

1 the person is licensed or certified; providing
2 penalties; amending s. 893.02, F.S.; redefining
3 the term "practitioner" under the Florida
4 Comprehensive Drug Abuse Prevention and Control
5 Act to include certain advanced registered
6 nurse practitioners; reenacting s.
7 921.0022(3)(g), F.S., relating to the offense
8 severity ranking chart of the Criminal
9 Punishment Code, to incorporate the amendment
10 to s. 464.016, F.S., in a reference thereto;
11 amending s. 458.348, F.S.; conforming
12 cross-references; providing an effective date.
13

14 Be It Enacted by the Legislature of the State of Florida:
15

16 Section 1. Section 464.003, Florida Statutes, is
17 amended to read:

18 464.003 Definitions.--As used in this part, the term:

19 (1) "Department" means the Department of Health.

20 (2) "Board" means the Board of Nursing.

21 (3)(a) "Practice of professional nursing" means the
22 performance of those acts requiring substantial specialized
23 knowledge, judgment, and nursing skill based upon applied
24 principles of psychological, biological, physical, and social
25 sciences which shall include, but not be limited to:

26 1. The observation, assessment, nursing diagnosis,
27 planning, intervention, and evaluation of care; health
28 teaching and counseling of the ill, injured, or infirm; and
29 the promotion of wellness, maintenance of health, and
30 prevention of illness of others.
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1 2. The administration of medications and treatments as
2 prescribed or authorized by a duly licensed practitioner
3 authorized by the laws of this state to prescribe such
4 medications and treatments.

5 3. The supervision and teaching of other personnel in
6 the theory and performance of any of the above acts.

7 (b) "Practice of practical nursing" means the
8 performance of selected acts, including the administration of
9 treatments and medications, in the care of the ill, injured,
10 or infirm and the promotion of wellness, maintenance of
11 health, and prevention of illness of others under the
12 direction of a registered nurse, a licensed physician, a
13 licensed osteopathic physician, a licensed podiatric
14 physician, or a licensed dentist.

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16 The professional nurse and the practical nurse shall be
17 responsible and accountable for making decisions that are
18 based upon the individual's educational preparation and
19 experience in nursing.

20 (c) "Clinical nurse specialist practice" means the
21 delivery and management of expert-level nursing care to
22 individuals or groups, including the ability to:

23 1. Assess the health status of individuals and
24 families using methods appropriate to the population and area
25 of practice.

26 2. Diagnose human responses to actual or potential
27 health problems.

28 3. Plan for health promotion, disease prevention, and
29 therapeutic intervention in collaboration with the patient or
30 client.

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1 4. Implement therapeutic interventions based on the
2 nurse specialist's area of expertise, including, but not
3 limited to, direct nursing care, counseling, teaching, and
4 collaboration with other licensed health care providers.

5 5. Coordinate health care as necessary and appropriate
6 and evaluate with the patient or client the effectiveness of
7 care.

8 ~~(d)(e)~~ "Advanced or specialized nursing practice"
9 means, in addition to the practice of professional nursing,
10 the performance of advanced-level nursing acts approved by the
11 board which, by virtue of postbasic specialized education,
12 training, and experience, are proper to be performed by an
13 advanced registered nurse practitioner. Within the context of
14 advanced or specialized nursing practice, the advanced
15 registered nurse practitioner may perform acts of nursing
16 diagnosis and nursing treatment of alterations of the health
17 status. The advanced registered nurse practitioner may also
18 perform acts of medical diagnosis and treatment, prescription,
19 and operation which are identified and approved by a joint
20 committee composed of three members appointed by the Board of
21 Nursing, two of whom shall be advanced registered nurse
22 practitioners; three members appointed by the Board of
23 Medicine, two of whom shall have had work experience with
24 advanced registered nurse practitioners; and the secretary of
25 the department or the secretary's designee. Each committee
26 member appointed by a board shall be appointed to a term of 4
27 years unless a shorter term is required to establish or
28 maintain staggered terms. The Board of Nursing shall adopt
29 rules authorizing the performance of any such acts approved by
30 the joint committee. Unless otherwise specified by the joint
31 committee, such acts shall be performed under the general

1 supervision of a practitioner licensed under chapter 458,
2 chapter 459, or chapter 466 within the framework of standing
3 protocols which identify the medical acts to be performed and
4 the conditions for their performance. The department may, by
5 rule, require that a copy of the protocol be filed with the
6 department along with the notice required by s. 458.348.

