

1 A bill to be entitled
2 An act relating to health care; amending s.
3 456.025, F.S.; deleting requirements for the
4 Department of Health to administer an
5 electronic continuing education tracking system
6 for health care practitioners; creating s.
7 456.0251, F.S.; providing for enforcement of
8 continuing education requirements required for
9 license renewal; authorizing citations and
10 fines to be imposed for failure to comply with
11 required continuing education requirements;
12 amending s. 456.072, F.S.; providing for
13 discipline of licensees who fail to meet
14 continuing education requirements as a
15 prerequisite for license renewal three or more
16 times; amending s. 395.003, F.S.; requiring a
17 report by the Agency for Health Care
18 Administration regarding the licensure of
19 emergency departments located off the premises
20 of hospitals; prohibiting the issuance of
21 licenses for such departments before July 1,
22 2005; amending s. 401.113, F.S.; requiring that
23 a recipient of funds from the Emergency Medical
24 Services Trust Fund return unexpended funds to
25 the Department of Health at the end of the
26 grant period; authorizing the expenditure of
27 interest generated from grant funds under
28 certain circumstances; amending s. 401.27,
29 F.S.; authorizing the electronic submission of
30 an application for certification as an
31 emergency medical technician or paramedic;

1 requiring that rules of the department provide
2 for the approval of certain equivalent courses
3 for purposes of certification; deleting
4 provisions authorizing the department to issue
5 a temporary certification; requiring that a
6 person wearing emergency medical technician or
7 paramedic insignia must be functioning in that
8 capacity when doing so; creating s. 401.27001,
9 F.S.; providing requirements for background
10 screening for applicants for initial
11 certification as an emergency medical
12 technician or paramedic and for renewal of
13 certification; requiring an applicant to pay
14 the costs of screening; requiring that
15 fingerprints be submitted to the Department of
16 Law Enforcement and forwarded to the Federal
17 Bureau of Investigation; specifying the
18 offenses that are grounds for denial of
19 certification; authorizing the department to
20 grant an exemption to an applicant,
21 notwithstanding certain convictions; requiring
22 the department to adopt rules; amending s.
23 401.2701, F.S.; requiring that a training
24 program for emergency medical technicians and
25 paramedics include information concerning the
26 requirements for background screening;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Subsection (1) of section 395.003, Florida
2 Statutes, is amended to read:

3 395.003 Licensure; issuance, renewal, denial,
4 modification, suspension, and revocation.--

5 (1)(a) ~~A No~~ person may not ~~shall~~ establish, conduct,
6 or maintain a hospital, ambulatory surgical center, or mobile
7 surgical facility in this state without first obtaining a
8 license under this part.

9 (b)1. It is unlawful for ~~a any~~ person to use or
10 advertise to the public, in any way or by any medium
11 whatsoever, any facility as a "hospital," "ambulatory surgical
12 center," or "mobile surgical facility" unless such facility
13 has first secured a license under the provisions of this part.

14 2. ~~Nothing in~~ This part does not apply ~~applies~~ to
15 veterinary hospitals or to commercial business establishments
16 using the word "hospital," "ambulatory surgical center," or
17 "mobile surgical facility" as a part of a trade name if no
18 treatment of human beings is performed on the premises of such
19 establishments.

20 3. By December 31, 2004, the agency shall submit a
21 report to the President of the Senate and the Speaker of the
22 House of Representatives recommending whether it is in the
23 public interest to allow a hospital to license or operate an
24 emergency department located off the premises of the hospital.
25 If the agency finds it to be in the public interest, the
26 report shall also recommend licensure criteria for such
27 medical facilities, including criteria related to quality of
28 care and, if deemed necessary, the elimination of the
29 possibility of confusion related to the service capabilities
30 of such facility in comparison to the service capabilities of
31 an emergency department located on the premises of the

1 hospital. Until July 1, 2005, additional emergency departments
2 located off the premises of licensed hospitals may not be
3 authorized by the agency.

