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1 A bill to be entitled

2 An act relating to public health; amending s. 17.41, F.S.;
3 authorizing the Department of Financial Services to
4 disburse funds into the Biomedical Research Trust Fund in
5 the Department of Health; amending s. 20.43, F.S.;
6 revising the names of certain divisions of the Department
7 of Health; creating the Division of Disability
8 Determinations; creating the Office of Minority Health;
9 amending and renumbering s. 216.341, F.S.; providing an
10 exemption from legislative funding for certain authorized
11 Department of Health positions; amending s. 381.0011,
12 F.S.; deleting a requirement that the Department of Health
13 work with other departments to develop and implement a
14 statewide injury control program; requiring the department
15 to maintain a statewide injury prevention program;
16 creating s. 381.0033, F.S.; requiring hospitals to
17 implement a program to offer immunizations against the
18 influenza virus and pneumococcal bacteria; amending s.
19 381.006, F.S.; authorizing each county to expend funds to
20 conduct elevated blood lead level investigations; amending
21 s. 381.0065, F.S.; revising a definition; deleting a
22 requirement that the Department of Health make a certain
23 report to the Legislature; specifying a certain annual
24 flood line; authorizing the department to require the
25 submission of certain onsite sewage treatment and disposal
26 system construction plans; requiring the department to
27 establish rules for submission of such plans; amending s.
28 381.0066, F.S.; extending the period in which a certain
29 fee is collected; amending s. 381.0072, F.S.; providing

30 limitations on a certain exemption from food service
31 protection requirements; removing a license exemption;
32 creating s. 381.0409, F.S.; requiring the department to
33 establish a comprehensive tobacco prevention program;
34 specifying components of the program; requiring the
35 department to act as a clearinghouse; allowing the
36 department to accept private funds; requiring evaluations;
37 allowing for contracting; creating s. 381.86, F.S.;
38 creating the Department of Health Institutional Review
39 Board; authorizing the secretary of the department to
40 appoint members and a chair; authorizing the board to
41 serve as the institutional review board for other agencies
42 at the department secretary's discretion; providing for
43 per diem and travel expenses for members of the board;
44 requiring the department to charge for review costs
45 incurred; providing an exception; authorizing rulemaking;
46 amending s. 381.7353, F.S.; providing an additional
47 program for department coordination; amending s. 381.7355,
48 F.S.; providing an additional priority area; amending s.
49 381.89, F.S.; providing for late payment fees for tanning
50 facility licenses; deleting the minimum license fee;
51 authorizing a maximum total fee for each facility to be
52 set by rule; revising the annual renewal fees to be
53 prorated quarterly; amending s. 381.90, F.S.; revising the
54 membership of the Health Information Systems Council;
55 revising the date by which the council must develop and
56 approve its strategic plan; deleting a requirement to
57 provide copies of such plan to the Governor and
58 Legislature; amending s. 383.14, F.S.; revising references

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59 to infants; providing for release of certain screening
60 results; revising the age by which a newborn shall have
61 certain tests; requiring the department to adopt certain
62 additional rules; providing additional members on the
63 Genetics and Newborn Screening Advisory Council; amending
64 s. 383.402, F.S.; requiring child abuse or neglect to be
65 verified before inclusion in a certain assessment;
66 amending s. 391.021, F.S.; revising a definition; amending
67 s. 391.025, F.S.; limiting the applicability and scope of
68 Children's Medical Services program components; amending
69 s. 391.029, F.S.; limiting certain services for
70 availability of funds under such program; providing an
71 additional eligibility requirement; amending s. 391.035,
72 F.S.; allowing the program to contract with providers
73 licensed in other states; amending s. 391.055, F.S.;
74 requiring newborn screening results to be reported to the
75 department if abnormal; amending ss. 391.301 and 391.305,
76 F.S., deleting provisions for screening hearing impaired
77 infants; amending s. 391.302, F.S.; deleting definitions
78 relating to hearing-impaired infants; amending s. 391.303,
79 F.S.; removing risk of hearing impairment as a condition
80 that requires referrals to an intervention program;
81 creating s. 391.308, F.S.; providing that the Department
82 of Health may implement and administer certain federal
83 programs as part of the Infants and Toddlers Early
84 Intervention program; requiring the department to apply
85 for federal funding for the program in conjunction with
86 the Department of Education; amending s. 395.1027, F.S.;

87 requiring licensed facilities to release to a regional

88 | poison control center certain patient information upon
 89 | request; amending s. 395.404, F.S.; requiring trauma
 90 | centers to report to a central registry; requiring the
 91 | reporting of certain information to the department's brain
 92 | and spinal cord injury central registry; amending s.
 93 | 400.9905, F.S.; revising and providing definitions;
 94 | amending s. 400.991, F.S.; revising health care clinic
 95 | licensing requirements; requiring separate licenses for
 96 | each mobile clinic; providing licensing requirements for
 97 | portable equipment providers; amending s. 400.9935, F.S.;
 98 | providing that a chief financial officer may assume
 99 | responsibility for clinic billings under certain
 100 | circumstances; providing that an exemption is not
 101 | transferable; authorizing a fee for a certificate of
 102 | exemption; allowing the agency to deny or revoke a
 103 | license; amending s. 400.995, F.S.; allowing the agency to
 104 | deny the renewal of a license or to revoke or suspend a
 105 | license; prohibiting extension of a temporary license
 106 | under certain circumstances; requiring the Agency for
 107 | Health Care Administration to refund certain application
 108 | fees; providing exceptions for certain late filed
 109 | applications and providing for contingent effect; amending
 110 | s. 401.211, F.S.; specifying legislative intent with
 111 | respect to a comprehensive statewide injury prevention
 112 | program; creating s. 401.243, F.S.; requiring the
 113 | department to establish an injury prevention program;
 114 | specifying the duties of the program; allowing the
 115 | department to obtain and expend funds from grants,
 116 | donations, or contributions; authorizing rulemaking;

117 amending s. 404.056, F.S.; changing mandatory radon
 118 testing criteria; amending s. 468.302, F.S.; specifying
 119 the use of medical radiation; specifying persons that may
 120 use a nuclear medicine-computed tomography device;
 121 specifying the authority of a nuclear medicine
 122 technologist; amending s. 468.304, F.S.; providing
 123 additional certification requirements; amending s.
 124 468.306, F.S.; authorizing the department to require
 125 additional education of certain applicants; amending s.
 126 468.3065, F.S.; specifying that the fee for certification
 127 by endorsement is nonrefundable; amending s. 468.307,
 128 F.S.; specifying the expiration date of a certificate;
 129 amending s. 468.309, F.S.; requiring notification of
 130 mailing address and place of practice; revising continuing
 131 education provider, course, and program approval
 132 provisions; providing for expired status and prohibiting
 133 practice under such status; specifying the process of
 134 certificate resignation; amending s. 468.3095, F.S.;
 135 providing the process to reactivate an expired or inactive
 136 certificate; specifying a timeframe for the automatic
 137 nullification of a certificate; specifying the expiration
 138 date of a reactivated certificate; amending s. 468.3101,
 139 F.S.; authorizing the department to investigate or compel
 140 document production to determine compliance; revising and
 141 providing grounds for disciplinary action; providing
 142 disciplinary actions; providing for actions against
 143 continuing education providers and courses; amending s.
 144 489.553, F.S.; setting criteria to register as a master
 145 septic tank contractor; amending s. 489.554, F.S.;

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146 revising the registration renewal process; providing when
 147 certificates of registration shall become inactive;
 148 allowing a master septic tank contractor to revert to
 149 registered status; requiring the department to deny
 150 certain applications for renewal; amending s. 784.081,
 151 F.S.; providing additional officials covered under
 152 penalties for assault and battery on specified officials;
 153 repealing s. 381.0098(9), F.S., relating to transition
 154 provisions involving regulation of biomedical waste;
 155 repealing s. 385.103(2)(f), F.S., relating to authority to
 156 adopt rules to govern the operation of community
 157 intervention programs; repealing s. 393.064(5), F.S.,
 158 relating to authority to contract for supervision and
 159 management of the Raymond C. Philips Research and
 160 Education Unit; repealing s. 445.033(7), F.S., relating to
 161 an exemption for evaluations of TANF-funded programs;
 162 repealing ss. 381.85, 385.205, and 385.209, F.S., relating
 163 to biomedical and social research, care and assistance of
 164 persons suffering from chronic renal diseases and
 165 establishment of programs in kidney disease control, and
 166 dissemination of information on cholesterol health risks,
 167 respectively; providing an effective date.

168

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

170

171 Section 1. Subsection (5) of section 17.41, Florida
 172 Statutes, is amended to read:

173 17.41 Department of Financial Services Tobacco Settlement
 174 Clearing Trust Fund.--

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175 (5) The department shall disburse funds, by nonoperating
 176 transfer, from the Tobacco Settlement Clearing Trust Fund to the
 177 tobacco settlement trust funds of the various agencies or the
 178 Biomedical Research Trust Fund in the Department of Health, as
 179 appropriate, in amounts equal to the annual appropriations made
 180 from those agencies' trust funds in the General Appropriations
 181 Act.

182 Section 2. Paragraphs (f), (i), and (j) of subsection (3)
 183 of section 20.43, Florida Statutes, are amended, paragraph (k)
 184 is added to said subsection, and subsection (9) is added to said
 185 section, to read:

186 20.43 Department of Health.--There is created a Department
 187 of Health.

188 (3) The following divisions of the Department of Health
 189 are established:

190 (f) Division of Emergency Medical Operations Services and
 191 ~~Community Health Resources~~.

192 (i) Division of Information Technology Resource
 193 ~~Management~~.

194 (j) Division of Health Access Awareness and Tobacco.

195 (k) Division of Disability Determinations.

196 (9) There is hereby established within the Department of
 197 Health the Office of Minority Health.

198 Section 3. Section 216.341, Florida Statutes, is
 199 renumbered as section 216.2625, Florida Statutes, and amended to
 200 read:

201 216.2625 ~~216.341~~ Disbursement of Department of Health
 202 ~~county health department~~ trust funds; appropriation of
 203 authorized positions.--

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204 (1) County health department trust funds may be expended
 205 by the Department of Health for the respective county health
 206 departments in accordance with budgets and plans agreed upon by
 207 the county authorities of each county and the Department of
 208 Health.

209 (2) The requirement limitations on appropriations provided
 210 in s. 216.262(1) that the number of authorized positions must be
 211 appropriated shall not apply to Department of Health positions
 212 funded by:

213 (a) County health department trust funds; or

214 (b) The United States Trust Fund.

215 Section 4. Subsection (12) of section 381.0011, Florida
 216 Statutes, is amended to read:

217 381.0011 Duties and powers of the Department of
 218 Health.--It is the duty of the Department of Health to:

219 (12) Maintain ~~Cooperate with other departments, local~~
 220 ~~officials, and private organizations in developing and~~
 221 ~~implementing~~ a statewide injury prevention ~~control~~ program.

222 Section 5. Section 381.0033, Florida Statutes, is created
 223 to read:

224 381.0033 Influenza virus and pneumococcal bacteria
 225 vaccinations.--Hospitals licensed pursuant to chapter 395 shall
 226 implement a program to offer immunizations against the influenza
 227 virus and pneumococcal bacteria to all patients 65 years of age
 228 or older between October 1, or earlier if the vaccination is
 229 available, and February 1 of every year, subject to the
 230 availability of an adequate supply of the necessary vaccine, in
 231 accordance with the recommendations of the Advisory Committee on
 232 Immunization Practices of the United States Centers of Disease

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233 Control and Prevention and subject to the clinical judgment of
 234 the responsible practitioner.

235 Section 6. Subsection (17) is added to section 381.006,
 236 Florida Statutes, to read:

237 381.006 Environmental health.--The department shall
 238 conduct an environmental health program as part of fulfilling
 239 the state's public health mission. The purpose of this program
 240 is to detect and prevent disease caused by natural and manmade
 241 factors in the environment. The environmental health program
 242 shall include, but not be limited to:

243 (17) An elevated blood lead level investigation function.
 244 Each participating county health department may expend funds for
 245 federally mandated certification or recertification fees related
 246 to elevated blood lead level investigations.

247
 248 The department may adopt rules to carry out the provisions of
 249 this section.