7 ~~(e)(d)~~ "Nursing diagnosis" means the observation and
8 evaluation of physical or mental conditions, behaviors, signs
9 and symptoms of illness, and reactions to treatment and the
10 determination as to whether such conditions, signs, symptoms,
11 and reactions represent a deviation from normal.

12 ~~(f)(e)~~ "Nursing treatment" means the establishment and
13 implementation of a nursing regimen for the care and comfort
14 of individuals, the prevention of illness, and the education,
15 restoration, and maintenance of health.

16 (4) "Registered nurse" means any person licensed in
17 this state to practice professional nursing.

18 (5) "Licensed practical nurse" means any person
19 licensed in this state to practice practical nursing.

20 (6) "Clinical nurse specialist" means any person
21 licensed in this state to practice professional nursing and
22 certified in clinical nurse specialist practice.

23 ~~(7)(6)~~ "Advanced registered nurse practitioner" means
24 any person licensed in this state to practice professional
25 nursing and certified in advanced or specialized nursing
26 practice, including certified registered nurse anesthetists,
27 certified nurse midwives, nurse practitioners, and clinical
28 nurse specialists.

29 ~~(8)(7)~~ "Approved program" means a nursing program
30 conducted in a school, college, or university which is
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1 approved by the board pursuant to s. 464.019 for the education
2 of nurses.

3 Section 2. Section 464.0115, Florida Statutes, is
4 created to read:

5 464.0115 Certification of clinical nurse
6 specialists.--

7 (1) Any nurse desiring to be certified as a clinical
8 nurse specialist shall apply to the department and submit
9 proof that he or she holds a current license to practice
10 professional nursing, a master's degree in a clinical nursing
11 specialty, and current certification in a specialty area as a
12 clinical nurse specialist from a nationally recognized
13 certifying body as determined by the board.

14 (2) The board shall certify, and the department shall
15 issue a certificate to, any nurse fulfilling the
16 qualifications in this section. The board shall establish an
17 application fee not to exceed \$25 and a biennial renewal fee
18 not to exceed \$10.

19 (3) The board may adopt rules pursuant to ss.
20 120.536(1) and 120.54 necessary to administer this section.

21 Section 3. Subsections (2) and (3) of section 464.012,
22 Florida Statutes, are amended to read:

23 464.012 Certification of advanced registered nurse
24 practitioners; fees.--

25 (2) The board shall provide by rule the appropriate
26 requirements for advanced registered nurse practitioners in
27 the categories of certified registered nurse anesthetist,
28 certified nurse midwife, ~~and~~ nurse practitioner, and clinical
29 nurse specialist.

30 (3) An advanced registered nurse practitioner shall
31 perform those functions authorized in this section within the

1 framework of an established protocol. A practitioner
2 currently licensed under chapter 458, chapter 459, or chapter
3 466 shall maintain supervision for directing the specific
4 course of medical treatment. Within the established
5 framework, an advanced registered nurse practitioner may:

6 (a) Monitor and alter drug therapies.

7 (b) Initiate appropriate therapies for certain
8 conditions.

9 (c) Perform additional functions as may be determined
10 by rule in accordance with s. 464.003(3)(d) ~~s. 464.003(3)(c)~~.

11 (d) Order diagnostic tests and physical and
12 occupational therapy.

13 Section 4. Section 464.0125, Florida Statutes, is
14 created to read:

15 464.0125 Registration of advanced registered nurse
16 practitioners to prescribe medicinal drugs.--

17 (1) Any advanced registered nurse practitioner
18 certified pursuant to s. 464.012 must register with the board
19 in accordance with this section to prescribe medicinal drugs.