4 Section 2. Subsection (2) of section 401.113, Florida
5 Statutes, is amended to read:

6 401.113 Department; powers and duties.--

7 (2)(a) The department shall annually dispense funds
8 contained in the Emergency Medical Services Trust Fund as
9 follows:

10 1.(a) Forty-five percent of such moneys must be
11 divided among the counties according to the proportion of the
12 combined amount deposited in the trust fund from the county.
13 These funds may not be used to match grant funds as identified
14 in subparagraph 2. paragraph (b). An individual board of
15 county commissioners may distribute these funds to emergency
16 medical service organizations within the county, as it deems
17 appropriate.

18 2.(b) Forty percent of such moneys must be used by the
19 department for making matching grants to local agencies,
20 municipalities, and emergency medical services organizations
21 for the purpose of conducting research, increasing existing
22 levels of emergency medical services, evaluation, community
23 education, injury prevention programs, and training in
24 cardiopulmonary resuscitation and other lifesaving and first
25 aid techniques.

26 a.1- At least 90 percent of these moneys must be made
27 available on a cash matching basis. A grant made under this
28 sub-subparagraph subparagraph must be contingent upon the
29 recipient providing a cash sum equal to 25 percent of the
30 total department-approved grant amount.

31

1 ~~b.2.~~ No more than 10 percent of these moneys must be
 2 made available to rural emergency medical services, and
 3 notwithstanding the restrictions specified in subsection (1),
 4 these moneys may be used for improvement, expansion, or
 5 continuation of services provided. A grant made under this
 6 ~~sub-subparagraph~~ ~~subparagraph~~ must be contingent upon the
 7 recipient providing a cash sum equal to no more than 10
 8 percent of the total department-approved grant amount.

9
 10 The department shall develop procedures and standards for
 11 grant disbursement under this ~~subparagraph~~ ~~paragraph~~ based on
 12 the need for emergency medical services, the requirements of
 13 the population to be served, and the objectives of the state
 14 emergency medical services plan.

15 ~~3.(c)~~ Fifteen percent of such moneys must be used by
 16 the department for capital equipment outlay, personnel,
 17 community education, evaluation, and other costs associated
 18 with the administration of this chapter. Any moneys not
 19 annually used for this purpose must be used for making
 20 additional rural grant funds available.

21 (b) Notwithstanding any other provision of law to the
 22 contrary, interest generated from grant funds may be expended
 23 by the grantee on the budget items approved by the department.
 24 However, a grantee that receives funds requiring a match may
 25 not expend interest earnings until all match requirements have
 26 been met. The grantee shall return to the department any
 27 interest earned and grant funds not expended at the conclusion
 28 of the grant period. All such returned funds shall be used by
 29 the department for additional awards of matching grants.

30 Section 3. Section 401.27, Florida Statutes, is
 31 amended to read:

1 401.27 Personnel; standards and certification.--

2 (1) Each permitted ambulance not specifically exempted
3 from this part, when transporting a person who is sick,
4 injured, wounded, incapacitated, or helpless, must be occupied
5 by at least two persons, one of whom must be a certified
6 emergency medical technician, certified paramedic, or licensed
7 physician and one of whom must be a driver who meets the
8 requirements for ambulance drivers. This subsection does not
9 apply to interfacility transfers governed by s. 401.252(1).

10 (2) The department shall establish by rule educational
11 and training criteria and examinations for the certification
12 and recertification of emergency medical technicians and
13 paramedics. Such rules must require, but need not be limited
14 to:

15 (a) For emergency medical technicians, proficiency in
16 techniques identified in s. 401.23(7) and in rules of the
17 department.

18 (b) For paramedics, proficiency in techniques
19 identified in s. 401.23(1) and in rules of the department.

