 3. The Board of Osteopathic Medicine, created under  
638 chapter 459.

639 4. The Board of Chiropractic Medicine, created under  
640 chapter 460.

641 5. The Board of Podiatric Medicine, created under chapter  
642 461.

643 6. The Board of Naturopathic Medicine ~~Naturopathy~~, created  
644 ~~as provided~~ under chapter 462.

645 7. The Board of Optometry, created under chapter 463.

646 8. The Board of Nursing, created under part I of chapter  
647 464.

648 9. Nursing assistants, as provided under part II of  
649 chapter 464.

650 10. The Board of Pharmacy, created under chapter 465.

651 11. The Board of Dentistry, created under chapter 466.

652 12. Midwifery, as provided under chapter 467.

653 13. The Board of Speech-Language Pathology and Audiology,  
654 created under part I of chapter 468.

655 14. The Board of Nursing Home Administrators, created  
656 under part II of chapter 468.

HB 1375

2004

- 657 15. The Board of Occupational Therapy, created under part  
 658 III of chapter 468.
- 659 16. Respiratory therapy, as provided under part V of  
 660 chapter 468.
- 661 17. Dietetics and nutrition practice, as provided under  
 662 part X of chapter 468.
- 663 18. The Board of Athletic Training, created under part  
 664 XIII of chapter 468.
- 665 19. The Board of Orthotists and Prosthetists, created  
 666 under part XIV of chapter 468.
- 667 20. Electrolysis, as provided under chapter 478.
- 668 21. The Board of Massage Therapy, created under chapter  
 669 480.
- 670 22. The Board of Clinical Laboratory Personnel, created  
 671 under part III of chapter 483.
- 672 23. Medical physicists, as provided under part IV of  
 673 chapter 483.
- 674 24. The Board of Opticianry, created under part I of  
 675 chapter 484.
- 676 25. The Board of Hearing Aid Specialists, created under  
 677 part II of chapter 484.
- 678 26. The Board of Physical Therapy Practice, created under  
 679 chapter 486.
- 680 27. The Board of Psychology, created under chapter 490.
- 681 28. School psychologists, as provided under chapter 490.
- 682 29. The Board of Clinical Social Work, Marriage and Family  
 683 Therapy, and Mental Health Counseling, created under chapter  
 684 491.



HB 1375

2004

685 Section 18. Subsection (1) of section 381.0031, Florida  
 686 Statutes, is amended to read:

687 381.0031 Report of diseases of public health significance  
 688 to department.--

689 (1) Any practitioner licensed in this state to practice  
 690 medicine, osteopathic medicine, chiropractic medicine,  
 691 naturopathic medicine ~~naturopathy~~, or veterinary medicine; any  
 692 hospital licensed under part I of chapter 395; or any laboratory  
 693 licensed under chapter 483 that diagnoses or suspects the  
 694 existence of a disease of public health significance shall  
 695 immediately report the fact to the Department of Health.

696  
 697 This section does not affect s. 384.25.

698 Section 19. Subsection (10) of section 468.301, Florida  
 699 Statutes, is amended to read:

700 468.301 Definitions.--As used in this part, the term:

701 (10) "Licensed practitioner" means a person who is  
 702 licensed or otherwise authorized by law to practice medicine,  
 703 podiatric medicine, chiropody, osteopathic medicine,  
 704 naturopathic medicine ~~naturopathy~~, or chiropractic medicine in  
 705 this state.

706 Section 20. Subsection (1) of section 476.044, Florida  
 707 Statutes, is amended to read:

708 476.044 Exemptions.--This chapter does not apply to the  
 709 following persons when practicing pursuant to their professional  
 710 responsibilities and duties:

711 (1) Persons authorized under the laws of this state to  
 712 practice medicine, surgery, osteopathic medicine, chiropractic

HB 1375

2004

713 medicine, naturopathic medicine ~~naturopathy~~, or podiatric  
 714 medicine;

715 Section 21. Paragraph (a) of subsection (1) of section  
 716 477.0135, Florida Statutes, is amended to read:

717 477.0135 Exemptions.--

718 (1) This chapter does not apply to the following persons  
 719 when practicing pursuant to their professional or occupational  
 720 responsibilities and duties:

721 (a) Persons authorized under the laws of this state to  
 722 practice medicine, surgery, osteopathic medicine, chiropractic  
 723 medicine, massage, naturopathic medicine ~~naturopathy~~, or  
 724 podiatric medicine.