20 (2) To register to prescribe medicinal drugs, an
21 advanced registered nurse practitioner must:

22 (a) Possess an active and unrestricted license and be
23 certified as an advanced registered nurse practitioner.

24 (b)1. Possess an active and current certification by
25 an appropriate specialty board; or

26 2. Submit documentation to the board demonstrating
27 that the advanced registered nurse practitioner has been
28 prescribing medicinal drugs for a period of at least 12 months
29 before registering as a prescribing practitioner.

30 (c)1. Submit documentation to the board demonstrating
31 that the advanced registered nurse practitioner has completed

1 at least 16 contact hours of approved continuing education in
2 pharmacology during the past 2 years, in addition to the
3 continuing education required for licensure renewal; or

4 2. Submit documentation to the board demonstrating
5 that the advanced registered nurse practitioner has been
6 prescribing medicinal drugs for a period of at least 12 months
7 before registering as a prescribing practitioner.

8 (d) Submit a copy of the protocol between the advanced
9 registered nurse practitioner and supervising physician which
10 complies with board rules, identifies the categories of
11 medicinal drugs that the advanced registered nurse
12 practitioner is authorized to prescribe, and requires as an
13 element of general supervision that the advanced registered
14 nurse practitioner confer with the supervising physician to
15 review and discuss patient care, prescribed treatments and
16 medications, and care outcomes. The board may by rule
17 establish minimum requirements for this conference. The
18 supervising physician or another physician designated by the
19 supervising physician must be available for consultation and
20 collaboration with the advanced registered nurse practitioner
21 at all times, by phone or other electronic means. The protocol
22 must include a quality assurance procedure. The board may by
23 rule establish minimum requirements for the quality assurance
24 procedure to be included in the protocol. The protocol must be
25 filed with the initial application for registration under this
26 section, with the application for renewal of license, and at
27 any time there is a change in the protocol or of any party to
28 the protocol. For purposes of this section, the supervising
29 physician must have a current and unrestricted license to
30 practice medicine pursuant to chapter 458 or osteopathic
31 medicine pursuant to chapter 459, a primary practice location

1 in this state, and a current and unrestricted federal Drug
2 Enforcement Administration registration number.

3 (e) Agree to maintain adequate medical records
4 pursuant to board rule which include evidence of a patient
5 history and physical examination and, at a minimum, the
6 following information about each prescription for a medicinal
7 drug:

8 1. Drug name and strength.

9 2. Dose.

10 3. Amount prescribed.

11 4. Directions for use.

12 5. Number of refills.

13 6. The signature of the prescribing practitioner.

14 (f) Submit a completed registration form and remit a
15 fee set by the board not to exceed \$75.

16 (3) To prescribe controlled substances, an advanced
17 registered nurse practitioner must:

18 (a) Possess a valid midlevel practitioner registration
19 issued by the federal Drug Enforcement Administration.

20 (b) Submit documentation to the board demonstrating
21 that the advanced registered nurse practitioner has completed
22 an approved course in legal and clinical aspects of
23 prescribing controlled substances of not less than 3 contact
24 hours.

25 (c) Identify, as part of the protocol between the
26 advanced registered nurse practitioner and supervising
27 physician, the schedules of controlled substances that the
28 advanced registered nurse practitioner is authorized to
29 prescribe.

30 (d) Complete at least 2 contact hours of approved
31 continuing education in the prescribing of controlled

1 substances during each 2-year licensure period, in addition to
2 the continuing education required for licensure renewal. This
3 continuing education may be part of the 16 hours of continuing
4 education required pursuant to subsection (4).

5 (4) To register or renew registration to prescribe
6 medicinal drugs, an advanced registered nurse practitioner
7 must complete at least 16 contact hours of approved continuing
8 education in pharmacology during each 2-year licensure period,
9 in addition to the continuing education required for licensure
10 renewal.

11 (5) The board shall provide by rule for biennial
12 renewal of registration and a renewal fee not to exceed \$25.