20 (3) Any person who desires to be certified or
21 recertified as an emergency medical technician or paramedic
22 must apply to the department ~~under oath~~ on forms provided by
23 the department which shall contain such information as the
24 department reasonably requires, which may include affirmative
25 evidence of ability to comply with applicable laws and rules.
26 The department may accept electronically submitted
27 applications. If an application is submitted electronically,
28 the department may require that supplemental materials be
29 submitted in a nonelectronic format, including an original
30 signature of the applicant and documentation verifying
31 eligibility for certification. The department shall determine

1 whether the applicant meets the requirements specified in this
2 section and in rules of the department ~~and shall issue a~~
3 ~~certificate to any person who meets such requirements.~~

4 (4) An applicant for certification or recertification
5 as an emergency medical technician or paramedic must:

6 (a) Have completed an appropriate training course as
7 follows:

8 1. For an emergency medical technician, an emergency
9 medical technician training course equivalent to the most
10 recent emergency medical technician basic training course of
11 the United States Department of Transportation as approved by
12 the department;

13 2. For a paramedic, a paramedic training program
14 equivalent to the most recent paramedic course of the United
15 States Department of Transportation as approved by the
16 department;

17 (b) Certify ~~under oath~~ that he or she is not addicted
18 to alcohol or any controlled substance;

19 (c) Certify ~~under oath~~ that he or she is free from any
20 physical or mental defect or disease that might impair the
21 applicant's ability to perform his or her duties;

22 (d) Within 1 year after course completion have passed
23 an examination developed or required by the department;

24 (e)1. For an emergency medical technician, hold either
25 a current American Heart Association cardiopulmonary
26 resuscitation course card or an American Red Cross
27 cardiopulmonary resuscitation course card or its equivalent as
28 defined by department rule. The rules must include, but need
29 not be limited to, the procedure for recognizing
30 cardiopulmonary resuscitation course equivalency, as
31

1 determined by the Continuing Education Coordinating Board for
2 Emergency Medical Services;

3 2. For a paramedic, hold a certificate of successful
4 course completion in advanced cardiac life support from the
5 American Heart Association or its equivalent as defined by
6 department rule. The rules must include, but need not be
7 limited to, the procedure for recognizing advanced cardiac
8 life support course equivalency, as determined by the
9 Continuing Education Coordinating Board for Emergency Medical
10 Services;

11 (f) Submit the certification fee and the nonrefundable
12 examination fee prescribed in s. 401.34, which examination fee
13 will be required for each examination administered to an
14 applicant; and

15 (g) Submit a completed application to the department,
16 which application documents compliance with paragraphs (a),
17 (b), (c), (e), (f), (g), and, if applicable, (d). The
18 application must be submitted so as to be received by the
19 department at least 30 calendar days before the next regularly
20 scheduled examination for which the applicant desires to be
21 scheduled.

22 (5) The certification examination must be offered
23 monthly. The department shall issue an examination admission
24 notice to the applicant advising him or her of the time and
25 place of the examination for which he or she is scheduled.
26 ~~Individuals achieving a passing score on the certification~~
27 ~~examination may be issued a temporary certificate with their~~
28 ~~examination grade report. The department must issue an~~
29 ~~original certification within 45 days after the examination.~~
30 Examination questions and answers are not subject to discovery
31 but may be introduced into evidence and considered only in

1 camera in any administrative proceeding under chapter 120. If
2 an administrative hearing is held, the department shall
3 provide challenged examination questions and answers to the
4 administrative law judge. The department shall establish by
5 rule the procedure by which an applicant, and the applicant's
6 attorney, may review examination questions and answers in
7 accordance with s. 119.07(3)(a).

8 (6)~~(a)~~ The department shall establish by rule a
9 procedure for biennial renewal certification of emergency
10 medical technicians and paramedics.

11 (a) For emergency medical technicians, such rules must
12 require a United States Department of Transportation refresher
13 training program of at least 30 hours as approved by the
14 department every 2 years. The refresher program may be
15 offered in multiple presentations spread over the 2-year
16 period. The rules must also provide that the refresher course
17 requirement may be satisfied by passing a challenge
18 examination.