725 Section 22. Subsections (2) and (3) of section 485.003,  
 726 Florida Statutes, are amended to read:

727 485.003 Definitions.--In construing this chapter, the  
 728 words, phrases, or terms, unless the context otherwise  
 729 indicates, shall have the following meanings:

730 (2) "Healing arts" shall mean the practice of medicine,  
 731 surgery, psychiatry, dentistry, osteopathic medicine,  
 732 chiropractic medicine, naturopathic medicine ~~naturopathy~~,  
 733 podiatric medicine, chiropody, psychology, clinical social work,  
 734 marriage and family therapy, mental health counseling, and  
 735 optometry.

736 (3) "Practitioner of the healing arts" shall mean a person  
 737 licensed under the laws of the state to practice medicine,  
 738 surgery, psychiatry, dentistry, osteopathic medicine,  
 739 chiropractic medicine, naturopathic medicine ~~naturopathy~~,  
 740 podiatric medicine, chiropody, psychology, clinical social work,  
 741 marriage and family therapy, mental health counseling, or

HB 1375

2004

742 optometry within the scope of his or her professional training  
 743 and competence and within the purview of the statutes applicable  
 744 to his or her respective profession, and who may refer a patient  
 745 for treatment by a qualified person, who shall employ hypnotic  
 746 techniques under the supervision, direction, prescription, and  
 747 responsibility of such referring practitioner.

748 Section 23. Subsection (1) of section 486.161, Florida  
 749 Statutes, is amended to read:

750 486.161 Exemptions.--

751 (1) No provision of this chapter shall be construed to  
 752 prohibit any person licensed in this state from using any  
 753 physical agent as a part of, or incidental to, the lawful  
 754 practice of her or his profession under the statutes applicable  
 755 to the profession of chiropractic physician, podiatric  
 756 physician, doctor of medicine, massage therapist, nurse,  
 757 osteopathic physician or surgeon, occupational therapist, or  
 758 naturopathic physician ~~naturepath~~.

759 Section 24. Paragraph (h) of subsection (4) of section  
 760 627.351, Florida Statutes, is amended to read:

761 627.351 Insurance risk apportionment plans.--

762 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT.--

763 (h) As used in this subsection:

764 1. "Health care provider" means hospitals licensed under  
 765 chapter 395; physicians licensed under chapter 458; osteopathic  
 766 physicians licensed under chapter 459; podiatric physicians  
 767 licensed under chapter 461; dentists licensed under chapter 466;  
 768 chiropractic physicians licensed under chapter 460; naturopathic  
 769 physicians ~~naturepaths~~ licensed under chapter 462; nurses  
 770 licensed under part I of chapter 464; midwives licensed under

HB 1375

2004

771 chapter 467; clinical laboratories registered under chapter 483;  
 772 physician assistants licensed under chapter 458 or chapter 459;  
 773 physical therapists and physical therapist assistants licensed  
 774 under chapter 486; health maintenance organizations certificated  
 775 under part I of chapter 641; ambulatory surgical centers  
 776 licensed under chapter 395; other medical facilities as defined  
 777 in subparagraph 2.; blood banks, plasma centers, industrial  
 778 clinics, and renal dialysis facilities; or professional  
 779 associations, partnerships, corporations, joint ventures, or  
 780 other associations for professional activity by health care  
 781 providers.

