

1 456.072 Grounds for discipline; penalties;
2 enforcement.--

3 (1) The following acts shall constitute grounds for
4 which the disciplinary actions specified in subsection (2) may
5 be taken:

6 ~~(gg)~~ Being terminated from a treatment program for
7 impaired practitioners, which is overseen by an impaired
8 practitioner consultant as described in s. 456.076, for
9 failure to comply, without good cause, with the terms of the
10 monitoring or treatment contract entered into by the licensee,
11 or for not successfully completing any drug-treatment or
12 alcohol-treatment program.

13 Section 2. For the purpose of incorporating the
14 amendment made by this act to section 456.072, Florida
15 Statutes, in a reference thereto, subsection (2) of section
16 457.109, Florida Statutes, is reenacted to read:

17 457.109 Disciplinary actions; grounds; action by the
18 board.--

19 (2) The board may enter an order denying licensure or
20 imposing any of the penalties in s. 456.072(2) against any
21 applicant for licensure or licensee who is found guilty of
22 violating any provision of subsection (1) of this section or
23 who is found guilty of violating any provision of s.
24 456.072(1).

25 Section 3. For the purpose of incorporating the
26 amendment made by this act to section 456.072, Florida
27 Statutes, in a reference thereto, subsection (2) of section
28 458.331, Florida Statutes, is reenacted to read:

29 458.331 Grounds for disciplinary action; action by the
30 board and department.--

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1 (2) The board may enter an order denying licensure or
2 imposing any of the penalties in s. 456.072(2) against any
3 applicant for licensure or licensee who is found guilty of
4 violating any provision of subsection (1) of this section or
5 who is found guilty of violating any provision of s.
6 456.072(1). In determining what action is appropriate, the
7 board must first consider what sanctions are necessary to
8 protect the public or to compensate the patient. Only after
9 those sanctions have been imposed may the disciplining
10 authority consider and include in the order requirements
11 designed to rehabilitate the physician. All costs associated
12 with compliance with orders issued under this subsection are
13 the obligation of the physician.

14 Section 4. For the purpose of incorporating the
15 amendment made by this act to section 456.072, Florida
16 Statutes, in a reference thereto, subsection (2) of section
17 459.015, Florida Statutes, is reenacted to read:

18 459.015 Grounds for disciplinary action; action by the
19 board and department.--

20 (2) The board may enter an order denying licensure or
21 imposing any of the penalties in s. 456.072(2) against any
22 applicant for licensure or licensee who is found guilty of
23 violating any provision of subsection (1) of this section or
24 who is found guilty of violating any provision of s.
25 456.072(1). In determining what action is appropriate, the
26 board must first consider what sanctions are necessary to
27 protect the public or to compensate the patient. Only after
28 those sanctions have been imposed may the disciplining
29 authority consider and include in the order requirements
30 designed to rehabilitate the physician. All costs associated
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1 with compliance with orders issued under this subsection are
2 the obligation of the physician.

3 Section 5. For the purpose of incorporating the
4 amendment made by this act to section 456.072, Florida
5 Statutes, in a reference thereto, subsection (2) of section
6 460.413, Florida Statutes, is reenacted to read:

7 460.413 Grounds for disciplinary action; action by
8 board or department.--

9 (2) The board may enter an order denying licensure or
10 imposing any of the penalties in s. 456.072(2) against any
11 applicant for licensure or licensee who is found guilty of
12 violating any provision of subsection (1) of this section or
13 who is found guilty of violating any provision of s.
14 456.072(1). In determining what action is appropriate, the
15 board must first consider what sanctions are necessary to
16 protect the public or to compensate the patient. Only after
17 those sanctions have been imposed may the disciplining
18 authority consider and include in the order requirements
19 designed to rehabilitate the chiropractic physician. All costs
20 associated with compliance with orders issued under this
21 subsection are the obligation of the chiropractic physician.

22 Section 6. For the purpose of incorporating the
23 amendment made by this act to section 456.072, Florida
24 Statutes, in a reference thereto, subsection (2) of section
25 461.013, Florida Statutes, is reenacted to read:

26 461.013 Grounds for disciplinary action; action by the
27 board; investigations by department.--

28 (2) The board may enter an order denying licensure or
29 imposing any of the penalties in s. 456.072(2) against any
30 applicant for licensure or licensee who is found guilty of
31 violating any provision of subsection (1) of this section or

1 | who is found guilty of violating any provision of s.
2 | 456.072(1).

3 | Section 7. For the purpose of incorporating the
4 | amendment made by this act to section 456.072, Florida
5 | Statutes, in a reference thereto, subsection (2) of section
6 | 462.14, Florida Statutes, is reenacted to read:

7 | 462.14 Grounds for disciplinary action; action by the
8 | department.--

9 | (2) The department may enter an order denying
10 | licensure or imposing any of the penalties in s. 456.072(2)
11 | against any applicant for licensure or licensee who is found
12 | guilty of violating any provision of subsection (1) of this
13 | section or who is found guilty of violating any provision of
14 | s. 456.072(1).

15 | Section 8. For the purpose of incorporating the
16 | amendment made by this act to section 456.072, Florida
17 | Statutes, in a reference thereto, subsection (2) of section
18 | 463.016, Florida Statutes, is reenacted to read:

19 | 463.016 Grounds for disciplinary action; action by the
20 | board.--

21 | (2) The board may enter an order imposing any of the
22 | penalties in s. 456.072(2) against any licensee who is found
23 | guilty of violating any provision of subsection (1) of this
24 | section or who is found guilty of violating any provision of
25 | s. 456.072(1).