13 (6) Advanced registered nurse practitioners who are
14 certified as certified registered nurse anesthetists pursuant
15 to s. 464.012 are not required to register under this section
16 to provide anesthesia care in accordance with s. 464.012(4).

17 (7) An advanced registered nurse practitioner who
18 registers to prescribe controlled substances may not prescribe
19 controlled substances for personal use or use by any member of
20 the advanced registered nurse practitioner's immediate family.

21 (8) The board may limit, suspend, or revoke an
22 advanced registered nurse practitioner's registration to
23 prescribe under this section in accordance with the provisions
24 of s. 456.073.

25 (9) The board may adopt rules pursuant to ss.
26 120.536(1) and 120.54 to administer this section.

27 Section 5. Section 464.015, Florida Statutes, is
28 amended to read:

29 464.015 Titles and abbreviations; restrictions;
30 penalty.--
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1 (1) Only persons who hold licenses to practice
2 professional nursing in this state or who are performing
3 nursing services pursuant to the exception set forth in s.
4 464.022(8) shall have the right to use the title "Registered
5 Nurse" and the abbreviation "R.N."

6 (2) Only persons who hold licenses to practice as
7 licensed practical nurses in this state or who are performing
8 practical nursing services pursuant to the exception set forth
9 in s. 464.022(8) shall have the right to use the title
10 "Licensed Practical Nurse" and the abbreviation "L.P.N."

11 (3) Only persons who are graduates of approved
12 programs or the equivalent may use the term "Graduate Nurse"
13 and the abbreviation "G.N.," pending the results of the first
14 licensure examination for which they are eligible.

15 (4) Only persons who are graduates of approved
16 programs or the equivalent may use the term "Graduate
17 Practical Nurse" and the abbreviation "G.P.N.," pending the
18 results of the first licensure examination for which they are
19 eligible.

20 (5) Only persons who hold valid certificates to
21 practice as clinical nurse specialists in this state may use
22 the title "Clinical Nurse Specialist" and the abbreviation
23 "C.N.S."

24 (6) Only persons who hold valid certificates to
25 practice as certified registered nurse anesthetists in this
26 state may use the title "Certified Registered Nurse
27 Anesthetist" and the abbreviations "C.R.N.A." or
28 "anesthetist."

29 (7) Only persons who hold valid certificates to
30 practice as certified nurse midwives in this state may use the
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1 title "Certified Nurse Midwife" and the abbreviations "C.N.S."
2 or "nurse midwife."

3 ~~(8)(5)~~ Only persons who hold valid certificates to
4 practice as advanced registered nurse practitioners in this
5 state ~~may shall have the right to~~ use the title "Advanced
6 Registered Nurse Practitioner" and the abbreviation "A.R.N.P."

7 ~~(9)(6)~~ ~~A No~~ person may not shall practice or advertise
8 as, or assume the title of, registered nurse, licensed
9 practical nurse, clinical nurse specialist, certified
10 registered nurse anesthetist, certified nurse midwife, or
11 advanced registered nurse practitioner or use the abbreviation
12 "R.N.," "L.P.N.," "C.N.S.," "C.R.N.A.," "C.N.M.," or
13 "A.R.N.P." or take any other action that would lead the public
14 to believe that person was certified as such or is performing
15 nursing services pursuant to the exception set forth in s.
16 464.022(8), unless that person is licensed or certified to
17 practice as such.

18 ~~(10)(7)~~ A violation of this section is a misdemeanor
19 of the first degree, punishable as provided in s. 775.082 or
20 s. 775.083.

21 Section 6. Section 464.016, Florida Statutes, is
22 amended to read:

23 464.016 Violations and penalties.--

24 (1) Each of the following acts constitutes a felony of
25 the third degree, punishable as provided in s. 775.082, s.
26 775.083, or s. 775.084:

27 (a) Practicing advanced or specialized, professional,
28 or practical nursing, as defined in this part, unless holding
29 an active license or certificate to do so.

30 (b) Using or attempting to use a license or
31 certificate which has been suspended or revoked.

1 (c) Knowingly employing unlicensed persons in the
2 practice of nursing.