782         2. "Other medical facility" means a facility the primary  
 783 purpose of which is to provide human medical diagnostic services  
 784 or a facility providing nonsurgical human medical treatment, to  
 785 which facility the patient is admitted and from which facility  
 786 the patient is discharged within the same working day, and which  
 787 facility is not part of a hospital. However, a facility existing  
 788 for the primary purpose of performing terminations of pregnancy  
 789 or an office maintained by a physician or dentist for the  
 790 practice of medicine shall not be construed to be an "other  
 791 medical facility."

792         3. "Health care facility" means any hospital licensed  
 793 under chapter 395, health maintenance organization certificated  
 794 under part I of chapter 641, ambulatory surgical center licensed  
 795 under chapter 395, or other medical facility as defined in  
 796 subparagraph 2.

797         Section 25. Subsection (19) of section 893.02, Florida  
 798 Statutes, is amended to read:

HB 1375

2004

799 893.02 Definitions.--The following words and phrases as  
 800 used in this chapter shall have the following meanings, unless  
 801 the context otherwise requires:

802 (19) "Practitioner" means a physician licensed pursuant to  
 803 chapter 458, a dentist licensed pursuant to chapter 466, a  
 804 veterinarian licensed pursuant to chapter 474, an osteopathic  
 805 physician licensed pursuant to chapter 459, a naturopathic  
 806 physician ~~naturopath~~ licensed pursuant to chapter 462, or a  
 807 podiatric physician licensed pursuant to chapter 461, provided  
 808 such practitioner holds a valid federal controlled substance  
 809 registry number.

810 Section 26. Paragraph (g) of subsection (3) of section  
 811 921.0022, Florida Statutes, is amended to read:

812 921.0022 Criminal Punishment Code; offense severity  
 813 ranking chart.--

814 (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	
Statute	Degree	Description

(g) LEVEL 7

815  
 816 316.027(1)(b) 2nd Accident involving death, failure to  
 stop; leaving scene.

817 316.193(3)(c)2. 3rd DUI resulting in serious bodily  
 injury.

818 327.35(3)(c)2. 3rd Vessel BUI resulting in serious bodily  
 injury.

819

HB 1375

2004

	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
820	409.920(2)	3rd	Medicaid provider fraud.
821	456.065(2)	3rd	Practicing a health care profession without a license.
822	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
823	458.327(1)	3rd	Practicing medicine without a license.
824	459.013(1)	3rd	Practicing osteopathic medicine without a license.
825	460.411(1)	3rd	Practicing chiropractic medicine without a license.
826	461.012(1)	3rd	Practicing podiatric medicine without a license.
827	462.17	3rd	Practicing <u>naturopathic medicine</u> <del>naturopathy</del> without a license.
828	463.015(1)	3rd	Practicing optometry without a license.
829	464.016(1)	3rd	Practicing nursing without a license.

HB 1375

2004

830	465.015(2)	3rd	Practicing pharmacy without a license.
831	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
832	467.201	3rd	Practicing midwifery without a license.
833	468.366	3rd	Delivering respiratory care services without a license.
834	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
835	483.901(9)	3rd	Practicing medical physics without a license.
836	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
837	484.053	3rd	Dispensing hearing aids without a license.
838	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
839	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less

HB 1375

2004

than \$20,000 by money transmitter.

840

560.125(5)(a) 3rd

Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

841

655.50(10)(b)1. 3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

842

782.051(3) 2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

843

782.07(1) 2nd

Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

844

782.071 2nd

Killing of human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

845

782.072 2nd

Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

846

784.045(1)(a)1. 2nd

Aggravated battery; intentionally causing great bodily harm or



HB 1375

2004

disfigurement.

847

784.045(1)(a)2. 2nd

Aggravated battery; using deadly  
weapon.

848

784.045(1)(b) 2nd

Aggravated battery; perpetrator aware  
victim pregnant.

849

784.048(4) 3rd

Aggravated stalking; violation of  
injunction or court order.

850

784.07(2)(d) 1st

Aggravated battery on law enforcement  
officer.

851

784.074(1)(a) 1st

Aggravated battery on sexually violent  
predators facility staff.

