

CHAMBER ACTION

1 The Committee on Health Care recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

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

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

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

HB 807

2004
CS

24 456.025 Fees; receipts; disposition.--

25 (7) Each board, or the department if there is no board,
 26 shall establish, by rule, a fee not to exceed \$250 for anyone
 27 seeking approval to provide continuing education courses or
 28 programs and shall establish by rule a biennial renewal fee not
 29 to exceed \$250 for the renewal of providership of such courses.
 30 The fees collected from continuing education providers shall be
 31 used for the purposes of reviewing course provider applications,
 32 monitoring the integrity of the courses provided, and covering
 33 legal expenses incurred as a result of not granting or renewing
 34 a providership, ~~and developing and maintaining an electronic~~
 35 ~~continuing education tracking system. The department shall~~
 36 ~~implement an electronic continuing education tracking system for~~
 37 ~~each new biennial renewal cycle for which electronic renewals~~
 38 ~~are implemented after the effective date of this act and shall~~
 39 ~~integrate such system into the licensure and renewal system. All~~
 40 ~~approved continuing education providers shall provide~~
 41 ~~information on course attendance to the department necessary to~~
 42 ~~implement the electronic tracking system. The department shall,~~
 43 ~~by rule, specify the form and procedures by which the~~
 44 ~~information is to be submitted.~~

45 Section 2. Section 456.0251, Florida Statutes, is created
 46 to read:

47 456.0251 Continuing education.--

48 (1) Unless otherwise provided in a profession's practice
 49 act, each board, or the department if there is no board, shall
 50 establish by rule procedures for approval of continuing
 51 education providers and continuing education courses for renewal

HB 807

2004
CS

52 | of licenses. Except for those continuing education courses whose
53 | subjects are prescribed by law, each board, or the department if
54 | there is no board, may limit by rule the subject matter for
55 | approved continuing education courses to courses addressing the
56 | scope of practice of each respective health care profession.

57 | (2) Licensees who have not completed all of the number of
58 | continuing education credits required for licensure during a
59 | biennium may request an extension of 3 months after the date of
60 | the end of the license renewal biennium within which to complete
61 | the requisite hours for license renewal. Each board, or the
62 | department if there is no board, shall establish by rule
63 | procedures for requesting a 3-month extension and whether proof
64 | of completion of some approved hours of continuing education are
65 | required to be submitted with the request for extension as a
66 | prerequisite for granting the request.

67 | (3) Failure to complete the requisite number of continuing
68 | education hours within a license renewal biennium or within a 3-
69 | month period after the date of the end of the license renewal
70 | biennium, if such an extension was requested and granted, shall
71 | be grounds for issuance of a citation and a fine, plus a
72 | requirement that at least the deficit hours are completed within
73 | a time established by rule of the applicable board, or the
74 | department if there is no board. Each board, or the department
75 | if there is no board, shall establish by rule a fine for each
76 | continuing education hour which was not completed within the
77 | license renewal biennium or the 3-month extension period
78 | following the last day of the biennium, if the extension was
79 | requested and granted, not to exceed \$500 per each hour not

HB 807

2004
CS

80 | completed. The issuance of the citation and fine shall not be
81 | considered discipline. A citation and a fine issued under this
82 | subsection may only be issued to a licensee a maximum of two
83 | times for two separate failures to complete the requisite number
84 | of hours for license renewal.

85 | (4) The department shall report to each board no later
86 | than 3 months following the last day of the license renewal
87 | biennium the percentage of licensees regulated by that board who
88 | have not timely complied with the continuing education
89 | requirements during the previous license renewal biennium for
90 | which the auditing of licensees regulated by that board is
91 | completed. Each board shall provide the department with the
92 | percentage of licensees regulated by that board that are to be
93 | audited during the next license renewal biennium. In addition to
94 | the percentage of licensees audited as directed by the boards,
95 | the department shall audit those licensees found to be deficient
96 | during any of the two license renewal bienniums.

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

99 | 456.072 Grounds for discipline; penalties; enforcement.--

100 | (1) The following acts shall constitute grounds for which
101 | the disciplinary actions specified in subsection (2) may be
102 | taken:

103 | (ff) Failure for three or more times to complete the
104 | requisite number of continuing education hours within a license
105 | renewal biennium period or within the 3-month period after the
106 | date of the end of the license renewal biennium, if such an
107 | extension was requested and granted.

HB 807

2004
CS

108 | Section 4. This act shall take effect upon becoming a law. |