

1 A bill to be entitled
2 An act relating to continuing education for
3 health care practitioners; amending s. 456.025,
4 F.S.; deleting requirements for the Department
5 of Health to administer an electronic
6 continuing education tracking system for health
7 care practitioners; creating s. 456.0251, F.S.;
8 providing for enforcement of continuing
9 education requirements required for license
10 renewal; authorizing citations and fines to be
11 imposed for failure to comply with required
12 continuing education requirements; amending s.
13 456.072, F.S.; providing for discipline of
14 licensees who fail to meet continuing education
15 requirements as a prerequisite for license
16 renewal three or more times; providing an
17 effective date.

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

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21 Section 1. Subsection (7) of section 456.025, Florida
22 Statutes, is amended to read:

23 456.025 Fees; receipts; disposition.--

24 (7) Each board, or the department if there is no
25 board, shall establish, by rule, a fee not to exceed \$250 for
26 anyone seeking approval to provide continuing education
27 courses or programs and shall establish by rule a biennial
28 renewal fee not to exceed \$250 for the renewal of providership
29 of such courses. The fees collected from continuing education
30 providers shall be used for the purposes of reviewing course
31 provider applications, monitoring the integrity of the courses

1 provided, and covering legal expenses incurred as a result of
2 not granting or renewing a providership, ~~and developing and~~
3 ~~maintaining an electronic continuing education tracking~~
4 ~~system. The department shall implement an electronic~~
5 ~~continuing education tracking system for each new biennial~~
6 ~~renewal cycle for which electronic renewals are implemented~~
7 ~~after the effective date of this act and shall integrate such~~
8 ~~system into the licensure and renewal system. All approved~~
9 ~~continuing education providers shall provide information on~~
10 ~~course attendance to the department necessary to implement the~~
11 ~~electronic tracking system. The department shall, by rule,~~
12 ~~specify the form and procedures by which the information is to~~
13 ~~be submitted.~~

14 Section 2. Section 456.0251, Florida Statutes, is
15 created to read:

16 456.0251 Continuing education.--

17 (1) Unless otherwise provided in a profession's
18 practice act, each board, or the department if there is no
19 board, shall establish by rule procedures for approval of
20 continuing education providers and continuing education
21 courses for renewal of licenses. Except for those continuing
22 education courses whose subjects are prescribed by law, each
23 board, or the department if there is no board, may limit by
24 rule the subject matter for approved continuing education
25 courses to courses addressing the scope of practice of each
26 respective health care profession.

27 (2) Licensees who have not completed all of the
28 continuing education credits required for licensure during a
29 biennium may obtain an extension of 3 months from the date
30 after the end of the license renewal biennium within which to
31 complete the requisite hours for license renewal. Each board,

1 or the department if there is no board, shall establish by
2 rule procedures for requesting a 3-month extension and whether
3 proof of completion of some approved hours of continuing
4 education are required to be submitted with the request for
5 extension as a prerequisite for granting the request.

6 (3) Failure to complete the requisite number of hours
7 of continuing education hours within a license renewal
8 biennium or within a 3 month period from the date after the
9 end of the license renewal biennium, if requested, shall be
10 grounds for issuance of a citation and a fine, plus a
11 requirement that at least the deficit hours are completed
12 within a time established by rule of each board, or the
13 department if there is no board. Each board, or the department
14 if there is no board, shall establish by rule a fine for each
15 continuing education hour which was not completed within the
16 license renewal biennium or the 3-month period following the
17 last day of the biennium if so requested, not to exceed \$500
18 per each hour not completed. The issuance of the citation and
19 fine shall not be considered discipline. A citation and a fine
20 issued under this subsection may only be issued to a licensee
21 a maximum of two times for two separate failures to complete
22 the requisite number of hours for license renewal.

23 (4) The department shall report to each board no later
24 than 3 months following the last day of the license renewal
25 biennium the percentage of licensees regulated by that board
26 who have not timely complied with the continuing education
27 requirements during the previous license renewal biennium for
28 which auditing of licensees regulated by that board are
29 completed. Each board shall direct the department the
30 percentage of licensees regulated by that board that are to be
31 audited during the next license renewal biennium. In addition

1 to the percentage of licensees audited as directed by the
2 boards, the department shall audit those licensees found to be
3 deficient during any of the two license renewal bienniums.

4 Section 3. Paragraph (ff) is added to subsection (1)
5 of section 456.072, Florida Statutes, to read:

6 456.072 Grounds for discipline; penalties;
7 enforcement.--

8 (1) The following acts shall constitute grounds for
9 which the disciplinary actions specified in subsection (2) may
10 be taken:

11 (ff) Failure for a third or more times to complete the
12 requisite number of hours of continuing education hours within
13 a license renewal biennium period or within a 3-month period
14 from the date after the end of the license renewal biennium,
15 if the extension was requested.

16 Section 4. This act shall take effect upon becoming a
17 law.