19 ~~(b) The department shall establish by rule a procedure~~
20 ~~For biennial renewal certification of paramedics,~~ such rules
21 must require candidates for renewal to have taken at least 30
22 hours of continuing education units during the 2-year period.
23 The rules must provide that the continuing education
24 requirement may be satisfied by passing a challenge
25 examination.

26 (7) A physician, dentist, or registered nurse may be
27 certified as a paramedic if the physician, dentist, or
28 registered nurse is certified in this state as an emergency
29 medical technician, has passed the required emergency medical
30 technician curriculum, has successfully completed an advanced
31 cardiac life support course, has passed the examination for

1 certification as a paramedic, and has met other certification
2 requirements specified by rule of the department. A
3 physician, dentist, or registered nurse so certified must be
4 recertified under this section.

5 (8) Each emergency medical technician certificate and
6 each paramedic certificate will expire automatically and may
7 be renewed if the holder meets the qualifications for renewal
8 as established by the department. A certificate that is not
9 renewed at the end of the 2-year period will automatically
10 revert to an inactive status for a period not to exceed 180
11 days. Such certificate may be reactivated and renewed within
12 the 180 days if the certificateholder meets all other
13 qualifications for renewal and pays a \$25 late fee.

14 Reactivation shall be in a manner and on forms prescribed by
15 department rule. ~~The holder of a certificate that expired on~~
16 ~~December 1, 1996, has until September 30, 1997, to reactivate~~
17 ~~the certificate in accordance with this subsection.~~

18 (9) The department may suspend or revoke a certificate
19 at any time if it determines that the holder does not meet the
20 applicable qualifications.

21 (10) The department may provide by rule for physically
22 disabled persons to take and be provided with the results of
23 the written portion of the emergency medical technician
24 certification examination or paramedic certification
25 examination. However, such persons may not receive any
26 special assistance in completing the examination. A
27 physically disabled ~~An~~ individual who achieves a passing grade
28 on the emergency medical technician certification examination
29 or paramedic certification examination may be issued a limited
30 emergency medical technician certificate or a limited
31 paramedic certificate. An individual issued a limited

1 certificate may not perform patient care or treatment
2 activities.

3 (11)~~(a)~~ A certificateholder may request that his or
4 her emergency medical technician certificate or paramedic
5 certificate be placed on inactive status by applying to the
6 department before his or her current certification expires and
7 paying a fee set by the department not to exceed \$50.

8 ~~(a)(b)1-~~ A certificateholder whose certificate has
9 been on inactive status for 1 year or less following the date
10 his or her emergency medical technician certificate or
11 paramedic certificate expired may renew his or her certificate
12 pursuant to the rules adopted by the department and upon
13 payment of a late renewal fee set by the department not to
14 exceed \$100.

15 ~~(b)2-~~ A certificateholder whose certificate has been
16 on inactive status for more than 1 year may renew his or her
17 certificate pursuant to rules adopted by the department. To
18 renew, the certificateholder must pass the certification
19 examination and complete continuing education requirements and
20 a field internship.

21 (c) A certificate ~~that which~~ has been inactive for
22 more than 6 years automatically expires and may not be
23 reinstated.

24 (12) An applicant for certification who is an
25 out-of-state certified or military-trained ~~trained~~ emergency
26 medical technician or paramedic must provide proof of current
27 emergency medical technician or paramedic certification or
28 registration based upon successful completion of the United
29 States Department of Transportation emergency medical
30 technician or paramedic training curriculum and hold a current
31 certificate of successful course completion in cardiopulmonary

1 resuscitation (CPR) or advanced cardiac life support for
 2 emergency medical technicians or paramedics, respectively, to
 3 be eligible for the certification examination. The applicant
 4 must successfully complete the certification examination
 5 within 1 year after the date of the receipt of his or her
 6 application by the department. After 1 year, the applicant
 7 must submit a new application, meet all eligibility
 8 requirements, and submit all fees to reestablish eligibility
 9 to take the certification examination.

