

By Senator Smith

14-991-04

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A bill to be entitled
An act relating to psychotherapist-patient
privilege; amending s. 90.503, F.S.; redefining
the term "psychotherapist" to include certain
advanced registered nurse practitioners for
purposes of the psychotherapist-patient
privilege of the Florida Evidence Code;
providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section
90.503, Florida Statutes, is amended to read:

90.503 Psychotherapist-patient privilege.--

(1) For purposes of this section:

(a) A "psychotherapist" is:

1. A person authorized to practice medicine in any
state or nation, or reasonably believed by the patient so to
be, who is engaged in the diagnosis or treatment of a mental
or emotional condition, including alcoholism and other drug
addiction;

2. A person licensed or certified as a psychologist
under the laws of any state or nation, who is engaged
primarily in the diagnosis or treatment of a mental or
emotional condition, including alcoholism and other drug
addiction;

3. A person licensed or certified as a clinical social
worker, marriage and family therapist, or mental health
counselor under the laws of this state, who is engaged
primarily in the diagnosis or treatment of a mental or

1 emotional condition, including alcoholism and other drug
2 addiction; ~~or~~
3 4. Treatment personnel of facilities licensed by the
4 state pursuant to chapter 394, chapter 395, or chapter 397, of
5 facilities designated by the Department of Children and Family
6 Services pursuant to chapter 394 as treatment facilities, or
7 of facilities defined as community mental health centers
8 pursuant to s. 394.907(1), who are engaged primarily in the
9 diagnosis or treatment of a mental or emotional condition,
10 including alcoholism and other drug addiction; or-

11 (5) An advanced registered nurse practitioner licensed
12 under s. 464.012, whose primary scope of practice is the
13 diagnosis or treatment of mental or emotional conditions,
14 including chemical abuse, and limited only to actions
15 performed in accordance with part I of chapter 464.

16 Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Includes certain advanced registered nurse practitioners in the definition of psychotherapist for purposes of the Florida Evidence Code.