3 (d) Obtaining or attempting to obtain a license or
4 certificate under this part by misleading statements or
5 knowing misrepresentation.

6 (2) Each of the following acts constitutes a
7 misdemeanor of the first degree, punishable as provided in s.
8 775.082 or s. 775.083:

9 (a) Using the name or title "Nurse," "Registered
10 Nurse," "Licensed Practical Nurse," "Clinical Nurse
11 Specialist," "Certified Registered Nurse Anesthetist,"
12 "Certified Nurse Midwife," "Advanced Registered Nurse
13 Practitioner," or any other name or title which implies that a
14 person was licensed or certified as same, unless such person
15 is duly licensed or certified.

16 (b) Knowingly concealing information relating to
17 violations of this part.

18 Section 7. Subsection (19) of section 893.02, Florida
19 Statutes, is amended to read:

20 893.02 Definitions.--The following words and phrases
21 as used in this chapter shall have the following meanings,
22 unless the context otherwise requires:

23 (19) "Practitioner" means a physician licensed
24 pursuant to chapter 458, a dentist licensed pursuant to
25 chapter 466, a veterinarian licensed pursuant to chapter 474,
26 an osteopathic physician licensed pursuant to chapter 459, a
27 naturopath licensed pursuant to chapter 462, or a podiatric
28 physician licensed pursuant to chapter 461, provided such
29 practitioner holds a valid federal controlled substance
30 registry number. The term includes an advanced registered
31 nurse practitioner certified pursuant to s. 464.012 who holds

1 a valid controlled substance registry number for midlevel
2 practitioners and who is registered to prescribe controlled
3 substances under s. 464.0125.

4 Section 8. For the purpose of incorporating the
5 amendment to section 464.016, Florida Statutes, in a reference
6 thereto, paragraph (g) of subsection (3) of section 921.0022,
7 Florida Statutes, is reenacted to read:

8 921.0022 Criminal Punishment Code; offense severity
9 ranking chart.--

10 (3) OFFENSE SEVERITY RANKING CHART

12 Florida	Felony	
13 Statute	Degree	Description
		(g) LEVEL 7
17 316.027(1)(b)	2nd	Accident involving death, failure 18 to stop; leaving scene.
19 316.193(3)(c)2.	3rd	DUI resulting in serious bodily 20 injury.
21 316.1935(3)(b)	1st	Causing serious bodily injury or 22 death to another person; driving 23 at high speed or with wanton 24 disregard for safety while 25 fleeing or attempting to elude 26 law enforcement officer who is in 27 a patrol vehicle with siren and 28 lights activated.
29 327.35(3)(c)2.	3rd	Vessel BUI resulting in serious 30 bodily injury.