10 (13) The department shall adopt the current ~~a~~ standard
 11 state insignia for emergency medical technicians and
 12 paramedics. The department shall establish by rule the
 13 requirements to display the state emergency medical technician
 14 and paramedic insignia. The rules may not require a person to
 15 wear the standard insignia but must require that if a person
 16 wears any insignia that identifies the person as a certified
 17 emergency medical technician or paramedic in this state, the
 18 insignia must be the standard state insignia adopted under
 19 this section and the person must be functioning in his or her
 20 capacity as an emergency medical technician or paramedic. The
 21 insignia must denote the individual's level of certification
 22 at which he or she is functioning when that person is wearing
 23 the insignia.

24 Section 4. Section 401.27001, Florida Statutes, is
 25 created to read:

26 401.27001 Background screening required for
 27 certification.--

28 (1) An applicant for initial certification under s.
 29 401.27 must submit information and a set of fingerprints to
 30 the Department of Health on a form and according to procedures
 31 specified by the department, along with payment in an amount

1 equal to the costs incurred by the Department of Health for a
2 statewide criminal history check and a national criminal
3 history check of the applicant.

4 (2) An applicant for initial renewal of certification
5 on or after July 1, 2004, who has not previously submitted a
6 set of fingerprints to the Department of Health must submit
7 information required to perform a statewide criminal
8 background check and a set of fingerprints required to perform
9 a national criminal history check. The applicant must submit
10 the fingerprints on a form and under procedures specified by
11 the department for a national criminal history check, along
12 with payment in an amount equal to the costs incurred by the
13 department. For subsequent renewals, the department shall, by
14 rule, adopt an application form that includes an oath or
15 affirmation attesting to the existence of any criminal
16 convictions, regardless of plea or adjudication, which have
17 occurred since the previous certification. If there has been a
18 criminal conviction, the provisions of this section apply. The
19 department shall notify each current certificateholder of the
20 requirement to undergo a criminal history background screening
21 sufficiently in advance of the 2004 biennial expiration for
22 the certificateholder to provide the required information
23 prior to submission of the renewal certification application.
24 The department may not deny eligibility for renewal of the
25 first renewal application subsequent to July 1, 2004, due to a
26 delay in obtaining the criminal history from the Department of
27 Law Enforcement, the Federal Bureau of Investigation, or the
28 Division of State Fire Marshal if the applicant has submitted
29 the required criminal background screening information or
30 affidavit and fees with the renewal certification application.
31 A certificate that expires on December 1, 2004, may be renewed

1 subject to withdrawal of certification pending the
2 department's determination of whether the certificateholder
3 will be granted an exemption as provided in subsection (8).
4 The applicant must make timely application for renewal and
5 request the exemption from denial prior to expiration of the
6 certificate.

7 (3) Pursuant to the requirements of s. 120.60, an
8 application for certification must be processed within 90 days
9 after receipt of the completed application. An application for
10 certification is not complete until the criminal history and
11 certified copies of all court documents for an applicant
12 having a prior criminal conviction, pursuant to this section,
13 have been received by the department.

14 (4) The department shall submit the fingerprints and
15 information required for a statewide criminal history check to
16 the Department of Law Enforcement, and the Department of Law
17 Enforcement shall forward the fingerprints to the Federal
18 Bureau of Investigation for a national criminal history check
19 of the applicant.

