

By Senator Saunders

37-56-05

1 A bill to be entitled

2 An act relating to continuing education for

3 health care practitioners; amending s. 456.025,

4 F.S.; deleting requirements for the Department

5 of Health to administer an electronic

6 continuing education tracking system for health

7 care practitioners; creating s. 456.0251, F.S.;

8 providing rulemaking authority; continuing

9 education requirements required for license

10 renewal; authorizing citations and fines to be

11 imposed for failure to comply with required

12 continuing education requirements; amending s.

13 456.072, F.S.; providing for discipline of

14 licensees who fail to meet continuing education

15 requirements as a prerequisite for license

16 renewal three or more times; providing an

17 effective date.

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

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21 Section 1. Subsection (7) of section 456.025, Florida

22 Statutes, is amended to read:

23 456.025 Fees; receipts; disposition.--

24 (7) Each board, or the department if there is no

25 board, shall establish, by rule, a fee not to exceed \$250 for

26 anyone seeking approval to provide continuing education

27 courses or programs and shall establish by rule a biennial

28 renewal fee not to exceed \$250 for the renewal of providership

29 of such courses. The fees collected from continuing education

30 providers shall be used for the purposes of reviewing course

31 provider applications, monitoring the integrity of the courses

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

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

16 456.0251 Continuing education.--

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

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

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

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

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

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

6 Section 3. Paragraph (gg) is added to subsection (1)
7 of section 456.072, Florida Statutes, to read:

8 456.072 Grounds for discipline; penalties;
9 enforcement.--

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

13 (gg) Failure for three or more times to complete the
14 requisite number of hours of continuing education hours within
15 a license renewal biennium period or within a 3-month period
16 following the date after the end of the license renewal
17 biennium, if the extension was requested.

18 Section 4. This act shall take effect upon becoming a
19 law.

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22 SENATE SUMMARY

23 Revises continuing education requirements for health care
24 practitioners. Deletes provisions that require the
25 Department of Health to administer an electronic
26 continuing education tracking system for practitioners.
27 Provides authority for licensing boards to adopt rules
relating to the approval of courses and course providers.
Provides penalties for the failure to comply with
continuing education requirements. Provides disciplinary
guidelines.