250 Section 7. Paragraph (k) of subsection (2) and paragraphs
 251 (d) and (e) of subsection (4) of section 381.0065, Florida
 252 Statutes, are amended, and paragraph (v) is added to subsection
 253 (4) of said section, to read:

254 381.0065 Onsite sewage treatment and disposal systems;
 255 regulation.--

256 (2) DEFINITIONS.--As used in ss. 381.0065-381.0067, the
 257 term:

258 (k) "Permanent nontidal surface water body" means a
 259 perennial stream, a perennial river, an intermittent stream, a
 260 perennial lake, a submerged marsh or swamp, a submerged wooded
 261 marsh or swamp, a spring, or a seep, as identified on the most

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262 recent quadrangle map, 7.5 minute series (topographic), produced
 263 by the United States Geological Survey, or products derived from
 264 such series. "Permanent nontidal surface water body" shall also
 265 mean an artificial surface water body that does not have an
 266 impermeable bottom and side and that is designed to hold, or
 267 does hold, visible standing water for at least 180 days of the
 268 year. However, a nontidal surface water body that is drained,
 269 either naturally or artificially, where the intent or the result
 270 is that such drainage be temporary, shall be considered a
 271 permanent nontidal surface water body. A nontidal surface water
 272 body that is drained of all visible surface water, where the
 273 lawful intent or the result of such drainage is that such
 274 drainage will be permanent, shall not be considered a permanent
 275 nontidal surface water body. The boundary of a permanent
 276 nontidal surface water body shall be the mean annual flood line.

277 (4) PERMITS; INSTALLATION; AND CONDITIONS.--A person may
 278 not construct, repair, modify, abandon, or operate an onsite
 279 sewage treatment and disposal system without first obtaining a
 280 permit approved by the department. The department may issue
 281 permits to carry out this section, but shall not make the
 282 issuance of such permits contingent upon prior approval by the
 283 Department of Environmental Protection. A construction permit is
 284 valid for 18 months from the issuance date and may be extended
 285 by the department for one 90-day period under rules adopted by
 286 the department. A repair permit is valid for 90 days from the
 287 date of issuance. An operating permit must be obtained prior to
 288 the use of any aerobic treatment unit or if the establishment
 289 generates commercial waste. Buildings or establishments that use
 290 an aerobic treatment unit or generate commercial waste shall be

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291 inspected by the department at least annually to assure
292 compliance with the terms of the operating permit. The operating
293 permit for a commercial wastewater system is valid for 1 year
294 from the date of issuance and must be renewed annually. The
295 operating permit for an aerobic treatment unit is valid for 2
296 years from the date of issuance and must be renewed every 2
297 years. If all information pertaining to the siting, location,
298 and installation conditions or repair of an onsite sewage
299 treatment and disposal system remains the same, a construction
300 or repair permit for the onsite sewage treatment and disposal
301 system may be transferred to another person, if the transferee
302 files, within 60 days after the transfer of ownership, an
303 amended application providing all corrected information and
304 proof of ownership of the property. There is no fee associated
305 with the processing of this supplemental information. A person
306 may not contract to construct, modify, alter, repair, service,
307 abandon, or maintain any portion of an onsite sewage treatment
308 and disposal system without being registered under part III of
309 chapter 489. A property owner who personally performs
310 construction, maintenance, or repairs to a system serving his or
311 her own owner-occupied single-family residence is exempt from
312 registration requirements for performing such construction,
313 maintenance, or repairs on that residence, but is subject to all
314 permitting requirements. A municipality or political subdivision
315 of the state may not issue a building or plumbing permit for any
316 building that requires the use of an onsite sewage treatment and
317 disposal system unless the owner or builder has received a
318 construction permit for such system from the department. A
319 building or structure may not be occupied and a municipality,

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320 political subdivision, or any state or federal agency may not
 321 authorize occupancy until the department approves the final
 322 installation of the onsite sewage treatment and disposal system.
 323 A municipality or political subdivision of the state may not
 324 approve any change in occupancy or tenancy of a building that
 325 uses an onsite sewage treatment and disposal system until the
 326 department has reviewed the use of the system with the proposed
 327 change, approved the change, and amended the operating permit.

328 (d) Paragraphs (a) and (b) do not apply to any proposed
 329 residential subdivision with more than 50 lots or to any
 330 proposed commercial subdivision with more than 5 lots where a
 331 publicly owned or investor-owned sewerage system is available.
 332 It is the intent of this paragraph not to allow development of
 333 additional proposed subdivisions in order to evade the
 334 requirements of this paragraph. ~~The department shall report to~~
 335 ~~the Legislature by February 1 of each odd-numbered year~~
 336 ~~concerning the success in meeting this intent.~~

337 (e) Onsite sewage treatment and disposal systems must not
 338 be placed closer than:

- 339 1. Seventy-five feet from a private potable well.
- 340 2. Two hundred feet from a public potable well serving a
 341 residential or nonresidential establishment having a total
 342 sewage flow of greater than 2,000 gallons per day.
- 343 3. One hundred feet from a public potable well serving a
 344 residential or nonresidential establishment having a total
 345 sewage flow of less than or equal to 2,000 gallons per day.
- 346 4. Fifty feet from any nonpotable well.

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347 5. Ten feet from any storm sewer pipe, to the maximum
 348 extent possible, but in no instance shall the setback be less
 349 than 5 feet.

350 6. Seventy-five feet from the mean high-water line of a
 351 tidally influenced surface water body.

352 7. Seventy-five feet from the mean ~~normal~~ annual flood
 353 line of a permanent nontidal surface water body.

354 8. Fifteen feet from the design high-water line of
 355 retention areas, detention areas, or swales designed to contain
 356 standing or flowing water for less than 72 hours after a
 357 rainfall or the design high-water level of normally dry drainage
 358 ditches or normally dry individual lot stormwater retention
 359 areas.

360 (v) The department may require the submission of detailed
 361 system construction plans prepared by a professional engineer
 362 registered in this state. The department shall establish by rule
 363 the criteria for determining when such submissions are required.

364 Section 8. Paragraph (k) of subsection (2) of section
 365 381.0066, Florida Statutes, is amended to read:

366 381.0066 Onsite sewage treatment and disposal systems;
 367 fees.--

368 (2) The minimum fees in the following fee schedule apply
 369 until changed by rule by the department within the following
 370 limits:

371 (k) Research: An additional \$5 fee shall be added to each
 372 new system construction permit issued ~~during fiscal years 1996-~~
 373 ~~2004~~ to be used for onsite sewage treatment and disposal system
 374 research, demonstration, and training projects. Five dollars
 375 from any repair permit fee collected under this section shall be

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376 used for funding the hands-on training centers described in s.
 377 381.0065(3)(j).

378
 379 The funds collected pursuant to this subsection must be
 380 deposited in a trust fund administered by the department, to be
 381 used for the purposes stated in this section and ss. 381.0065
 382 and 381.00655.

383 Section 9. Paragraph (a) of subsection (2), paragraph (a)
 384 of subsection (3), and paragraph (a) of subsection (4) of
 385 section 381.0072, Florida Statutes, are amended to read:

386 381.0072 Food service protection.--It shall be the duty of
 387 the Department of Health to adopt and enforce sanitation rules
 388 consistent with law to ensure the protection of the public from
 389 food-borne illness. These rules shall provide the standards and
 390 requirements for the storage, preparation, serving, or display
 391 of food in food service establishments as defined in this
 392 section and which are not permitted or licensed under chapter
 393 500 or chapter 509.

394 (2) DUTIES.--

395 (a) The department shall adopt rules, including
 396 definitions of terms which are consistent with law prescribing
 397 minimum sanitation standards and manager certification
 398 requirements as prescribed in s. 509.039, and which shall be
 399 enforced in food service establishments as defined in this
 400 section. The sanitation standards must address the construction,
 401 operation, and maintenance of the establishment; lighting,
 402 ventilation, laundry rooms, lockers, use and storage of toxic
 403 materials and cleaning compounds, and first-aid supplies; plan
 404 review; design, construction, installation, location,

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405 maintenance, sanitation, and storage of food equipment and
 406 utensils; employee training, health, hygiene, and work
 407 practices; food supplies, preparation, storage, transportation,
 408 and service, including access to the areas where food is stored
 409 or prepared; and sanitary facilities and controls, including
 410 water supply and sewage disposal; plumbing and toilet
 411 facilities; garbage and refuse collection, storage, and
 412 disposal; and vermin control. Public and private schools,
 413 provided that the food service is operated by school employees,
 414 hospitals licensed under chapter 395, nursing homes licensed
 415 under part II of chapter 400, child care facilities as defined
 416 in s. 402.301, ~~and~~ residential facilities colocated with a
 417 nursing home or hospital if all food is prepared in a central
 418 kitchen that complies with nursing or hospital regulations, and
 419 bars and lounges, as defined by rule of the department, shall be
 420 exempt from the rules developed for manager certification. The
 421 department shall administer a comprehensive inspection,
 422 monitoring, and sampling program to ensure such standards are
 423 maintained. With respect to food service establishments
 424 permitted or licensed under chapter 500 or chapter 509, the
 425 department shall assist the Division of Hotels and Restaurants
 426 of the Department of Business and Professional Regulation and
 427 the Department of Agriculture and Consumer Services with
 428 rulemaking by providing technical information.

429 (3) LICENSES REQUIRED.--

430 (a) *Licenses; annual renewals.*--Each food service
 431 establishment regulated under this section shall obtain a
 432 license from the department annually. Food service establishment
 433 licenses shall expire annually and shall not be transferable

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434 from one place or individual to another. ~~However, those~~
 435 ~~facilities licensed by the department's Office of Licensure and~~
 436 ~~Certification, the Child Care Services Program Office, or the~~
 437 ~~Developmental Disabilities Program Office are exempt from this~~
 438 ~~subsection.~~ It shall be a misdemeanor of the second degree,
 439 punishable as provided in s. 381.0061, s. 775.082, or s.
 440 775.083, for such an establishment to operate without this
 441 license. The department may refuse a license, or a renewal
 442 thereof, to any establishment that is not constructed or
 443 maintained in accordance with law and with the rules of the
 444 department. Annual application for renewal shall not be
 445 required.

446 (4) LICENSE; INSPECTION; FEES.--

447 (a) The department is authorized to collect fees from
 448 establishments licensed under this section ~~and from those~~
 449 ~~facilities exempted from licensure under paragraph (3)(a).~~ It is
 450 the intent of the Legislature that the total fees assessed under
 451 this section be in an amount sufficient to meet the cost of
 452 carrying out the provisions of this section.

453 Section 10. Section 381.0409, Florida Statutes, is created
 454 to read:

455 381.0409 Tobacco prevention program.--The Department of
 456 Health shall establish a comprehensive tobacco prevention
 457 program designed to reduce premature mortality, reduce
 458 morbidity, and increase the life expectancy of people in the
 459 state through public health interventions at the state and local
 460 levels. Implementation of this program is contingent upon the
 461 department's receiving a specific appropriation for this
 462 purpose.

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463 (1) The comprehensive tobacco prevention program shall
464 include the following components:

465 (a) Program elements based on the best practices for
466 comprehensive tobacco control programs identified by the United
467 States Centers for Disease Control and Prevention and on the
468 peer-reviewed scientific literature on tobacco prevention.

469 (b) Advocacy organizations of middle, high school, and
470 college students.

471 (c) Cessation programs for youth and adults through
472 schools, county health departments, and local providers,
473 including a toll-free telephone "quit line."

474 (d) Partnerships with local communities and schools to
475 prevent and reduce tobacco use, including reducing disparities
476 in tobacco use among different population groups.

477 (e) Local and statewide media campaigns separately
478 targeted to youth and adults.

479 (f) Implementation of the provisions of the Florida Clean
480 Indoor Air Act under part II of chapter 386 that are applicable
481 to the department.

482 (2) The department shall act as a clearinghouse for
483 information on best practices and shall provide technical
484 assistance and training to state and local entities on tobacco
485 prevention activities.

486 (3) The department may accept funds from the private
487 sector to implement this section.

488 (4) The department shall conduct surveillance and
489 evaluations to measure program performance and improve
490 implementation strategies.

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491 (5) The department may contract for any of the activities
 492 specified in this section.

493 Section 11. Section 381.86, Florida Statutes, is created
 494 to read:

495 381.86 Department of Health Institutional Review Board.--

496 (1) The Department of Health Institutional Review Board is
 497 hereby created to satisfy federal requirements under 45 C.F.R.
 498 part 46 and 21 C.F.R. parts 50 and 56 for an institutional
 499 review board to review all biomedical and behavioral research on
 500 human subjects that the department funds or supports in any
 501 manner, including the permitting of access to department data or
 502 department resources.

503 (2) Consistent with federal requirements, the Secretary of
 504 Health shall determine and appoint the membership on the board
 505 and designate the chair.

506 (3) The department's institutional review board may serve
 507 as an institutional review board for other agencies at the
 508 discretion of the secretary.

509 (4) Each board member shall be entitled to per diem and
 510 travel expenses as provided in s. 112.061 while carrying out the
 511 official business of the board.