20 (5) If an applicant has undergone a criminal history
21 check as a condition of employment or certification as a
22 firefighter under s. 633.34, the Division of State Fire
23 Marshal of the Department of Financial Services shall provide
24 the criminal history information regarding the applicant
25 seeking certification or renewal of certification under s.
26 401.27 to the department. Any applicant for initial
27 certification or renewal of certification who has already
28 submitted a set of fingerprints and information to the
29 Division of State Fire Marshal of the Department of Financial
30 Services for the criminal history check required for
31 employment and certification of firefighters under s. 633.34

1 within 2 years prior to application under s. 401.27 is not
2 required to provide to the department a subsequent set of
3 fingerprints or other duplicate information required for a
4 criminal history check if the applicant submits an affidavit
5 in a form prescribed by the department attesting that he or
6 she has been a state resident for the previous 2 years.

7 (6) Notwithstanding the grounds for certification
8 denial outlined in s. 401.411, an applicant must not have been
9 found guilty of, regardless of plea or adjudication, any
10 offense prohibited under any of the following provisions of
11 the Florida Statutes or under any similar statute of another
12 jurisdiction:

13 (a) Section 415.111, relating to abuse, neglect, or
14 exploitation of a vulnerable adult.

15 (b) Section 782.04, relating to murder.

16 (c) Section 782.07, relating to manslaughter,
17 aggravated manslaughter of an elderly person or disabled
18 adult, or aggravated manslaughter of a child.

19 (d) Section 782.071, relating to vehicular homicide.

20 (e) Section 782.09, relating to killing of an unborn
21 child by injury to the mother.

22 (f) Section 784.011, relating to assault, if the
23 victim of the offense was a minor.

24 (g) Section 784.021, relating to aggravated assault.

25 (h) Section 784.03, relating to battery, if the victim
26 of the offense was a minor.

27 (i) Section 784.045, relating to aggravated battery.

28 (j) Section 784.01, relating to kidnapping.

29 (k) Section 787.02, relating to false imprisonment.

30 (l) Section 794.011, relating to sexual battery.

31

1 (m) Former s. 794.041, relating to prohibited acts of
2 persons in familial or custodial authority.

3 (n) Chapter 796, relating to prostitution.

4 (o) Section 798.02, relating to lewd and lascivious
5 behavior.

6 (p) Chapter 800, relating to lewdness and indecent
7 exposure.

8 (q) Section 806.01, relating to arson.

9 (r) Chapter 812, relating to theft, robbery, and
10 related crimes, if the offense was a felony.

11 (s) Section 817.563, relating to the fraudulent sale
12 of controlled substances, if the offense was a felony.

13 (t) Section 825.102, relating to abuse, aggravated
14 abuse, or neglect of an elderly person or disabled adult.

15 (u) Section 825.1025, relating to lewd or lascivious
16 offenses committed upon or in the presence of an elderly
17 person or disabled adult.

18 (v) Section 825.103, relating to exploitation of an
19 elderly person or disabled adult, if the offense was a felony.

20 (w) Section 826.04, relating to incest.

21 (x) Section 827.03, relating to child abuse,
22 aggravated child abuse, or neglect of a child.

23 (y) Section 827.04, relating to contributing to the
24 delinquency or dependency of a child.

25 (z) Former s. 827.05, relating to negligent treatment
26 of children.

27 (aa) Section 827.071, relating to sexual performance
28 by a child.

29 (bb) Chapter 847, relating to obscene literature.

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1 (cc) Chapter 893, relating to drug abuse prevention
2 and control, if the offense was a felony or if any other
3 person involved in the offense was a minor.

4 (dd) An act that constitutes domestic violence, as
5 defined in s. 741.28.

6 (7) The department may grant to any applicant who
7 would otherwise be denied certification or recertification
8 under this subsection an exemption from that denial for:

9 (a) A felony committed more than 3 years prior to the
10 date of disqualification;

11 (b) A misdemeanor prohibited under any of the Florida
12 Statutes cited in this subsection or under similar statutes of
13 other jurisdictions;

14 (c) An offense that was a felony when committed but
15 that is currently a misdemeanor;

16 (d) A finding of delinquency; or

17 (e) The commission of an act of domestic violence as
18 defined in s. 741.28.

