

HB 0781

2004

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

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Paragraph (a) of subsection (1) of section
 12 90.503, Florida Statutes, is amended to read:

13 90.503 Psychotherapist-patient privilege.--

14 (1) For purposes of this section:

15 (a) A "psychotherapist" is:

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

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

25 3. A person licensed or certified as a clinical social
 26 worker, marriage and family therapist, or mental health
 27 counselor under the laws of this state, who is engaged primarily
 28 in the diagnosis or treatment of a mental or emotional
 29 condition, including alcoholism and other drug addiction; ~~or~~

HB 0781

2004

30 4. Treatment personnel of facilities licensed by the state
31 pursuant to chapter 394, chapter 395, or chapter 397, of
32 facilities designated by the Department of Children and Family
33 Services pursuant to chapter 394 as treatment facilities, or of
34 facilities defined as community mental health centers pursuant
35 to s. 394.907(1), who are engaged primarily in the diagnosis or
36 treatment of a mental or emotional condition, including
37 alcoholism and other drug addiction; or

38 5. An advanced registered nurse practitioner licensed
39 under s. 464.012 whose primary scope of practice is the
40 diagnosis or treatment of mental or emotional conditions,
41 including chemical abuse, and limited only to actions performed
42 in accordance with part I of chapter 464.

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