512 (5) The department shall charge for reasonable costs it
 513 incurs for the research oversight it provides according to a fee
 514 schedule, except that students who are candidates for degrees in
 515 universities located in this state shall have fees waived. The
 516 fee schedule shall provide for fees for initial review,
 517 amendments, and continuing review. The department may adopt
 518 rules as necessary to comply with federal requirements and this

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519 section. Such rules shall also prescribe procedures to apply for
 520 review by the institutional review board.

521 Section 12. Paragraph (e) of subsection (2) of section
 522 381.7353, Florida Statutes, is amended to read:

523 381.7353 Reducing Racial and Ethnic Health Disparities:
 524 Closing the Gap grant program; administration; department
 525 duties.--

526 (2) The department shall:

527 (e) Coordinate with existing community-based programs,
 528 such as chronic disease community intervention programs, cancer
 529 prevention and control programs, diabetes control programs, oral
 530 health care programs, the Healthy Start program, the Florida
 531 KidCare Program, the HIV/AIDS program, immunization programs,
 532 and other related programs at the state and local levels, to
 533 avoid duplication of effort and promote consistency.

534 Section 13. Paragraph (a) of subsection (2) of section
 535 381.7355, Florida Statutes, is amended to read:

536 381.7355 Project requirements; review criteria.--

537 (2) A proposal must include each of the following
 538 elements:

539 (a) The purpose and objectives of the proposal, including
 540 identification of the particular racial or ethnic disparity the
 541 project will address. The proposal must address one or more of
 542 the following priority areas:

543 1. Decreasing racial and ethnic disparities in maternal
 544 and infant mortality rates.

545 2. Decreasing racial and ethnic disparities in morbidity
 546 and mortality rates relating to cancer.

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547 3. Decreasing racial and ethnic disparities in morbidity
548 and mortality rates relating to HIV/AIDS.

549 4. Decreasing racial and ethnic disparities in morbidity
550 and mortality rates relating to cardiovascular disease.

551 5. Decreasing racial and ethnic disparities in morbidity
552 and mortality rates relating to diabetes.

553 6. Increasing adult and child immunization rates in
554 certain racial and ethnic populations.

555 7. Decreasing racial and ethnic disparities in oral health
556 care.

557 Section 14. Paragraphs (b) and (c) of subsection (3) of
558 section 381.89, Florida Statutes, are amended to read:

559 381.89 Regulation of tanning facilities.--

560 (3)

561 (b) The department shall establish procedures for the
562 issuance and annual renewal of licenses and shall establish
563 annual license and renewal fees and late payment fees in an
564 amount necessary to cover the expenses of administering this
565 section. Annual license and renewal fees shall ~~be not be less~~
566 ~~than \$125 nor~~ more than \$250 per tanning device, and a maximum
567 total fee per individual tanning facility may be set by rule.

568 ~~Effective October 1, 1991, the fee amount shall be the minimum~~
569 ~~fee proscribed in this paragraph and such fee amount shall~~
570 ~~remain in effect until the effective date of a fee schedule~~
571 ~~adopted by the department.~~

572 (c) The department may adopt a system under which licenses
573 expire on staggered dates and the annual renewal fees are
574 prorated quarterly ~~monthly~~ to reflect the actual number of
575 months the license is valid.

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576 Section 15. Subsection (3) and paragraph (a) of subsection
 577 (7) of section 381.90, Florida Statutes, are amended to read:

578 381.90 Health Information Systems Council; legislative
 579 intent; creation, appointment, duties.--

580 (3) The council shall be composed of the following members
 581 or their senior executive-level designees:

582 (a) The Secretary ~~of the Department~~ of Health;

583 (b) The Executive Director ~~secretary of the Department~~ of
 584 Veterans' Affairs ~~Business and Professional Regulation~~;

585 (c) The Secretary of ~~the Department~~ of Children and Family
 586 Services;

587 (d) The Secretary of Health Care Administration;

588 (e) The Secretary of ~~the Department~~ of Corrections;

589 (f) The Attorney General;

590 (g) The executive director of the Correctional Medical
 591 Authority;

592 (h) Two members representing county health departments,
 593 one from a small county and one from a large county, appointed
 594 by the Governor;

595 (i) A representative from the Florida Association of
 596 Counties;

597 (j) The Chief Financial Officer;

598 (k) A representative from the Florida Healthy Kids
 599 Corporation;

600 (l) A representative from a school of public health chosen
 601 by the Commissioner of Education ~~Board of Regents~~;

602 (m) The Commissioner of Education;

603 (n) The Secretary of ~~the Department~~ of Elderly Affairs;

604 and

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605 (o) The Secretary of ~~the Department of~~ Juvenile Justice.

606
607 Representatives of the Federal Government may serve without
608 voting rights.

609 (7) The council's duties and responsibilities include, but
610 are not limited to, the following:

611 (a) By June ~~March~~ 1 of each year, to develop and approve a
612 strategic plan pursuant to the requirements set forth in s.
613 186.022(9). ~~Copies of the plan shall be transmitted~~
614 ~~electronically or in writing to the Executive Office of the~~
615 ~~Governor, the Speaker of the House of Representatives, and the~~
616 ~~President of the Senate.~~

617 Section 16. Subsections (1), (2), and (5) and paragraphs
618 (f) and (g) of subsection (3) of section 383.14, Florida
619 Statutes, are amended to read:

620 383.14 Screening for metabolic disorders, other hereditary
621 and congenital disorders, and environmental risk factors.--

622 (1) SCREENING REQUIREMENTS.--To help ensure access to the
623 maternal and child health care system, the Department of Health
624 shall promote the screening of all newborns ~~infants~~ born in
625 Florida for phenylketonuria and other metabolic, hereditary, and
626 congenital disorders known to result in significant impairment
627 of health or intellect, as screening programs accepted by
628 current medical practice become available and practical in the
629 judgment of the department. The department shall also promote
630 the identification and screening of all newborns ~~infants~~ born in
631 this state and their families for environmental risk factors
632 such as low income, poor education, maternal and family stress,
633 emotional instability, substance abuse, and other high-risk

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634 conditions associated with increased risk of newborn ~~infant~~
 635 mortality and morbidity to provide early intervention,
 636 remediation, and prevention services, including, but not limited
 637 to, parent support and training programs, home visitation, and
 638 case management. Identification, perinatal screening, and
 639 intervention efforts shall begin prior to and immediately
 640 following the birth of the child by the attending health care
 641 provider. Such efforts shall be conducted in hospitals,
 642 perinatal centers, county health departments, school health
 643 programs that provide prenatal care, and birthing centers, and
 644 reported to the Office of Vital Statistics.

645 (a) *Prenatal screening.*--The department shall develop a
 646 multilevel screening process that includes a risk assessment
 647 instrument to identify women at risk for a preterm birth or
 648 other high-risk condition. The primary health care provider
 649 shall complete the risk assessment instrument and report the
 650 results to the Office of Vital Statistics so that the woman may
 651 immediately be notified and referred to appropriate health,
 652 education, and social services.

653 (b) *Postnatal screening.*--A risk factor analysis using the
 654 department's designated risk assessment instrument shall also be
 655 conducted as part of the medical screening process upon the
 656 birth of a child and submitted to the department's Office of
 657 Vital Statistics for recording and other purposes provided for
 658 in this chapter. The department's screening process for risk
 659 assessment shall include a scoring mechanism and procedures that
 660 establish thresholds for notification, further assessment,
 661 referral, and eligibility for services by professionals or
 662 paraprofessionals consistent with the level of risk. Procedures

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663 for developing and using the screening instrument, notification,
 664 referral, and care coordination services, reporting
 665 requirements, management information, and maintenance of a
 666 computer-driven registry in the Office of Vital Statistics which
 667 ensures privacy safeguards must be consistent with the
 668 provisions and plans established under chapter 411, Pub. L. No.
 669 99-457, and this chapter. Procedures established for reporting
 670 information and maintaining a confidential registry must include
 671 a mechanism for a centralized information depository at the
 672 state and county levels. The department shall coordinate with
 673 existing risk assessment systems and information registries. The
 674 department must ensure, to the maximum extent possible, that the
 675 screening information registry is integrated with the
 676 department's automated data systems, including the Florida On-
 677 line Recipient Integrated Data Access (FLORIDA) system. Tests
 678 and screenings must be performed by the State Public Health
 679 Laboratory, in coordination with Children's Medical Services, at
 680 such times and in such manner as is prescribed by the department
 681 after consultation with the Genetics and ~~Newborn Infant~~
 682 Screening Advisory Council and the State Coordinating Council
 683 for School Readiness Programs.

684 (c) Release of screening results.--Notwithstanding any
 685 other provision of law, the State Public Health Laboratory may
 686 release, directly or through Children's Medical Services, a
 687 newborn's hearing or metabolic test and screening results to the
 688 newborn's primary care physician.

689 (2) RULES.--After consultation with the Genetics and
 690 ~~Newborn Infant~~ Screening Advisory Council, the department shall
 691 adopt and enforce rules requiring that every ~~newborn infant~~ born

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692 in this state shall, prior to becoming 1 week ~~2 weeks~~ of age, be
 693 subjected to a test for phenylketonuria and, at the appropriate
 694 age, be tested for such other metabolic diseases and hereditary
 695 or congenital disorders as the department may deem necessary
 696 from time to time. After consultation with the State
 697 Coordinating Council for School Readiness Programs, the
 698 department shall also adopt and enforce rules requiring every
 699 newborn ~~infant~~ born in this state to be screened for
 700 environmental risk factors that place children and their
 701 families at risk for increased morbidity, mortality, and other
 702 negative outcomes. The department shall adopt such additional
 703 rules as are found necessary for the administration of this
 704 section, including rules for processing requests and releasing
 705 test and screening results, rules providing definitions of
 706 terms, rules relating to the methods used and time or times for
 707 testing as accepted medical practice indicates, rules relating
 708 to charging and collecting fees for screenings authorized by
 709 this section, and rules requiring mandatory reporting of the
 710 results of tests and screenings for these conditions to the
 711 department.

712 (3) DEPARTMENT OF HEALTH; POWERS AND DUTIES.--The
 713 department shall administer and provide certain services to
 714 implement the provisions of this section and shall:

715 (f) Promote the availability of genetic studies and
 716 counseling in order that the parents, siblings, and affected
 717 newborns ~~infants~~ may benefit from available knowledge of the
 718 condition.

719 (g) Have the authority to charge and collect fees for
 720 screenings authorized in this section, as follows:

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721 1. A fee of \$20 will be charged for each live birth, as
722 recorded by the Office of Vital Statistics, occurring in a
723 hospital licensed under part I of chapter 395 or a birth center
724 licensed under s. 383.305, up to 3,000 live births per licensed
725 hospital per year or over 60 births per birth center per year.
726 The department shall calculate the annual assessment for each
727 hospital and birth center, and this assessment must be paid in
728 equal amounts quarterly. Quarterly, the department shall
729 generate and mail to each hospital and birth center a statement
730 of the amount due.

731 2. As part of the department's legislative budget request
732 prepared pursuant to chapter 216, the department shall submit a
733 certification by the department's inspector general, or the
734 director of auditing within the inspector general's office, of
735 the annual costs of the uniform testing and reporting procedures
736 of the newborn ~~infant~~ screening program. In certifying the
737 annual costs, the department's inspector general or the director
738 of auditing within the inspector general's office shall
739 calculate the direct costs of the uniform testing and reporting
740 procedures, including applicable administrative costs.
741 Administrative costs shall be limited to those department costs
742 which are reasonably and directly associated with the
743 administration of the uniform testing and reporting procedures
744 of the newborn ~~infant~~ screening program.

745
746 All provisions of this subsection must be coordinated with the
747 provisions and plans established under this chapter, chapter
748 411, and Pub. L. No. 99-457.

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749 (5) ADVISORY COUNCIL.--There is established a Genetics and
 750 Newborn Infant Screening Advisory Council made up of 15 ~~12~~
 751 members appointed by the Secretary of Health. The council shall
 752 be composed of two consumer members, three practicing
 753 pediatricians, at least one of whom must be a pediatric
 754 hematologist, one representative from each of the four medical
 755 schools in the state, the Secretary of Health or his or her
 756 designee, one representative from the Department of Health
 757 representing Children's Medical Services, one representative
 758 from the Florida Hospital Association, one representative with
 759 experience in newborn screening programs, one representative
 760 representing audiologists, and one representative from the
 761 Developmental Disabilities Program Office of the Department of
 762 Children and Family Services. All appointments shall be for a
 763 term of 4 years. The chairperson of the council shall be elected
 764 from the membership of the council and shall serve for a period
 765 of 2 years. The council shall meet at least semiannually or upon
 766 the call of the chairperson. The council may establish ad hoc or
 767 temporary technical advisory groups to assist the council with
 768 specific topics which come before the council. Council members
 769 shall serve without pay. Pursuant to the provisions of s.
 770 112.061, the council members are entitled to be reimbursed for
 771 per diem and travel expenses. It is the purpose of the council
 772 to advise the department about:

773 (a) Conditions for which testing should be included under
 774 the screening program and the genetics program.+

775 (b) Procedures for collection and transmission of
 776 specimens and recording of results.+~~and~~

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777 (c) Methods whereby screening programs and genetics
 778 services for children now provided or proposed to be offered in
 779 the state may be more effectively evaluated, coordinated, and
 780 consolidated.