19 (8) For the department to grant an exemption to any
20 applicant under this section, the applicant must demonstrate
21 by clear and convincing evidence that the applicant should not
22 be disqualified from certification or renewed certification.

23 An applicant seeking an exemption has the burden of setting
24 forth sufficient evidence of rehabilitation, including, but
25 not limited to, the circumstances surrounding the criminal
26 incident for which an exemption is sought, the time period
27 that has elapsed since the incident, the nature of the harm
28 caused to the victim, and the history of the applicant since
29 the incident, or any other evidence or circumstances
30 indicating that the applicant will not present a danger if the
31 certification or renewed certification is granted. To make the

1 necessary demonstration, the applicant must request an
2 exemption and submit the required information supporting that
3 request at the time of application in order for the department
4 to make a determination in accordance with this section.

5 (9) Denial of certification or renewed certification
6 under subsection (6) may not be removed from, and an exemption
7 may not be granted to, any applicant who is found guilty of,
8 regardless of plea or adjudication, any felony covered by
9 subsection (6), solely by reason of a pardon, executive
10 clemency, or restoration of civil rights.

11 (10) The department shall adopt rules pursuant to
12 chapter 120 to administer this section.

13 Section 5. Paragraph (a) of subsection (1) of section
14 401.2701, Florida Statutes, is amended to read:

15 401.2701 Emergency medical services training
16 programs.--

17 (1) Any private or public institution in Florida
18 desiring to conduct an approved program for the education of
19 emergency medical technicians and paramedics shall:

20 (a) Submit a completed application on a form provided
21 by the department, which must include:

22 1. Evidence that the institution is in compliance with
23 all applicable requirements of the Department of Education.

24 2. Evidence of an affiliation agreement with a
25 hospital that has an emergency department staffed by at least
26 one physician and one registered nurse.

27 3. Evidence of an affiliation agreement with a current
28 Florida-licensed emergency medical services provider. Such
29 agreement shall include, at a minimum, a commitment by the
30 provider to conduct the field experience portion of the
31 education program.

- 1 4. Documentation verifying faculty, including:
2 a. A medical director who is a licensed physician
3 meeting the applicable requirements for emergency medical
4 services medical directors as outlined in this chapter and
5 rules of the department. The medical director shall have the
6 duty and responsibility of certifying that graduates have
7 successfully completed all phases of the education program and
8 are proficient in basic or advanced life support techniques,
9 as applicable.
- 10 b. A program director responsible for the operation,
11 organization, periodic review, administration, development,
12 and approval of the program.
- 13 5. Documentation verifying that the curriculum:
14 a. Meets the course guides and instructor's lesson
15 plans in the most recent Emergency Medical Technician-Basic
16 National Standard Curricula for emergency medical technician
17 programs and Emergency Medical Technician-Paramedic National
18 Standard Curricula for paramedic programs.
- 19 b. Includes 2 hours of instruction on the trauma
20 scorecard methodologies for assessment of adult trauma
21 patients and pediatric trauma patients as specified by the
22 department by rule.
- 23 c. Includes 4 hours of instruction on HIV/AIDS
24 training consistent with the requirements of chapter 381.
- 25 d. Advises students at the initiation of the training
26 program of the certification and regulatory requirements of
27 this chapter, including, but not limited to, the criminal
28 history check required for initial and renewal certification
29 under s. 401.27001. The department shall prescribe by rule the
30 required content of this component of the training program.
31

1 6. Evidence of sufficient medical and educational
2 equipment to meet emergency medical services training program
3 needs.