852

784.08(2)(a) 1st

Aggravated battery on a person 65  
years of age or older.

853

784.081(1) 1st

Aggravated battery on specified  
official or employee.

854

784.082(1) 1st

Aggravated battery by detained person  
on visitor or other detainee.

855

784.083(1) 1st

Aggravated battery on code inspector.

856

790.07(4) 1st

Specified weapons violation subsequent  
to previous conviction of s. 790.07(1)  
or (2).

857

HB 1375

2004

858	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
859	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
860	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
861	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
862	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
863	796.03	2nd	Procuring any person under 16 years for prostitution.
864	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
865	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
	806.01(2)	2nd	Maliciously damage structure by fire

HB 1375

2004

or explosive.

- 866      810.02(3)(a)      2nd      Burglary of occupied dwelling;  
unarmed; no assault or battery.
- 867      810.02(3)(b)      2nd      Burglary of unoccupied dwelling;  
unarmed; no assault or battery.
- 868      810.02(3)(d)      2nd      Burglary of occupied conveyance;  
unarmed; no assault or battery.
- 869      812.014(2)(a)      1st      Property stolen, valued at \$100,000 or  
more; cargo stolen valued at \$50,000  
or more; property stolen while causing  
other property damage; 1st degree  
grand theft.
- 870      812.014(2)(b)3.      2nd      Property stolen, emergency medical  
equipment; 2nd degree grand theft.
- 871      812.0145(2)(a)      1st      Theft from person 65 years of age or  
older; \$50,000 or more.
- 872      812.019(2)      1st      Stolen property; initiates, organizes,  
plans, etc., the theft of property and  
traffics in stolen property.
- 873      812.131(2)(a)      2nd      Robbery by sudden snatching.
- 874      812.133(2)(b)      1st      Carjacking; no firearm, deadly weapon,  
or other weapon.
- 875

HB 1375

2004

876	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
877	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
878	817.234(11)(c)	1st	Insurance fraud; property value \$100,000 or more.
879	817.234(1)(2)(b)& (3)(b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
880	825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
881	825.103(2)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
882	827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
	827.04(3)	3rd	Impregnation of a child under 16 years

HB 1375

2004

of age by person 21 years of age or older.

883

837.05(2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

884

838.015

2nd

Bribery.

885

838.016

2nd

Unlawful compensation or reward for official behavior.

886

838.021(3)(a)

2nd

Unlawful harm to a public servant.

887

838.22

2nd

Bid tampering.

888

872.06

2nd

Abuse of a dead human body.

889

893.13(1)(c)1.

1st

Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

890

893.13(1)(e)1.

1st

Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet

HB 1375

2004

of property used for religious services or a specified business site.

891

893.13(4)(a) 1st

Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

892

893.135(1)(a)1. 1st

Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

893

893.135(1)(b)1. 1st

a.

Trafficking in cocaine, more than 28 grams, less than 200 grams.

894

893.135(1)(c)1. 1st

a.

Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

895

893.135(1)(d)1. 1st

Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

896

893.135(1)(e)1. 1st

Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

897

893.135(1)(f)1. 1st

Trafficking in amphetamine, more than 14 grams, less than 28 grams.

898

893.135(1)(g)1. 1st

a.

Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

899

893.135(1)(h)1. 1st

a.

Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

900

HB 1375

2004

901

893.135(1)(j)1. 1st Trafficking in 1,4-Butanediol, 1  
 a. kilogram or more, less than 5  
 kilograms.

902

893.135(1)(k)2. 1st Trafficking in Phenethylamines, 10  
 a. grams or more, less than 200 grams.

903

896.101(5)(a) 3rd Money laundering, financial  
 transactions exceeding \$300 but less  
 than \$20,000.

904

896.104(4)(a)1. 3rd Structuring transactions to evade  
 reporting or registration  
 requirements, financial transactions  
 exceeding \$300 but less than \$20,000.

905

Section 27. This act shall take effect July 1, 2004.