781 Section 17. Subsection (1) of section 383.402, Florida
 782 Statutes, is amended to read:

783 383.402 Child abuse death review; State Child Abuse Death
 784 Review Committee; local child abuse death review committees.--

785 (1) It is the intent of the Legislature to establish a
 786 statewide multidisciplinary, multiagency child abuse death
 787 assessment and prevention system that consists of state and
 788 local review committees. The state and local review committees
 789 shall review the facts and circumstances of all deaths of
 790 children from birth through age 18 which occur in this state as
 791 the result of verified child abuse or neglect ~~and for whom at~~
 792 ~~least one report of abuse or neglect was accepted by the central~~
 793 ~~abuse hotline within the Department of Children and Family~~
 794 ~~Services~~. The purpose of the review shall be to:

795 (a) Achieve a greater understanding of the causes and
 796 contributing factors of deaths resulting from child abuse.

797 (b) Whenever possible, develop a communitywide approach to
 798 address such cases and contributing factors.

799 (c) Identify any gaps, deficiencies, or problems in the
 800 delivery of services to children and their families by public
 801 and private agencies which may be related to deaths that are the
 802 result of child abuse.

803 (d) Make and implement recommendations for changes in law,
 804 rules, and policies, as well as develop practice standards that

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805 support the safe and healthy development of children and reduce
 806 preventable child abuse deaths.

807 Section 18. Subsection (2) of section 391.021, Florida
 808 Statutes, is amended to read:

809 391.021 Definitions.--When used in this act, unless the
 810 context clearly indicates otherwise:

811 (2) "Children with special health care needs" means those
 812 children who have not reached 21 years of age who have chronic
 813 physical, developmental, behavioral, or emotional conditions and
 814 who also require health care and related services of a type or
 815 amount beyond that which is generally required by children under
 816 age 21 years whose serious or chronic physical or developmental
 817 conditions require extensive preventive and maintenance care
 818 beyond that required by typically healthy children. Health care
 819 utilization by these children exceeds the statistically expected
 820 usage of the normal child adjusted for chronological age. These
 821 children often need complex care requiring multiple providers,
 822 rehabilitation services, and specialized equipment in a number
 823 of different settings.

824 Section 19. Section 391.025, Florida Statutes, is amended
 825 to read:

826 391.025 Applicability and scope.--

827 ~~(1) This act applies to health services provided to~~
 828 ~~eligible individuals who are:~~

829 ~~(a)1. Enrolled in the Medicaid program;~~

830 ~~2. Enrolled in the Florida Kidcare program; and~~

831 ~~3. Uninsured or underinsured, provided that they meet the~~
 832 ~~financial eligibility requirements established in this act, and~~
 833 ~~to the extent that resources are appropriated for their care; or~~

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834 ~~(b) Infants who receive an award of compensation under s.~~
 835 ~~766.31(1).~~

836 (1)(2) The Children's Medical Services program consists of
 837 the following components:

838 (a) The newborn ~~infant metabolic~~ screening program
 839 established in s. 383.14.

840 (b) The regional perinatal intensive care centers program
 841 established in ss. 383.15-383.21.

842 (c) A federal or state program authorized by the
 843 Legislature.

844 (d) The developmental evaluation and intervention program,
 845 including the Infants and Toddlers Early Intervention Program.

846 (e) The Children's Medical Services network.

847 (2)(3) The Children's Medical Services program shall not
 848 be deemed an insurer and is not subject to the licensing
 849 requirements of the Florida Insurance Code or the rules adopted
 850 thereunder, when providing services to children who receive
 851 Medicaid benefits, other Medicaid-eligible children with special
 852 health care needs, and children participating in the Florida
 853 Kidcare program.

854 Section 20. Section 391.029, Florida Statutes, is amended
 855 to read:

856 391.029 Program eligibility.--

857 (1) The department shall establish the medical criteria to
 858 determine if an applicant for the Children's Medical Services
 859 program is an eligible individual.

860 (2) The following individuals are financially eligible to
 861 receive services through ~~for~~ the program:

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862 (a) A high-risk pregnant female who is eligible for
863 Medicaid.

864 (b) Children ~~A child~~ with special health care needs from
865 birth to ~~age~~ 21 years of age who are ~~is~~ eligible for Medicaid.

866 (c) Children ~~A child~~ with special health care needs from
867 birth to ~~age~~ 19 years of age who are ~~is~~ eligible for a program
868 under Title XXI of the Social Security Act.

869 (3) Subject to the availability of funds, the following
870 individuals may receive services through the program:

871 (a)(d) Children ~~A child~~ with special health care needs
872 from birth to ~~age~~ 21 years of age whose family income is above
873 financial eligibility requirements under Title XXI of the Social
874 Security Act and whose projected annual cost of care adjusts the
875 family income to Medicaid financial criteria. In cases where the
876 family income is adjusted based on a projected annual cost of
877 care, the family shall participate financially in the cost of
878 care based on criteria established by the department.

879 (b)(e) Children ~~A child~~ with special health care needs
880 from birth to 21 years of age, as provided ~~defined~~ in Title V of
881 the Social Security Act ~~relating to children with special health~~
882 ~~care needs.~~

883 (c)(f) A newborn ~~An infant~~ who receives an award of
884 compensation under s. 766.31(1). The Florida Birth-Related
885 Neurological Injury Compensation Association shall reimburse the
886 Children's Medical Services Network the state's share of
887 funding, which must thereafter be used to obtain matching
888 federal funds under Title XXI of the Social Security Act.

889

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890 The department may continue to serve certain children with
 891 special health care needs who are 21 years of age or older and
 892 who were receiving services from the program prior to April 1,
 893 1998. Such children may be served by the department until July
 894 1, 2000.

895 ~~(4)(3)~~ The department shall determine the financial and
 896 medical eligibility of children for the program. The department
 897 shall also determine the financial ability of the parents, or
 898 persons or other agencies having legal custody over such
 899 individuals, to pay the costs of health services under the
 900 program. The department may pay reasonable travel expenses
 901 related to the determination of eligibility for or the provision
 902 of health services.

903 ~~(5)(4)~~ Any child who has been provided with surgical or
 904 medical care or treatment under this act prior to being adopted
 905 shall continue to be eligible to be provided with such care or
 906 treatment after his or her adoption, regardless of the financial
 907 ability of the persons adopting the child.

908 Section 21. Subsection (4) is added to section 391.035,
 909 Florida Statutes, to read:

910 391.035 Provider qualifications.--

911 (4) Notwithstanding any other provision of law, the
 912 department may contract with health care providers licensed in
 913 another state to provide health services to participants in the
 914 Children's Medical Services program when necessary due to an
 915 emergency, the availability of specialty services, or a greater
 916 convenience to the participant for receiving timely and
 917 effective health care services. The department may adopt rules
 918 to administer this subsection.

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919 Section 22. Subsection (4) is added to section 391.055,
 920 Florida Statutes, to read:

921 391.055 Service delivery systems.--

922 (4) If a newborn has an abnormal screening result for
 923 metabolic or other hereditary and congenital disorders which is
 924 identified through the newborn screening program pursuant to s.
 925 383.14, the newborn shall be referred to Children's Medical
 926 Services for additional testing, medical management, early
 927 intervention services, or medical referral.

928 Section 23. Subsection (4) of section 391.301, Florida
 929 Statutes, is renumbered as subsection (3), and present
 930 subsection (3) of said section is amended to read:

931 391.301 Developmental evaluation and intervention
 932 programs; legislative findings and intent.--

933 ~~(3) It is the intent of the Legislature to provide a~~
 934 ~~statewide coordinated program to screen, diagnose, and manage~~
 935 ~~high-risk infants identified as hearing-impaired. The program~~
 936 ~~shall develop criteria to identify infants who are at risk of~~
 937 ~~having hearing impairments, and shall ensure that all parents or~~
 938 ~~guardians of newborn infants are provided with materials~~
 939 ~~regarding hearing impairments prior to discharge of the newborn~~
 940 ~~infants from the hospital.~~

941 Section 24. Subsections (4), (5), and (6) of section
 942 391.302, Florida Statutes, are renumbered as subsections (2),
 943 (3), and (4), respectively, and present subsections (2) and (3)
 944 of said section are amended to read:

945 391.302 Definitions.--As used in ss. 391.301-391.307, the
 946 term:

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947 ~~(2) "Hearing impaired infant" means an infant who is born~~
 948 ~~with or who has acquired prelingually a hearing loss so severe~~
 949 ~~that, unaided, the infant cannot learn speech and language~~
 950 ~~through normal means.~~

951 ~~(3) "High risk hearing impaired infant" means an infant~~
 952 ~~who exhibits conditions and factors that include, but are not~~
 953 ~~limited to, a family history of hearing impairment or anatomic~~
 954 ~~malformation which place the infant at an increased risk for~~
 955 ~~hearing impairment.~~

956 Section 25. Section 391.303, Florida Statutes, is amended
 957 to read:

958 391.303 Program requirements.--

959 (1) Developmental evaluation and intervention services
 960 shall be established at each hospital that provides Level II or
 961 Level III neonatal intensive care services. Program services
 962 shall be made available to an infant or toddler identified as
 963 being at risk for developmental disabilities, or identified as
 964 medically involved, who, along with his or her family, would
 965 benefit from program services. Program services shall be made
 966 available to infants or toddlers in a Level II or Level III
 967 neonatal intensive care unit or in a pediatric intensive care
 968 unit, ~~infants who are identified as being at high risk for~~
 969 ~~hearing impairment or who are hearing impaired, or infants who~~
 970 ~~have a metabolic or genetic disorder~~ or condition identified
 971 through the newborn screening program. The developmental
 972 evaluation and intervention programs are subject to the
 973 availability of moneys and the limitations established by the
 974 General Appropriations Act or chapter 216. ~~Hearing screening,~~
 975 ~~Evaluation and referral services,~~ and initial developmental

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976 assessments services shall be provided to each infant or
 977 toddler. Other program services may be provided to an infant or
 978 toddler, and the family of the infant or toddler, who do not
 979 meet the financial eligibility criteria for the Children's
 980 Medical Services program based on the availability of funding,
 981 including insurance and fees.

982 (2) Each developmental evaluation and intervention program
 983 shall have a program director, a medical director, and necessary
 984 staff to carry out the program. The program director shall
 985 establish and coordinate the developmental evaluation and
 986 intervention program. The program shall include, but is not
 987 limited to:

988 (a) In-hospital evaluation and intervention services,
 989 parent support and training, and family support planning and
 990 case management.

991 ~~(b) Screening and evaluation services to identify each~~
 992 ~~infant at risk of hearing impairment, and a medical and~~
 993 ~~educational followup and care management program for an infant~~
 994 ~~who is identified as hearing impaired, with management beginning~~
 995 ~~as soon after birth as practicable. The medical management~~
 996 ~~program must include the genetic evaluation of an infant~~
 997 ~~suspected to have genetically determined deafness and an~~
 998 ~~evaluation of the relative risk.~~

999 (b)(e) Regularly held multidisciplinary team meetings to
 1000 develop and update the family support plan. In addition to the
 1001 family, a multidisciplinary team may include a physician,
 1002 physician assistant, psychologist, psychotherapist, educator,
 1003 social worker, nurse, physical or occupational therapist, speech
 1004 pathologist, developmental evaluation and intervention program

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1005 director, case manager, others who are involved with the in-
 1006 hospital and posthospital discharge care plan, and anyone the
 1007 family wishes to include as a member of the team. The family
 1008 support plan is a written plan that describes the infant or
 1009 toddler, the ~~therapies and~~ services the infant or toddler and
 1010 his or her family need, and the intended outcomes of the
 1011 services.

1012 (c)~~(d)~~ Discharge planning by the multidisciplinary team,
 1013 including referral and followup to primary medical care and
 1014 modification of the family support plan.

1015 (d)~~(e)~~ Education and training for neonatal and pediatric
 1016 intensive care services staff, volunteers, and others, as
 1017 needed, in order to expand the services provided to high-risk,
 1018 developmentally disabled, or medically involved, ~~or hearing-~~
 1019 ~~impaired~~ infants and toddlers and their families.