4 Section 6. Subsection (7) of section 456.025, Florida
5 Statutes, is amended to read:

6 456.025 Fees; receipts; disposition.--

7 (7) Each board, or the department if there is no
8 board, shall establish, by rule, a fee not to exceed \$250 for
9 anyone seeking approval to provide continuing education
10 courses or programs and shall establish by rule a biennial
11 renewal fee not to exceed \$250 for the renewal of providership
12 of such courses. The fees collected from continuing education
13 providers shall be used for the purposes of reviewing course
14 provider applications, monitoring the integrity of the courses
15 provided, and covering legal expenses incurred as a result of
16 not granting or renewing a providership, ~~and developing and~~
17 ~~maintaining an electronic continuing education tracking~~
18 ~~system. The department shall implement an electronic~~
19 ~~continuing education tracking system for each new biennial~~
20 ~~renewal cycle for which electronic renewals are implemented~~
21 ~~after the effective date of this act and shall integrate such~~
22 ~~system into the licensure and renewal system. All approved~~
23 ~~continuing education providers shall provide information on~~
24 ~~course attendance to the department necessary to implement the~~
25 ~~electronic tracking system. The department shall, by rule,~~
26 ~~specify the form and procedures by which the information is to~~
27 ~~be submitted.~~

28 Section 7. Section 456.0251, Florida Statutes, is
29 created to read:

30 456.0251 Continuing education.--

31

1 (1) Unless otherwise provided in a profession's
2 practice act, each board, or the department if there is no
3 board, shall establish by rule procedures for approval of
4 continuing education providers and continuing education
5 courses for renewal of licenses. Except for those continuing
6 education courses whose subjects are prescribed by law, each
7 board, or the department if there is no board, may limit by
8 rule the subject matter for approved continuing education
9 courses to courses addressing the scope of practice of each
10 respective health care profession.

11 (2) Licensees who have not completed all of the
12 continuing education credits required for licensure during a
13 biennium may obtain an extension of 3 months from the date
14 after the end of the license renewal biennium within which to
15 complete the requisite hours for license renewal. Each board,
16 or the department if there is no board, shall establish by
17 rule procedures for requesting a 3-month extension and whether
18 proof of completion of some approved hours of continuing
19 education are required to be submitted with the request for
20 extension as a prerequisite for granting the request.

21 (3) Failure to complete the requisite number of hours
22 of continuing education hours within a license renewal
23 biennium or within a 3 month period from the date after the
24 end of the license renewal biennium, if requested, shall be
25 grounds for issuance of a citation and a fine, plus a
26 requirement that at least the deficit hours are completed
27 within a time established by rule of each board, or the
28 department if there is no board. Each board, or the department
29 if there is no board, shall establish by rule a fine for each
30 continuing education hour which was not completed within the
31 license renewal biennium or the 3-month period following the

1 last day of the biennium if so requested, not to exceed \$500
2 per each hour not completed. The issuance of the citation and
3 fine shall not be considered discipline. A citation and a fine
4 issued under this subsection may only be issued to a licensee
5 a maximum of two times for two separate failures to complete
6 the requisite number of hours for license renewal.

7 (4) The department shall report to each board no later
8 than 3 months following the last day of the license renewal
9 biennium the percentage of licensees regulated by that board
10 who have not timely complied with the continuing education
11 requirements during the previous license renewal biennium for
12 which auditing of licensees regulated by that board are
13 completed. Each board shall direct the department the
14 percentage of licensees regulated by that board that are to be
15 audited during the next license renewal biennium. In addition
16 to the percentage of licensees audited as directed by the
17 boards, the department shall audit those licensees found to be
18 deficient during any of the two license renewal bienniums.

19 Section 8. Paragraph (ff) is added to subsection (1)
20 of section 456.072, Florida Statutes, to read:

21 456.072 Grounds for discipline; penalties;
22 enforcement.--

23 (1) The following acts shall constitute grounds for
24 which the disciplinary actions specified in subsection (2) may
25 be taken:

26 (ff) Failure for a third or more times to complete the
27 requisite number of hours of continuing education hours within
28 a license renewal biennium period or within a 3-month period
29 from the date after the end of the license renewal biennium,
30 if the extension was requested.

31 Section 9. This act shall take effect July 1, 2004.