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1	402.319(2)	2nd	Misrepresentation and negligence
2			or intentional act resulting in
3			great bodily harm, permanent
4			disfiguration, permanent
5			disability, or death.
6	409.920(2)	3rd	Medicaid provider fraud.
7	456.065(2)	3rd	Practicing a health care
8			profession without a license.
9	456.065(2)	2nd	Practicing a health care
10			profession without a license
11			which results in serious bodily
12			injury.
13	458.327(1)	3rd	Practicing medicine without a
14			license.
15	459.013(1)	3rd	Practicing osteopathic medicine
16			without a license.
17	460.411(1)	3rd	Practicing chiropractic medicine
18			without a license.
19	461.012(1)	3rd	Practicing podiatric medicine
20			without a license.
21	462.17	3rd	Practicing naturopathy without a
22			license.
23	463.015(1)	3rd	Practicing optometry without a
24			license.
25	464.016(1)	3rd	Practicing nursing without a
26			license.
27	465.015(2)	3rd	Practicing pharmacy without a
28			license.
29	466.026(1)	3rd	Practicing dentistry or dental
30			hygiene without a license.
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1	467.201	3rd	Practicing midwifery without a
2			license.
3	468.366	3rd	Delivering respiratory care
4			services without a license.
5	483.828(1)	3rd	Practicing as clinical laboratory
6			personnel without a license.
7	483.901(9)	3rd	Practicing medical physics
8			without a license.
9	484.013(1)(c)	3rd	Preparing or dispensing optical
10			devices without a prescription.
11	484.053	3rd	Dispensing hearing aids without a
12			license.
13	494.0018(2)	1st	Conviction of any violation of
14			ss. 494.001-494.0077 in which the
15			total money and property
16			unlawfully obtained exceeded
17			\$50,000 and there were five or
18			more victims.
19	560.123(8)(b)1.	3rd	Failure to report currency or
20			payment instruments exceeding
21			\$300 but less than \$20,000 by
22			money transmitter.
23	560.125(5)(a)	3rd	Money transmitter business by
24			unauthorized person, currency or
25			payment instruments exceeding
26			\$300 but less than \$20,000.
27	655.50(10)(b)1.	3rd	Failure to report financial
28			transactions exceeding \$300 but
29			less than \$20,000 by financial
30			institution.
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1	782.051(3)	2nd	Attempted felony murder of a
2			person by a person other than the
3			perpetrator or the perpetrator of
4			an attempted felony.
5	782.07(1)	2nd	Killing of a human being by the
6			act, procurement, or culpable
7			negligence of another
8			(manslaughter).
9	782.071	2nd	Killing of human being or viable
10			fetus by the operation of a motor
11			vehicle in a reckless manner
12			(vehicular homicide).
13	782.072	2nd	Killing of a human being by the
14			operation of a vessel in a
15			reckless manner (vessel
16			homicide).
17	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
18			causing great bodily harm or
19			disfigurement.
20	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
21			weapon.
22	784.045(1)(b)	2nd	Aggravated battery; perpetrator
23			aware victim pregnant.
24	784.048(4)	3rd	Aggravated stalking; violation of
25			injunction or court order.
26	784.048(7)	3rd	Aggravated stalking; violation of
27			court order.
28	784.07(2)(d)	1st	Aggravated battery on law
29			enforcement officer.
30	784.074(1)(a)	1st	Aggravated battery on sexually
31			violent predators facility staff.

1	784.08(2)(a)	1st	Aggravated battery on a person 65
2			years of age or older.
3	784.081(1)	1st	Aggravated battery on specified
4			official or employee.
5	784.082(1)	1st	Aggravated battery by detained
6			person on visitor or other
7			detainee.
8	784.083(1)	1st	Aggravated battery on code
9			inspector.
10	790.07(4)	1st	Specified weapons violation
11			subsequent to previous conviction
12			of s. 790.07(1) or (2).
13	790.16(1)	1st	Discharge of a machine gun under
14			specified circumstances.
15	790.165(2)	2nd	Manufacture, sell, possess, or
16			deliver hoax bomb.
17	790.165(3)	2nd	Possessing, displaying, or
18			threatening to use any hoax bomb
19			while committing or attempting to
20			commit a felony.
21	790.166(3)	2nd	Possessing, selling, using, or
22			attempting to use a hoax weapon
23			of mass destruction.
24	790.166(4)	2nd	Possessing, displaying, or
25			threatening to use a hoax weapon
26			of mass destruction while
27			committing or attempting to
28			commit a felony.
29	796.03	2nd	Procuring any person under 16
30			years for prostitution.
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1	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
2			victim less than 12 years of age;
3			offender less than 18 years.
4	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
5			victim 12 years of age or older
6			but less than 16 years; offender
7			18 years or older.
8	806.01(2)	2nd	Maliciously damage structure by
9			fire or explosive.
10	810.02(3)(a)	2nd	Burglary of occupied dwelling;
11			unarmed; no assault or battery.
12	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
13			unarmed; no assault or battery.
14	810.02(3)(d)	2nd	Burglary of occupied conveyance;
15			unarmed; no assault or battery.
16	812.014(2)(a)1.	1st	Property stolen, valued at
17			\$100,000 or more; property stolen
18			while causing other property
19			damage; 1st degree grand theft.
20	812.014(2)(b)2.	2nd	Property stolen, cargo valued at
21			less than \$50,000, grand theft in
22			2nd degree.
23	812.014(2)(b)3.	2nd	Property stolen, emergency
24			medical equipment; 2nd degree
25			grand theft.
26	812.0145(2)(a)	1st	Theft from person 65 years of age
27			or older; \$50,000 or more.
28	812.019(2)	1st	Stolen property; initiates,
29			organizes, plans, etc., the theft
30			of property and traffics in
31			stolen property.