1020 (e)~~(f)~~ Followup intervention services after hospital
 1021 discharge, to aid the family and the high-risk, developmentally
 1022 disabled, or medically involved, ~~or hearing-impaired~~ infant's or
 1023 toddler's transition into the community. Support services shall
 1024 be coordinated at the request of the family and within the
 1025 context of the family support plan.

1026 (f)~~(g)~~ Referral to and coordination of services with
 1027 community providers.

1028 (g)~~(h)~~ Educational materials about infant care, infant
 1029 growth and development, community resources, medical conditions
 1030 and treatments, and family advocacy. ~~Materials regarding hearing~~
 1031 ~~impairments shall be provided to each parent or guardian of a~~
 1032 ~~hearing-impaired infant or toddler.~~

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1033 (h)~~(i)~~ Involvement of the parents and guardians of each
 1034 identified high-risk, developmentally disabled, or medically
 1035 involved,~~or hearing-impaired~~ infant or toddler.

1036 Section 26. Subsections (3) through (6) of section
 1037 391.305, Florida Statutes, are renumbered as subsections (2)
 1038 through (5), respectively, and present subsection (2) of said
 1039 section is amended to read:

1040 391.305 Program standards; rules.--

1041 ~~(2) Criteria and procedures for screening, identifying,
 1042 and diagnosing hearing-impaired infants.~~

1043 Section 27. Section 391.308, Florida Statutes, is created
 1044 to read:

1045 391.308 Infants and Toddlers Early Intervention
 1046 program.--The Department of Health may implement and administer
 1047 Part C of the federal Individuals with Disabilities Education
 1048 Act (IDEA).

1049 (1) The department, jointly with the Department of
 1050 Education, shall annually prepare a grant application to the
 1051 United States Department of Education for funding early
 1052 intervention services for infants and toddlers with
 1053 disabilities, ages birth through 36 months, and their families
 1054 pursuant to Part C of the federal Individuals with Disabilities
 1055 Education Act.

1056 (2) The department, jointly with the Department of
 1057 Education, shall include a reading initiative as an early
 1058 intervention service for infants and toddlers.

1059 Section 28. Subsections (3) and (4) of section 395.1027,
 1060 Florida Statutes, are renumbered as subsections (4) and (5),

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1061 respectively, and a new subsection (3) is added to said section
 1062 to read:

1063 395.1027 Regional poison control centers.--

1064 (3) Upon request, a licensed facility shall release to a
 1065 regional poison control center any patient information that is
 1066 necessary for case management of poison cases.

1067 Section 29. Section 395.404, Florida Statutes, is amended
 1068 to read:

1069 395.404 Review of trauma registry data; report to central
 1070 registry; confidentiality and limited release.--

1071 (1)(a) Each trauma center shall furnish, and all acute
 1072 care hospitals, upon request of the department, shall furnish
 1073 for department review, trauma registry data as prescribed by
 1074 rule of the department for the purpose of monitoring patient
 1075 outcome and ensuring compliance with the standards of approval.

1076 (b)(3) Trauma registry data obtained pursuant to this
 1077 subsection ~~section~~ are confidential and exempt from the
 1078 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1079 Constitution. However, the department may provide such trauma
 1080 registry data to the person, trauma center, pediatric trauma
 1081 referral center, hospital, emergency medical service provider,
 1082 local or regional trauma agency, medical examiner, or other
 1083 entity from which the data were obtained. The department may
 1084 also use or provide trauma registry data for purposes of
 1085 research in accordance with the provisions of chapter 405.

1086 (2) Each trauma center and acute care hospital shall
 1087 report to the department's brain and spinal cord injury central
 1088 registry consistent with the procedures and timeframes under s.
 1089 381.74 any person who has a moderate to severe brain or spinal

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1090 cord injury and shall include the name, age, residence, and type
 1091 of disability of the individual and such additional information
 1092 as may be deemed necessary by the department. Notwithstanding
 1093 ~~the provisions of s. 381.74, each trauma center and acute care~~
 1094 ~~hospital shall submit severe disability and head injury registry~~
 1095 ~~data to the department as provided by rule. Each trauma center~~
 1096 ~~and acute care hospital shall continue to provide initial~~
 1097 ~~notification of persons who have severe disabilities and head~~
 1098 ~~injuries to the Department of Health within timeframes provided~~
 1099 ~~in chapter 413. Such initial notification shall be made in the~~
 1100 ~~manner prescribed by the Department of Health for the purpose of~~
 1101 ~~providing timely vocational rehabilitation services to the~~
 1102 ~~severely disabled or head-injured person.~~

1103 Section 30. Subsections (3) and (4) of section 400.9905,
 1104 Florida Statutes, are renumbered as subsections (4) and (5),
 1105 respectively, and amended, and new subsections (3), (6), and (7)
 1106 are added to said section, to read:

1107 400.9905 Definitions.--

1108 (3) "Chief financial officer" means an individual who has
 1109 a bachelor's degree from an accredited university in accounting
 1110 or finance, or a related field, and who is the person
 1111 responsible for the preparation of a clinic's billing.

1112 (4)(3) "Clinic" means an entity at which health care
 1113 services are provided to individuals and which tenders charges
 1114 for reimbursement for such services, including a mobile clinic
 1115 and a portable equipment provider. For purposes of this part,
 1116 the term does not include and the licensure requirements of this
 1117 part do not apply to:

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1118 (a) Entities licensed or registered by the state that
 1119 provide only health care services within the scope of services
 1120 authorized under their respective licenses granted under s.
 1121 383.30, chapter 390, chapter 394, chapter 395, chapter 397, this
 1122 chapter except part XIII, chapter 463, chapter 465, chapter 466,
 1123 chapter 478, part I of chapter 483 ~~chapter 480~~, chapter 484, or
 1124 chapter 651; end-stage renal disease providers authorized under
 1125 42 C.F.R. part 405, subpart U; or providers certified under 42
 1126 C.F.R. part 485, subpart B or H.

1127 (b) Entities that own, directly or indirectly, entities
 1128 licensed or registered by the state and providing only health
 1129 care services within the scope of services authorized pursuant
 1130 to their respective licenses granted under s. 383.30, chapter
 1131 390, chapter 394, chapter 395, chapter 397, this chapter except
 1132 part XIII, chapter 463, chapter 465, chapter 466, chapter 478,
 1133 part I of chapter 483 ~~chapter 480~~, chapter 484, ~~or~~ chapter 651,
 1134 or end-stage renal disease providers authorized under 42 C.F.R.
 1135 part 405, subpart U, or providers certified under 42 C.F.R. part
 1136 485, subpart B or H.

1137 (c) Entities that are owned, directly or indirectly, by an
 1138 entity licensed or registered by the state and that provide only
 1139 health care services within the scope of services authorized
 1140 pursuant to their respective licenses granted under s. 383.30,
 1141 chapter 390, chapter 394, chapter 395, chapter 397, this chapter
 1142 except part XIII, chapter 463, chapter 465, chapter 466, chapter
 1143 478, part I of chapter 483 ~~chapter 480~~, chapter 484, or chapter
 1144 651; end-stage renal disease providers authorized under 42
 1145 C.F.R. part 405, subpart U; or providers certified under 42
 1146 C.F.R. part 485, subpart B or H.

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1147 (d) Entities that are under common ownership, directly or
 1148 indirectly, with an entity licensed or registered by the state
 1149 and that provide only health care services within the scope of
 1150 services authorized pursuant to their respective licenses
 1151 granted under s. 383.30, chapter 390, chapter 394, chapter 395,
 1152 chapter 397, this chapter except part XIII, chapter 463, chapter
 1153 465, chapter 466, chapter 478, part I of chapter 483 ~~chapter~~
 1154 ~~480~~, chapter 484, ~~or~~ chapter 651; end-stage renal disease
 1155 providers authorized under 42 C.F.R. part 405, subpart U; or
 1156 providers certified under 42 C.F.R. part 485, subpart B or H.

1157 (e) An entity that is exempt from federal taxation under
 1158 26 U.S.C. s. 501(c)(3) or s. 501(c)(4) and any community college
 1159 or university clinic or any entity owned or operated by federal
 1160 or state government, including agencies, subdivisions, or
 1161 municipalities thereof.

1162 (f) A sole proprietorship, group practice, partnership, or
 1163 corporation that provides health care services by licensed
 1164 health care practitioners under chapter 457, chapter 458,
 1165 chapter 459, chapter 460, chapter 461, chapter 462, ~~chapter 463,~~
 1166 ~~chapter 466,~~ chapter 467, chapter 480 ~~chapter 484,~~ chapter 486,
 1167 chapter 490, chapter 491, or part I, part III, part X, part
 1168 XIII, or part XIV of chapter 468, or s. 464.012, which are
 1169 wholly owned by one or more a licensed health care practitioners
 1170 set forth in this paragraph ~~practitioner~~, or the licensed health
 1171 care practitioner and the spouse, parent, or child of a licensed
 1172 health care practitioner, so long as one of the owners who is a
 1173 licensed health care practitioner is supervising the business
 1174 activities ~~services performed therein~~ and is legally responsible
 1175 for the entity's compliance with all federal and state laws.

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1176 Violation of any federal or state law by an employee, owner,
1177 partner, or shareholder providing health care services at the
1178 entity shall constitute a violation of s. 456.072(1)(k) by the
1179 licensee violating the federal or state law and by the
1180 supervising owner ~~However, a health care practitioner may not~~
1181 ~~supervise services beyond the scope of the practitioner's~~
1182 ~~license.~~

1183 (g) Clinical facilities affiliated with an accredited
1184 medical school at which training is provided for medical
1185 students, residents, or fellows.

1186 ~~(5)(4)~~ "Medical director" means a physician who is
1187 employed or under contract with a clinic and who maintains a
1188 full and unencumbered physician license in accordance with
1189 chapter 458, chapter 459, chapter 460, or chapter 461. However,
1190 if the clinic does not provide services pursuant to the
1191 respective physician practices acts listed in this subsection,
1192 it is limited to providing health care services pursuant to
1193 chapter 457, chapter 484, chapter 486, chapter 490, or chapter
1194 491 or part I, part III, part X, part XIII, or part XIV of
1195 chapter 468, the clinic may appoint a Florida-licensed health
1196 care practitioner who does not provide services pursuant to the
1197 respective physician practices acts listed in this subsection
1198 ~~licensed under that chapter~~ to serve as a clinic director who is
1199 responsible for the clinic's activities. A health care
1200 practitioner may not serve as the clinic director if the
1201 services provided at the clinic are beyond the scope of that
1202 practitioner's license, except that a licensee specified in s.
1203 456.053(3)(b) who provides only services authorized pursuant to

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1204 s. 456.053(3)(b) may serve as clinic director of an entity
 1205 providing services as specified in s. 456.053(3)(b).

1206 (6) "Mobile clinic" means a movable or detached self-
 1207 contained health care unit within or from which direct health
 1208 care services are provided to individuals and which otherwise
 1209 meets the definition of a clinic in subsection (3).

1210 (7) "Portable equipment provider" means an entity that
 1211 contracts with or employs persons to provide portable equipment
 1212 to multiple locations performing treatment or diagnostic testing
 1213 of individuals, that bills third-party payors for those
 1214 services, and that otherwise meets the definition of a clinic in
 1215 subsection (3).

1216 Section 31. Subsection (1) and paragraph (a) of subsection
 1217 (7) of section 400.991, Florida Statutes, are amended to read:

1218 400.991 License requirements; background screenings;
 1219 prohibitions.--

1220 (1)(a) Each clinic, as defined in s. 400.9905, must be
 1221 licensed and shall at all times maintain a valid license with
 1222 the agency. Each clinic location shall be licensed separately
 1223 regardless of whether the clinic is operated under the same
 1224 business name or management as another clinic.

1225 (b) Each mobile clinic must obtain a separate health care
 1226 clinic license and ~~elinies~~ must provide to the agency, at least
 1227 quarterly, ~~its~~ ~~their~~ projected street locations to enable the
 1228 agency to locate and inspect such clinics. Portable equipment
 1229 providers must obtain a health care clinic license for a single
 1230 administrative office and are not required to submit quarterly
 1231 projected street locations.

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1232 (7) Each applicant for licensure shall comply with the
 1233 following requirements:

1234 (a) As used in this subsection, the term "applicant" means
 1235 individuals owning or controlling, directly or indirectly, 5
 1236 percent or more of an interest in a clinic; the medical or
 1237 clinic director, or a similarly titled person who is responsible
 1238 for the day-to-day operation of the licensed clinic; the
 1239 financial officer or similarly titled individual who is
 1240 responsible for the financial operation of the clinic; and
 1241 licensed health care practitioners ~~medical providers~~ at the
 1242 clinic.

1243 Section 32. Paragraph (g) of subsection (1), subsection
 1244 (9), and paragraph (b) of subsection (11) of section 400.9935,
 1245 Florida Statutes, are amended to read:

1246 400.9935 Clinic responsibilities.--

1247 (1) Each clinic shall appoint a medical director or clinic
 1248 director who shall agree in writing to accept legal
 1249 responsibility for the following activities on behalf of the
 1250 clinic. The medical director or the clinic director shall:

1251 (g) Conduct systematic reviews of clinic billings to
 1252 ensure that the billings are not fraudulent or unlawful. Upon
 1253 discovery of an unlawful charge, the medical director or clinic
 1254 director shall take immediate corrective action. If the clinic
 1255 performs only the technical component of magnetic resonance
 1256 imaging, static radiographs, computed tomography, or positron
 1257 emission tomography and provides the professional interpretation
 1258 of such services, in a fixed facility that is accredited by the
 1259 Joint Commission on Accreditation of Healthcare Organizations or
 1260 the Accreditation Association for Ambulatory Health Care and the

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1261 American College of Radiology, and if, in the preceding quarter,
 1262 the percentage of scans performed by that clinic that were
 1263 billed to a personal injury protection insurance carrier was
 1264 less than 15 percent, the chief financial officer of the clinic
 1265 may, in a written acknowledgment provided to the agency, assume
 1266 the responsibility for the conduct of the systematic reviews of
 1267 clinic billings to ensure that the billings are not fraudulent
 1268 or unlawful. With regard to clinics that share majority
 1269 ownership, the percentage of the scans performed that were
 1270 billed to a personal injury protection insurance carrier may be
 1271 calculated on a consolidated basis.

1272 (9) Any person or entity providing health care services
 1273 which is not a clinic, as defined under s. 400.9905, may
 1274 voluntarily apply for a certificate of exemption from licensure
 1275 under its exempt status with the agency on a form that sets
 1276 forth its name or names and addresses, a statement of the
 1277 reasons why it cannot be defined as a clinic, and other
 1278 information deemed necessary by the agency. An exemption is not
 1279 transferable. The agency is authorized to charge all applicants
 1280 for certificates of exemption an amount equal to \$100 or the
 1281 actual cost of processing the certificate, whichever is less.

1282 (11)

1283 (b) The agency may deny ~~disallow~~ the application or revoke
 1284 the license of any entity formed for the purpose of avoiding
 1285 compliance with the accreditation provisions of this subsection
 1286 and whose principals were previously principals of an entity
 1287 that was unable to meet the accreditation requirements within
 1288 the specified timeframes. The agency may adopt rules as to the
 1289 accreditation of magnetic resonance imaging clinics.

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1290 Section 33. Subsections (1) and (3) of section 400.995,
 1291 Florida Statutes, are amended, and a new subsection (10) is
 1292 added to said section, to read:

1293 400.995 Agency administrative penalties.--

1294 (1) The agency may deny the application for a license
 1295 renewal or revoke or suspend the license and may impose
 1296 administrative fin~~es penalties against clinics~~ of up to \$5,000
 1297 per violation for violations of the requirements of this part or
 1298 rules of the agency. In determining if a penalty is to be
 1299 imposed and in fixing the amount of the fine, the agency shall
 1300 consider the following factors:

1301 (a) The gravity of the violation, including the
 1302 probability that death or serious physical or emotional harm to
 1303 a patient will result or has resulted, the severity of the
 1304 action or potential harm, and the extent to which the provisions
 1305 of the applicable laws or rules were violated.

1306 (b) Actions taken by the owner, medical director, or
 1307 clinic director to correct violations.

1308 (c) Any previous violations.

1309 (d) The financial benefit to the clinic of committing or
 1310 continuing the violation.

1311 (3) Any action taken to correct a violation shall be
 1312 documented in writing by the owner, medical director, or clinic
 1313 director of the clinic and verified through followup visits by
 1314 agency personnel. The agency may impose a fine and, in the case
 1315 of an owner-operated clinic, revoke or deny a clinic's license
 1316 when a clinic medical director or clinic director knowingly
 1317 ~~fraudulently~~ misrepresents actions taken to correct a violation.

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1318 (10) If the agency issues a notice of intent to deny a
 1319 license application after a temporary license has been issued
 1320 pursuant to s. 400.991(3), the temporary license shall expire on
 1321 the date of the notice and may not be extended during any
 1322 proceeding for administrative or judicial review pursuant to
 1323 chapter 120.

1324 Section 34. The Agency for Health Care Administration is
 1325 directed to make refunds to applicants that submitted their
 1326 health care clinic licensure fees and applications but were
 1327 subsequently exempted from licensure by this act as follows:

1328 (1) Seventy-five percent of the application fee if the
 1329 temporary license has not been issued;

1330 (2) Fifty percent of the application fee if the temporary
 1331 license has been issued but the inspection has not been
 1332 completed; or

1333 (3) No refund if the inspection has been completed.

1334 Section 35. Any person or entity defined as a clinic under
 1335 s. 400.9905, Florida Statutes, shall not be in violation of part
 1336 XIII of chapter 400, Florida Statutes, due to failure to apply
 1337 for a clinic license by March 1, 2004. Payment to any such
 1338 person or entity by an insurer or other person liable for
 1339 payment to such person or entity may not be denied on the
 1340 grounds that the person or entity failed to apply for or obtain
 1341 a clinic license before July 1, 2004. This section is contingent
 1342 upon Senate Bill 2380 or similar legislation becoming law.

1343 Section 36. Section 401.211, Florida Statutes, is amended
 1344 to read:

1345 401.211 Legislative intent.--The Legislature recognizes
 1346 that the systematic provision of emergency medical services

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1347 saves lives and reduces disability associated with illness and
 1348 injury. In addition, that system of care must be equally capable
 1349 of assessing, treating, and transporting children, adults, and
 1350 frail elderly persons. Further, it is the intent of the
 1351 Legislature to encourage the development and maintenance of
 1352 emergency medical services because such services are essential
 1353 to the health and well-being of all citizens of the state. The
 1354 Legislature also recognizes that the establishment of a
 1355 comprehensive statewide injury prevention program supports state
 1356 and community health systems by further enhancing the total
 1357 delivery system of emergency medical services and reduces
 1358 injuries for all persons. The purpose of this part is to protect
 1359 and enhance the public health, welfare, and safety through the
 1360 establishment of an emergency medical services state plan, an
 1361 advisory council, a comprehensive statewide injury prevention
 1362 program, minimum standards for emergency medical services
 1363 personnel, vehicles, services and medical direction, and the
 1364 establishment of a statewide inspection program created to
 1365 monitor the quality of patient care delivered by each licensed
 1366 service and appropriately certified personnel.

1367 Section 37. Section 401.243, Florida Statutes, is created
 1368 to read:

1369 401.243 Injury prevention.--The department shall establish
 1370 an injury prevention program which shall be responsible for the
 1371 statewide coordination and expansion of injury prevention
 1372 activities. The duties of the program may include, but are not
 1373 limited to, data collection, surveillance, education, and the
 1374 promotion of interventions. In addition, the program may:

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1375 (1) Provide communities, county health departments, and
 1376 other state agencies with injury prevention expertise and
 1377 guidance.

1378 (2) Seek, receive, and expend funds received from grants,
 1379 donations, or contributions from public or private sources for
 1380 program purposes.

1381 (3) Develop, and revise as necessary, a comprehensive
 1382 state plan for injury prevention.

1383 (4) Adopt rules governing the implementation of grant
 1384 programs. Rules may include, but need not be limited to,
 1385 criteria regarding the application process, the selection of
 1386 grantees, the implementation of injury prevention activities,
 1387 data collection, surveillance, education, and the promotion of
 1388 interventions.

1389 Section 38. Subsection (4) of section 404.056, Florida
 1390 Statutes, is amended to read:

1391 404.056 Environmental radiation standards and projects;
 1392 certification of persons performing measurement or mitigation
 1393 services; mandatory testing; notification on real estate
 1394 documents; rules.--

1395 (4) MANDATORY TESTING.--All public and private school
 1396 buildings or school sites housing students in kindergarten
 1397 through grade 12; all state-owned, state-operated, state-
 1398 regulated, or state-licensed 24-hour care facilities; and all
 1399 state-licensed day care centers for children or minors which are
 1400 located in counties designated within the Department of
 1401 Community Affairs' Florida Radon Protection Map Categories as
 1402 "Intermediate" or "Elevated Radon Potential" shall be measured
 1403 to determine the level of indoor radon, using measurement

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1404 procedures established by the department. Initial measurements
 1405 ~~Testing~~ shall be conducted ~~completed within the first year of~~
 1406 ~~construction~~ in 20 percent of the habitable first floor spaces
 1407 within any of the regulated buildings and. ~~Initial measurements~~
 1408 shall be completed and reported to the department within 1 ~~by~~
 1409 ~~July 1 of the year~~ after the date the building is opened for
 1410 occupancy or within 1 year after license approval for the entity
 1411 residing in the existing building. Followup testing must be
 1412 completed in 5 percent of the habitable first floor spaces
 1413 within any of the regulated buildings after the building has
 1414 been occupied for 5 years, and results must be reported to the
 1415 department by the 1st day ~~July 1~~ of the 6th ~~5th~~ year of
 1416 occupancy. After radon measurements have been made twice,
 1417 regulated buildings need not undergo further testing unless
 1418 significant structural changes occur. No funds collected
 1419 pursuant to s. 553.721 shall be used to carry out the provisions
 1420 of this subsection.

1421 Section 39. Subsection (1) and paragraph (g) of subsection
 1422 (3) of section 468.302, Florida Statutes, are amended to read:

1423 468.302 Use of radiation; identification of certified
 1424 persons; limitations; exceptions.--

1425 (1) Except as hereinafter provided, no person shall use
 1426 radiation or otherwise practice radiologic technology on a human
 1427 being unless he or she:

1428 (a) Is a licensed practitioner; or

1429 (b) Is the holder of a certificate, as provided in this
 1430 part, and is operating under the direct supervision or general
 1431 supervision of a licensed practitioner in each particular case.

1432 (3)

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1433 (g)1. A person holding a certificate as a nuclear medicine
 1434 technologist may only:

1435 a. Conduct in vivo and in vitro measurements of
 1436 radioactivity and administer radiopharmaceuticals to human
 1437 beings for diagnostic and therapeutic purposes.

1438 b. Administer X-radiation from a combination nuclear
 1439 medicine-computed tomography device if that radiation is
 1440 administered as an integral part of a nuclear medicine procedure
 1441 that uses an automated computed tomography protocol for the
 1442 purposes of attenuation correction and anatomical localization
 1443 and the person has received device-specific training on the
 1444 combination device.

1445 2. ~~However,~~ The authority of a nuclear medicine
 1446 technologist under this paragraph excludes:

1447 a. Radioimmunoassay and other clinical laboratory testing
 1448 regulated pursuant to chapter 483.

1449 b. Creating or modifying automated computed tomography
 1450 protocols.

1451 c. Any other operation of a computed tomography device,
 1452 especially for the purposes of stand-alone diagnostic imaging,
 1453 which must be performed by a general radiographer certified
 1454 under this part.

1455 Section 40. Section 468.304, Florida Statutes, is amended
 1456 to read:

1457 468.304 Certification ~~examination; admission.~~--The
 1458 department shall certify ~~admit to examination for certification~~
 1459 any applicant who meets the following criteria:

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1460 (1) Pays to the department a nonrefundable fee not to
 1461 exceed \$100 plus the actual per-applicant cost to the department
 1462 for purchasing the examination from a national organization.

1463 (2) Submits a completed application on a form specified by
 1464 the department. An incomplete application shall expire 6 months
 1465 after initial filing. The application shall require the social
 1466 security number of the applicant. Each applicant shall notify
 1467 the department in writing of his or her current mailing address.
 1468 Notwithstanding the provisions of any other statute, service by
 1469 regular mail to an applicant's last reported mailing address
 1470 constitutes adequate and sufficient notice of any official
 1471 department communication to the applicant.