1	812.131(2)(a)	2nd	Robbery by sudden snatching.
2	812.133(2)(b)	1st	Carjacking; no firearm, deadly
3			weapon, or other weapon.
4	817.234(8)(a)	2nd	Solicitation of motor vehicle
5			accident victims with intent to
6			defraud.
7	817.234(9)	2nd	Organizing, planning, or
8			participating in an intentional
9			motor vehicle collision.
10	817.234(11)(c)	1st	Insurance fraud; property value
11			\$100,000 or more.
12	817.2341(2)(b)&		
13	(3)(b)	1st	Making false entries of material
14			fact or false statements
15			regarding property values
16			relating to the solvency of an
17			insuring entity which are a
18			significant cause of the
19			insolvency of that entity.
20	825.102(3)(b)	2nd	Neglecting an elderly person or
21			disabled adult causing great
22			bodily harm, disability, or
23			disfigurement.
24	825.103(2)(b)	2nd	Exploiting an elderly person or
25			disabled adult and property is
26			valued at \$20,000 or more, but
27			less than \$100,000.
28	827.03(3)(b)	2nd	Neglect of a child causing great
29			bodily harm, disability, or
30			disfigurement.
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1	827.04(3)	3rd	Impregnation of a child under 16
2			years of age by person 21 years
3			of age or older.
4	837.05(2)	3rd	Giving false information about
5			alleged capital felony to a law
6			enforcement officer.
7	838.015	2nd	Bribery.
8	838.016	2nd	Unlawful compensation or reward
9			for official behavior.
10	838.021(3)(a)	2nd	Unlawful harm to a public
11			servant.
12	838.22	2nd	Bid tampering.
13	872.06	2nd	Abuse of a dead human body.
14	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
15			cocaine (or other drug prohibited
16			under s. 893.03(1)(a), (1)(b),
17			(1)(d), (2)(a), (2)(b), or
18			(2)(c)4.) within 1,000 feet of a
19			child care facility, school, or
20			state, county, or municipal park
21			or publicly owned recreational
22			facility or community center.
23	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
24			cocaine or other drug prohibited
25			under s. 893.03(1)(a), (1)(b),
26			(1)(d), (2)(a), (2)(b), or
27			(2)(c)4., within 1,000 feet of
28			property used for religious
29			services or a specified business
30			site.
31			

1	893.13(4)(a)	1st	Deliver to minor cocaine (or
2			other s. 893.03(1)(a), (1)(b),
3			(1)(d), (2)(a), (2)(b), or
4			(2)(c)4. drugs).
5	893.135(1)(a)1.	1st	Trafficking in cannabis, more
6			than 25 lbs., less than 2,000
7			lbs.
8	893.135		
9	(1)(b)1.a.	1st	Trafficking in cocaine, more than
10			28 grams, less than 200 grams.
11	893.135		
12	(1)(c)1.a.	1st	Trafficking in illegal drugs,
13			more than 4 grams, less than 14
14			grams.
15	893.135		
16	(1)(d)1.	1st	Trafficking in phencyclidine,
17			more than 28 grams, less than 200
18			grams.
19	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
20			than 200 grams, less than 5
21			kilograms.
22	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
23			than 14 grams, less than 28
24			grams.
25	893.135		
26	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
27			grams or more, less than 14
28			grams.
29			
30			
31			

1 893.135
2 (1)(h)1.a. 1st Trafficking in
3 gamma-hydroxybutyric acid (GHB),
4 1 kilogram or more, less than 5
5 kilograms.
6 893.135
7 (1)(j)1.a. 1st Trafficking in 1,4-Butanediol, 1
8 kilogram or more, less than 5
9 kilograms.
10 893.135
11 (1)(k)2.a. 1st Trafficking in Phenethylamines,
12 10 grams or more, less than 200
13 grams.
14 896.101(5)(a) 3rd Money laundering, financial
15 transactions exceeding \$300 but
16 less than \$20,000.
17 896.104(4)(a)1. 3rd Structuring transactions to evade
18 reporting or registration
19 requirements, financial
20 transactions exceeding \$300 but
21 less than \$20,000.