1472 (3) ~~and~~ Submits satisfactory evidence, verified by oath or
 1473 affirmation, that she or he:

1474 (a)~~(1)~~ Is at least 18 years of age at the time of
 1475 application;

1476 (b)~~(2)~~ Is a high school, vocational school, technical
 1477 school, or college graduate or has successfully completed the
 1478 requirements for a graduate equivalency diploma (GED) or its
 1479 equivalent;

1480 (c)~~(3)~~ Is of good moral character; ~~and~~

1481 (d) Has passed an examination as specified in s. 468.306
 1482 or meets the requirements specified in s. 468.3065; and

1483 (e)~~1.(4)(a)~~ Has successfully completed an educational
 1484 program, which program may be established in a hospital licensed
 1485 pursuant to chapter 395 or in an accredited postsecondary
 1486 academic institution which is subject to approval by the
 1487 department as maintaining a satisfactory standard; or

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1488 ~~2.a.(b)1.~~ With respect to an applicant for a basic X-ray
1489 machine operator's certificate, has completed a course of study
1490 approved by the department with appropriate study material
1491 provided the applicant by the department;

1492 ~~b.2.~~ With respect to an applicant for a basic X-ray
1493 machine operator-podiatric medicine certificate, has completed a
1494 course of study approved by the department, provided that such
1495 course of study shall be limited to that information necessary
1496 to perform radiographic procedures within the scope of practice
1497 of a podiatric physician licensed pursuant to chapter 461;

1498 ~~c.3.~~ With respect only to an applicant for a general
1499 radiographer's certificate who is a basic X-ray machine operator
1500 certificateholder, has completed an educational program or a 2-
1501 year training program that takes into account the types of
1502 procedures and level of supervision usually and customarily
1503 practiced in a hospital, which educational or training program
1504 complies with the rules of the department; or

1505 ~~d.4.~~ With respect only to an applicant for a nuclear
1506 medicine technologist's certificate who is a general
1507 radiographer certificateholder, has completed an educational
1508 program or a 2-year training program that takes into account the
1509 types of procedures and level of supervision usually and
1510 customarily practiced in a hospital, which educational or
1511 training program complies with the rules of the department.

1512 (4) Submits complete documentation of any criminal offense
1513 in any jurisdiction of which the applicant has been found
1514 guilty, regardless of whether adjudication of guilt was
1515 withheld, or to which the applicant has pled guilty or nolo
1516 contendere.

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1517 (5) Submits complete documentation of any final
 1518 disciplinary action taken against the applicant by a licensing
 1519 or regulatory body in any jurisdiction, by a national
 1520 organization, or by a specialty board that is recognized by the
 1521 department. Disciplinary action includes revocation, suspension,
 1522 probation, reprimand, or being otherwise acted against,
 1523 including being denied certification, or resigning from or
 1524 nonrenewal of membership taken in lieu of or in settlement of a
 1525 pending disciplinary case.

1526
 1527 The department may not certify any applicant who has committed
 1528 an offense that would constitute a violation of any of the
 1529 provisions of s. 468.3101 or the rules adopted thereunder if the
 1530 applicant had been certified by the department at the time of
 1531 the offense. In addition, no application for a limited computed
 1532 tomography certificate shall be accepted, and ~~all persons~~
 1533 holding valid computed tomography certificates as of October 1,
 1534 1984, are subject to the provisions of s. 468.309.

1535 Section 41. Section 468.306, Florida Statutes, is amended
 1536 to read:

1537 468.306 Examinations.--All applicants, except those
 1538 certified pursuant to s. 468.3065, shall be required to pass an
 1539 examination. The department is authorized to develop or use
 1540 examinations for each type of certificate. The department may
 1541 require an applicant who does not pass an examination after five
 1542 attempts to complete additional remedial education, as specified
 1543 by rule of the department, before admitting the applicant to
 1544 subsequent examinations.

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1545 (1) The department shall have the authority to contract
 1546 with organizations that develop such test examinations.
 1547 Examinations may be administered by the department or the
 1548 contracting organization.

1549 (2) Examinations shall be given for each type of
 1550 certificate at least twice a year at such times and places as
 1551 the department may determine to be advantageous for applicants.
 1552 ~~If an applicant applies less than 75 days before an examination,~~
 1553 ~~the department may schedule the applicant for a later~~
 1554 ~~examination.~~

1555 (3) All examinations shall be written and include
 1556 positioning, technique, and radiation protection. The department
 1557 shall either pass or fail each applicant on the basis of his or
 1558 her final grade. The examination for a basic X-ray machine
 1559 operator shall include basic positioning and basic techniques
 1560 directly related to the skills necessary to safely operate
 1561 radiographic equipment.

1562 (4) A nonrefundable fee not to exceed \$75 plus the actual
 1563 per-applicant cost for purchasing the examination from a
 1564 national organization shall be charged for any subsequent
 1565 examination.

1566 Section 42. Section 468.3065, Florida Statutes, is amended
 1567 to read:

1568 468.3065 Certification by endorsement.--The department may
 1569 issue a certificate by endorsement to practice radiologic
 1570 technology to an applicant who, upon applying to the department
 1571 and remitting a nonrefundable fee not to exceed \$50,
 1572 demonstrates to the department that he or she holds a current
 1573 certificate, license, or registration to practice radiologic

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1574 technology, provided that the requirements for such certificate,
 1575 license, or registration are deemed by the department to be
 1576 substantially equivalent to those established under this part
 1577 and rules adopted hereunder.

1578 Section 43. Subsection (1) of section 468.307, Florida
 1579 Statutes, is amended to read:

1580 468.307 Certificate; issuance; display.--

1581 (1) The department shall issue a certificate to each
 1582 candidate who has met the requirements of ss. 468.304 and
 1583 468.306 or has qualified under s. 468.3065. The department may
 1584 by rule establish a subcategory of a certificate issued under
 1585 this part limiting the certificateholder to a specific procedure
 1586 or specific type of equipment. The first regular certificate
 1587 issued to a new certificateholder shall expire on the last day
 1588 of the certificateholder's birth month and shall be at least 12
 1589 months but no more than 24 months in duration. However, if the
 1590 new certificateholder already holds a regular, active
 1591 certificate in a different category under this part, the new
 1592 certificate shall be combined with and expire on the same date
 1593 as the existing certificate.

1594 Section 44. Section 468.309, Florida Statutes, is amended
 1595 to read:

1596 468.309 Certificate; duration; renewal; reversion to
 1597 inactive status; members of Armed Forces and spouses.--

1598 (1)(a) A radiologic technologist's certificate issued in
 1599 accordance with this part expires as specified in rules adopted
 1600 by the department which establish a procedure for the biennial
 1601 renewal of certificates. A certificate shall be renewed by the
 1602 department for a period of 2 years upon payment of a renewal fee

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1603 in an amount not to exceed \$75 and upon submission of a renewal
 1604 application containing such information as the department deems
 1605 necessary to show that the applicant for renewal is a radiologic
 1606 technologist in good standing and has completed any continuing
 1607 education requirements that the department establishes.

1608 (b) Sixty days before the end of the biennium, the
 1609 department shall mail a notice of renewal to the last known
 1610 address of the certificateholder.

1611 (c) Each certificateholder shall notify the department in
 1612 writing of his or her current mailing address and place of
 1613 practice. Notwithstanding the provisions of any other statute,
 1614 service by regular mail to a certificateholder's last reported
 1615 mailing address constitutes adequate and sufficient notice of
 1616 any official department communication to the certificateholder.

1617 (2) The department shall adopt rules establishing a
 1618 procedure for the biennial renewal of certificates.

1619 (3) The department may, by rule, prescribe continuing
 1620 education requirements, not to exceed 24 hours each licensure
 1621 period, as a condition for renewal of a certificate. The
 1622 criteria for approval of continuing education providers,
 1623 courses, and programs shall be as specified ~~approved~~ by the
 1624 department. Continuing education, which may be required for
 1625 persons certified under this part, may be obtained through home
 1626 study courses approved by the department.

1627 (4) Any certificate which is not renewed by its expiration
 1628 date at the end of the biennium ~~prescribed by the department~~
 1629 shall automatically be placed in an expired status and the
 1630 certificateholder shall not practice radiologic technology until
 1631 the certificate has been reactivated ~~revert to an inactive~~

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1632 ~~status. Such certificate may be reactivated only if the~~
 1633 ~~certificateholder meets the other qualifications for~~
 1634 ~~reactivation in s. 468.3095.~~

1635 (5) A certificateholder in good standing remains in good
 1636 standing when he or she becomes a member of the Armed Forces of
 1637 the United States on active duty without paying renewal fees or
 1638 accruing continuing education credits as long as he or she is a
 1639 member of the Armed Forces on active duty and for a period of 6
 1640 months after discharge from active duty, if he or she is not
 1641 engaged in practicing radiologic technology in the private
 1642 sector for profit. The certificateholder must pay a renewal fee
 1643 and complete continuing education not to exceed 12 classroom
 1644 hours to renew the certificate.

1645 (6) A certificateholder who is in good standing remains in
 1646 good standing if he or she is absent from the state because of
 1647 his or her spouse's active duty with the Armed Forces of the
 1648 United States. The certificateholder remains in good standing
 1649 without paying renewal fees or completing continuing education
 1650 as long as his or her spouse is a member of the Armed Forces on
 1651 active duty and for a period of 6 months after the spouse's
 1652 discharge from active duty, if the certificateholder is not
 1653 engaged in practicing radiologic technology in the private
 1654 sector for profit. The certificateholder must pay a renewal fee
 1655 and complete continuing education not to exceed 12 classroom
 1656 hours to renew the certificate.

1657 (7) A certificateholder may resign his or her
 1658 certification by submitting to the department a written,
 1659 notarized resignation on a form specified by the department. The
 1660 resignation shall automatically become effective upon the

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1661 department's receipt of the resignation form, at which time the
 1662 certificateholder's certification automatically becomes null and
 1663 void and cannot be reactivated or renewed or used to practice
 1664 radiologic technology. A certificateholder who has resigned may
 1665 become certified again only by reapplying to the department for
 1666 certification as a new applicant and meeting the certification
 1667 requirements pursuant to s. 468.304 or s. 468.3065. Any
 1668 disciplinary action that had been imposed on the
 1669 certificateholder prior to his or her resignation shall be
 1670 tolled until he or she again becomes certified. Any disciplinary
 1671 action proposed at the time of the certificateholder's
 1672 resignation shall be tolled until he or she again becomes
 1673 certified.

1674 Section 45. Subsection (2) of section 468.3095, Florida
 1675 Statutes, is amended to read:

1676 468.3095 Expired or inactive status; reactivation;
 1677 automatic suspension; reinstatement.--

1678 (2)(a) A certificate which has been expired inactive for
 1679 less than 10 years 1 year after the end of the biennium
 1680 prescribed by the department may be reactivated renewed pursuant
 1681 to s. 468.309 upon payment of the biennial renewal fee and a
 1682 late renewal fee not to exceed \$100 and submission of a
 1683 reactivation application containing such information as the
 1684 department deems necessary to show that the applicant is a
 1685 radiologic technologist in good standing and has met the
 1686 continuing education requirements. The renewed certificate shall
 1687 expire 2 years after the date the certificate automatically
 1688 reverted to inactive status.

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1689 (b) A certificate which has been inactive for less than 10
 1690 years ~~more than 1 year~~ may be reactivated by meeting all of the
 1691 requirements of s. 468.3095(2)(a) for expired certificates
 1692 except for payment of the late renewal fee ~~upon application to~~
 1693 ~~the department~~. The department shall prescribe, by rule,
 1694 continuing education requirements as a condition of reactivating
 1695 a certificate. The continuing education requirements for
 1696 reactivating a certificate shall not exceed 10 classroom hours
 1697 for each year the certificate was inactive and shall in no event
 1698 exceed 100 classroom hours for all years in which the
 1699 certificate was inactive.

1700 (c) A certificate which has been inactive or expired for
 1701 ~~more than 10 years~~ or more shall automatically become void and
 1702 cannot be reactivated, renewed, or used to practice radiologic
 1703 technology ~~be suspended. One year before the suspension, the~~
 1704 ~~department shall give notice to the certificateholder. A~~
 1705 ~~suspended certificate may be reinstated as provided for original~~
 1706 ~~issuance in s. 468.307. A certificateholder whose certificate~~
 1707 has become null and void may only become certified again by
 1708 reapplying to the department as a new applicant and meeting the
 1709 requirements pursuant to s. 468.304 or s. 468.3065.

1710 (d) When an expired or inactive certificate is
 1711 reactivated, the reactivated certificate shall expire on the
 1712 last day of the certificateholder's birth month and shall be at
 1713 least 12 months but no more than 24 months in duration. However,
 1714 if the reactivating certificateholder already holds a regular,
 1715 active certificate in a different category under this part, then
 1716 the reactivated certificate shall be combined with and expire on
 1717 the same date as the existing certificate.

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1718 Section 46. Subsection (1) of section 468.3101, Florida
 1719 Statutes, is amended, and subsections (5) and (6) are added to
 1720 said section, to read:

1721 468.3101 Disciplinary grounds and actions.--

1722 (1) The department may make or require to be made such
 1723 investigations, inspections, evaluations, and tests, and require
 1724 the submission of such documents and statements, as it deems
 1725 necessary to determine whether a violation of this part has
 1726 occurred. The following acts shall be grounds for disciplinary
 1727 action as set forth in this section:

1728 (a) Procuring, attempting to procure, or renewing a
 1729 certificate to practice radiologic technology by bribery, by
 1730 fraudulent misrepresentation, or through an error of the
 1731 department.

1732 (b) Having a voluntary or mandatory certificate to
 1733 practice radiologic technology revoked, suspended, or otherwise
 1734 acted against, including being denied certification, by a
 1735 national organization, by a specialty board recognized by the
 1736 department, or by a ~~the~~ certification authority of another
 1737 state, territory, or country.

1738 (c) Being convicted or found guilty, regardless of
 1739 adjudication, in any jurisdiction of a crime which directly
 1740 relates to the practice of radiologic technology or to the
 1741 ability to practice radiologic technology. Pleading ~~A plea of~~
 1742 nolo contendere shall be considered a conviction for the purpose
 1743 of this provision.

1744 (d) Being convicted or found guilty, regardless of
 1745 adjudication, in any jurisdiction of a crime against a person.

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1746 Pleading ~~A plea~~ of nolo contendere shall be considered a
 1747 conviction for the purposes of this provision.

1748 (e) Making or filing a false report or record which the
 1749 certificateholder knows to be false, intentionally or
 1750 negligently failing to file a report or record required by state
 1751 or federal law, or willfully impeding or obstructing such filing
 1752 or inducing another to do so. Such reports or records include
 1753 only those reports or records which are signed in the capacity
 1754 as a radiologic technologist.

1755 (f) Engaging in unprofessional conduct, which includes,
 1756 but is not limited to, any departure from, or the failure to
 1757 conform to, the standards of practice of radiologic technology
 1758 as established by the department, in which case actual injury
 1759 need not be established.

1760 (g) Being unable to practice radiologic technology with
 1761 reasonable skill and safety to patients by reason of illness+
 1762 ~~drunkenness~~; or use of alcohol, drugs, narcotics, chemicals, or
 1763 other materials or as a result of any mental or physical
 1764 condition. A radiologic technologist affected under this
 1765 paragraph shall, at reasonable intervals, be afforded an
 1766 opportunity to demonstrate that he or she can resume the
 1767 competent practice of radiologic technology with reasonable
 1768 skill and safety.

1769 (h) Failing to report to the department any person who the
 1770 certificateholder knows is in violation of this part or of the
 1771 rules of the department.

1772 (i) Violating any provision of this part, any rule of the
 1773 department, or any lawful order of the department previously

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1774 entered in a disciplinary proceeding or failing to comply with a
 1775 lawfully issued subpoena of the department.

1776 (j) Employing, for the purpose of applying ionizing
 1777 radiation or otherwise practicing radiologic technology on ~~to~~
 1778 any human being, any individual who is not certified under the
 1779 provisions of this part.

1780 (k) Testing positive for any drug, as defined in s.
 1781 112.0455, on any confirmed preemployment or employer-required
 1782 drug screening when the radiologic technologist does not have a
 1783 lawful prescription and legitimate medical reason for using such
 1784 drug.

1785 (l) Failing to report to the department in writing within
 1786 30 days after the certificateholder has had a voluntary or
 1787 mandatory certificate to practice radiologic technology revoked,
 1788 suspended, or otherwise acted against, including being denied
 1789 certification, by a national organization, by a specialty board
 1790 recognized by the department, or by a certification authority of
 1791 another state, territory, or country.

1792 (m) Having been found guilty of, regardless of
 1793 adjudication, or pleading nolo contendere or guilty to, any
 1794 offense prohibited under s. 435.03 or under any similar statute
 1795 of another jurisdiction.

1796 (n) Failing to comply with the recommendations of the
 1797 department's impaired practitioner program for treatment,
 1798 evaluation, or monitoring. A letter from the director of the
 1799 impaired practitioner program that the certificateholder is not
 1800 in compliance shall be considered conclusive proof under this
 1801 part.

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1802 (5) A final disciplinary action taken against a radiologic
 1803 technologist in another jurisdiction, whether voluntary or
 1804 mandatory, shall be considered conclusive proof of grounds for a
 1805 disciplinary proceeding under this part.

1806 (6) The department may revoke a continuing education
 1807 provider and its approved courses if the provider has been
 1808 revoked, suspended, or otherwise acted against by a national
 1809 organization, by a specialty board recognized by the department,
 1810 or by a certification authority of another state, territory, or
 1811 country. The department may, by rule, establish additional
 1812 guidelines and criteria for the discipline of continuing
 1813 education providers, including, but not limited to, revocation
 1814 of a continuing education provider or continuing education
 1815 course and the refusal to approve a continuing education
 1816 provider or continuing education course.

1817 Section 47. Paragraph (a) of subsection (5) of section
 1818 489.553, Florida Statutes, is amended to read:

1819 489.553 Administration of part; registration
 1820 qualifications; examination.--

1821 (5) To be eligible for registration by the department as a
 1822 master septic tank contractor, the applicant must:

1823 (a) Have been a registered septic tank contractor in
 1824 Florida for at least 3 years or a plumbing contractor certified
 1825 under part I of this chapter who has provided septic tank
 1826 contracting services for at least 3 years. The 3 years must
 1827 immediately precede the date of application and may not be
 1828 interrupted by any probation, suspension, or revocation imposed
 1829 by the licensing agency.

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1830 Section 48. Section 489.554, Florida Statutes, is amended
 1831 to read:

1832 489.554 Registration renewal.--

1833 (1) The department shall prescribe by rule the method for
 1834 approval of continuing education courses, ~~and~~ for renewal of
 1835 annual registration, for inactive status for late filing of
 1836 renewal applications, for allowing contractors to hold their
 1837 registration in inactive status for a specified time period, and
 1838 for reactivating licenses.

1839 (2) At a minimum, annual renewal shall include continuing
 1840 education requirements of not less than 6 classroom hours
 1841 annually for septic tank contractors and not less than 12
 1842 classroom hours annually for master septic tank contractors. The
 1843 12 classroom hours of continuing education required for master
 1844 septic tank contractors may include the 6 classroom hours
 1845 required for septic tank contractors, but at a minimum must
 1846 include 6 classroom hours of approved master septic tank
 1847 contractor coursework.

1848 (3) Certificates of registration shall become inactive
 1849 when a renewal application is not filed in a timely manner. A
 1850 certificate that has become inactive may be reactivated under
 1851 this section by application to the department. A licensed
 1852 contractor may apply to the department for voluntary inactive
 1853 status at any time during the period of registration.

1854 (4) Master septic tank contractors may elect to revert to
 1855 registered septic tank contractor status at any time during the
 1856 period of registration. The department shall prescribe by rule
 1857 the method for a master septic tank contractor who has reverted

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1858 to registered septic tank contractor status to reapply for
 1859 master septic tank contractor status.

1860 (5) The department shall deny an application for renewal
 1861 if there is any outstanding administrative penalty with the
 1862 department when the penalty is final agency action and all
 1863 judicial reviews are exhausted.

1864 Section 49. Section 784.081, Florida Statutes, is amended
 1865 to read:

1866 784.081 Assault or battery on specified officials or
 1867 employees; reclassification of offenses.--Whenever a person is
 1868 charged with committing an assault or aggravated assault or a
 1869 battery or aggravated battery upon any elected official or
 1870 employee of: a school district; a private school; the Florida
 1871 School for the Deaf and the Blind; a university developmental
 1872 research school; a state university or any other entity of the
 1873 state system of public education, as defined in s. 1000.04; an
 1874 employee or protective investigator of the Department of
 1875 Children and Family Services; ~~or~~ an employee of a lead
 1876 community-based provider and its direct service contract
 1877 providers; or an employee of the Department of Health or its
 1878 direct service contract providers, when the person committing
 1879 the offense knows or has reason to know the identity or position
 1880 or employment of the victim, the offense for which the person is
 1881 charged shall be reclassified as follows:

1882 (1) In the case of aggravated battery, from a felony of
 1883 the second degree to a felony of the first degree.

1884 (2) In the case of aggravated assault, from a felony of
 1885 the third degree to a felony of the second degree.

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1886 (3) In the case of battery, from a misdemeanor of the
1887 first degree to a felony of the third degree.

1888 (4) In the case of assault, from a misdemeanor of the
1889 second degree to a misdemeanor of the first degree.

1890 Section 50. Subsection (9) of section 381.0098, Florida
1891 Statutes, is repealed:

1892 381.0098 Biomedical waste.--

1893 ~~(9) TRANSITION.--~~

1894 ~~(a) Nothing in this act is intended to repeal or modify~~
1895 ~~any existing rules of the Department of Environmental Protection~~
1896 ~~relating to biomedical waste unless such rule or part thereof is~~
1897 ~~in direct conflict with this act. Rules of the Department of~~
1898 ~~Environmental Protection relating to transport, storage, or~~
1899 ~~treatment of biomedical waste existing on the effective date of~~
1900 ~~this act shall remain in effect and be enforceable by the~~
1901 ~~department until comparable rules are adopted by the department,~~
1902 ~~and no judicial or administrative proceeding pending on the~~
1903 ~~effective date of this act shall be abated as a result of the~~
1904 ~~provisions of this act.~~

1905 ~~(b) Any person operating or in the process of constructing~~
1906 ~~a biomedical storage or treatment facility, or any person~~
1907 ~~transporting biomedical waste, in accordance with a permit or~~
1908 ~~registration issued by the Department of Environmental~~
1909 ~~Protection on the effective date of this act, may continue to~~
1910 ~~operate under that permit or registration until that permit or~~
1911 ~~registration expires, or until December 31, 1996, whichever is~~
1912 ~~later. The department's rules concerning the permitting or~~
1913 ~~registering of biomedical waste storage facilities, treatment~~
1914 ~~facilities, and transporters shall be designed to accomplish a~~

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1915 ~~smooth transition between permitting or registration~~
 1916 ~~authorities.~~

1917 ~~(c) A permit application which is received after or which~~
 1918 ~~is pending on the effective date of this act, which would have~~
 1919 ~~been considered a renewal application if submitted to the~~
 1920 ~~Department of Environmental Protection, will be considered a~~
 1921 ~~renewal application for purposes of s. 120.60 when submitted to~~
 1922 ~~the department.~~

1923 ~~(d) Prior to implementing the change in the regulation of~~
 1924 ~~offsite treatment facilities described in this act, and after~~
 1925 ~~full consultation with affected persons, the department and the~~
 1926 ~~Department of Environmental Protection shall establish an~~
 1927 ~~interagency agreement to streamline the permitting and~~
 1928 ~~inspection of these treatment facilities. The agreement also~~
 1929 ~~shall be designed to avoid any duplicative or overlapping~~
 1930 ~~regulation of these treatment facilities. Such agreement shall~~
 1931 ~~at least provide:~~

1932 ~~1. That the Department of Environmental Protection will~~
 1933 ~~continue to accept and act on permit applications for these~~
 1934 ~~facilities;~~

1935 ~~2. That the department will review these permit~~
 1936 ~~applications with respect to those matters within its~~
 1937 ~~jurisdiction;~~

1938 ~~3. That these permits will be consolidated with other~~
 1939 ~~required Department of Environmental Protection permits, where~~
 1940 ~~possible; and~~

1941 ~~4. That any inspections will be consolidated to avoid~~
 1942 ~~duplicate inspections, where possible.~~

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1943 Section 51. Paragraph (f) of subsection (2) of section
 1944 385.103, Florida Statutes, is repealed:

1945 385.103 Community intervention programs.--

1946 (2) OPERATION OF COMMUNITY INTERVENTION PROGRAMS.--

1947 ~~(f) The department shall adopt rules governing the~~
 1948 ~~operation of the community intervention programs.~~

1949 Section 52. Subsection (5) of section 393.064, Florida
 1950 Statutes, is repealed:

1951 393.064 Prevention.--

1952 ~~(5) The Department of Children and Family Services shall~~
 1953 ~~have the authority, within available resources, to contract for~~
 1954 ~~the supervision and management of the Raymond C. Philips~~
 1955 ~~Research and Education Unit, and such contract shall include~~
 1956 ~~specific program objectives.~~

1957 Section 53. Subsection (7) of section 445.033, Florida
 1958 Statutes, is repealed:

1959 445.033 Evaluation.--The board of directors of Workforce
 1960 Florida, Inc., and the Department of Children and Family
 1961 Services shall arrange for evaluation of TANF-funded programs
 1962 operated under this chapter, as follows:

1963 ~~(7) Evaluations described in this section are exempt from~~
 1964 ~~the provisions of s. 381.85.~~

1965 Section 54. Sections 381.85, 385.205, and 385.209, Florida
 1966 Statutes, are repealed.

1967 Section 55. This act shall take effect upon becoming a
 1968 law.