22 Section 9. Paragraph (a) of subsection (1) and
23 subsection (2) of section 458.348, Florida Statutes, are
24 amended to read:

25 458.348 Formal supervisory relationships, standing
26 orders, and established protocols; notice; standards.--

27 (1) NOTICE.--

28 (a) When a physician enters into a formal supervisory
29 relationship or standing orders with an emergency medical
30 technician or paramedic licensed pursuant to s. 401.27, which
31 relationship or orders contemplate the performance of medical

1 acts, or when a physician enters into an established protocol
2 with an advanced registered nurse practitioner, which protocol
3 contemplates the performance of medical acts identified and
4 approved by the joint committee pursuant to s. 464.003(3)(d)
5 ~~s. 464.003(3)(c)~~ or acts set forth in s. 464.012(3) and (4),
6 the physician shall submit notice to the board. The notice
7 shall contain a statement in substantially the following form:
8

9 I, ...(name and professional license number of
10 physician)..., of ...(address of physician)... have hereby
11 entered into a formal supervisory relationship, standing
12 orders, or an established protocol with ...(number of
13 persons)... emergency medical technician(s), ...(number of
14 persons)... paramedic(s), or ...(number of persons)...
15 advanced registered nurse practitioner(s).

16 (2) ESTABLISHMENT OF STANDARDS BY JOINT
17 COMMITTEE.--The joint committee created under s. 464.003(3)(d)
18 ~~by s. 464.003(3)(c)~~ shall determine minimum standards for the
19 content of established protocols pursuant to which an advanced
20 registered nurse practitioner may perform medical acts
21 identified and approved by the joint committee pursuant to s.
22 464.003(3)(d) ~~s. 464.003(3)(c)~~ or acts set forth in s.
23 464.012(3) and (4) and shall determine minimum standards for
24 supervision of such acts by the physician, unless the joint
25 committee determines that any act set forth in s. 464.012(3)
26 or (4) is not a medical act. Such standards shall be based on
27 risk to the patient and acceptable standards of medical care
28 and shall take into account the special problems of medically
29 underserved areas. The standards developed by the joint
30 committee shall be adopted as rules by the Board of Nursing
31 and the Board of Medicine for purposes of carrying out their

1 responsibilities pursuant to part I of chapter 464 and this
2 chapter, respectively, but neither board shall have
3 disciplinary powers over the licensees of the other board.

4 Section 10. This act shall take effect July 1, 2005.

5
6 *****

7 SENATE SUMMARY

8 Defines the terms "clinical nurse specialist practice"
9 and "clinical nurse specialist". Provides requirements
10 for certification of clinical nurse specialists.
11 Authorizes the Board of Nursing to adopt rules. Adds
12 clinical nurse specialist to the classifications of
13 advanced registered nurse practitioners. Requires
14 advanced registered nurse practitioners to register with
15 the Board of Nursing to prescribe medicinal drugs,
16 including controlled substances. Prohibits prescription
17 of controlled substances for personal use or the use of
18 immediate family members. Restricts the use of
19 professional titles and abbreviations relating to
20 clinical nurse specialist and certified registered nurse
21 anesthetist practice. Prohibits a clinical nurse
22 specialist practice without an active license or
23 certificate. Prohibits the use of any name or title
24 stating or implying that a person is a clinical nurse
25 specialist or certified registered nurse anesthetist
26 unless the person is duly licensed or certified. Revises
27 the definition of the term "practitioner" under the
28 Florida Comprehensive Drug Abuse Prevention and Control
29 Act to include certain advanced registered nurse
30 practitioners.
31