26 | Section 9. For the purpose of incorporating the
27 | amendment made by this act to section 456.072, Florida
28 | Statutes, in a reference thereto, subsection (2) of section
29 | 464.018, Florida Statutes, is reenacted to read:

30 | 464.018 Disciplinary actions.--
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1 (2) The board may enter an order denying licensure or
2 imposing any of the penalties in s. 456.072(2) against any
3 applicant for licensure or licensee who is found guilty of
4 violating any provision of subsection (1) of this section or
5 who is found guilty of violating any provision of s.
6 456.072(1).

7 Section 10. For the purpose of incorporating the
8 amendment made by this act to section 456.072, Florida
9 Statutes, in a reference thereto, subsection (2) of section
10 465.016, Florida Statutes, is reenacted to read:

11 465.016 Disciplinary actions.--

12 (2) The board may enter an order denying licensure or
13 imposing any of the penalties in s. 456.072(2) against any
14 applicant for licensure or licensee who is found guilty of
15 violating any provision of subsection (1) of this section or
16 who is found guilty of violating any provision of s.
17 456.072(1).

18 Section 11. For the purpose of incorporating the
19 amendment made by this act to section 456.072, Florida
20 Statutes, in a reference thereto, subsection (2) of section
21 466.028, Florida Statutes, is reenacted to read:

22 466.028 Grounds for disciplinary action; action by the
23 board.--

24 (2) The board may enter an order denying licensure or
25 imposing any of the penalties in s. 456.072(2) against any
26 applicant for licensure or licensee who is found guilty of
27 violating any provision of subsection (1) of this section or
28 who is found guilty of violating any provision of s.
29 456.072(1).

30 Section 12. For the purpose of incorporating the
31 amendment made by this act to section 456.072, Florida

1 Statutes, in a reference thereto, subsection (2) of section
2 467.203, Florida Statutes, is reenacted to read:

3 467.203 Disciplinary actions; penalties.--

4 (2) The department may enter an order denying
5 licensure or imposing any of the penalties in s. 456.072(2)
6 against any applicant for licensure or licensee who is found
7 guilty of violating any provision of subsection (1) of this
8 section or who is found guilty of violating any provision of
9 s. 456.072(1).

10 Section 13. For the purpose of incorporating the
11 amendment made by this act to section 456.072, Florida
12 Statutes, in a reference thereto, subsection (2) of section
13 468.1295, Florida Statutes, is reenacted to read:

14 468.1295 Disciplinary proceedings.--

15 (2) The board may enter an order denying licensure or
16 imposing any of the penalties in s. 456.072(2) against any
17 applicant for licensure or licensee who is found guilty of
18 violating any provision of subsection (1) of this section or
19 who is found guilty of violating any provision of s.
20 456.072(1).

21 Section 14. For the purpose of incorporating the
22 amendment made by this act to section 456.072, Florida
23 Statutes, in references thereto, paragraph (a) of subsection
24 (1) and subsection (2) of section 468.1755, Florida Statutes,
25 are reenacted to read:

26 468.1755 Disciplinary proceedings.--

27 (1) The following acts constitute grounds for denial
28 of a license or disciplinary action, as specified in s.
29 456.072(2):

30 (a) Violation of any provision of s. 456.072(1) or s.
31 468.1745(1).

1 (2) The board may enter an order denying licensure or
2 imposing any of the penalties in s. 456.072(2) against any
3 applicant for licensure or licensee who is found guilty of
4 violating any provision of subsection (1) of this section or
5 who is found guilty of violating any provision of s.
6 456.072(1).

7 Section 15. For the purpose of incorporating the
8 amendment made by this act to section 456.072, Florida
9 Statutes, in a reference thereto, subsection (2) of section
10 468.217, Florida Statutes, is reenacted to read:

11 468.217 Denial of or refusal to renew license;
12 suspension and revocation of license and other disciplinary
13 measures.--

14 (2) The board may enter an order denying licensure or
15 imposing any of the penalties in s. 456.072(2) against any
16 applicant for licensure or licensee who is found guilty of
17 violating any provision of subsection (1) of this section or
18 who is found guilty of violating any provision of s.
19 456.072(1).

20 Section 16. For the purpose of incorporating the
21 amendment made by this act to section 456.072, Florida
22 Statutes, in a reference thereto, subsection (2) of section
23 468.365, Florida Statutes, is reenacted to read:

24 468.365 Disciplinary grounds and actions.--

25 (2) The board may enter an order denying licensure or
26 imposing any of the penalties in s. 456.072(2) against any
27 applicant for licensure or licensee who is found guilty of
28 violating any provision of subsection (1) of this section or
29 who is found guilty of violating any provision of s.
30 456.072(1).

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1 Section 17. For the purpose of incorporating the
2 amendment made by this act to section 456.072, Florida
3 Statutes, in a reference thereto, subsection (2) of section
4 468.518, Florida Statutes, is reenacted to read:

5 468.518 Grounds for disciplinary action.--

6 (2) The board may enter an order denying licensure or
7 imposing any of the penalties in s. 456.072(2) against any
8 applicant for licensure or licensee who is found guilty of
9 violating any provision of subsection (1) of this section or
10 who is found guilty of violating any provision of s.
11 456.072(1).

12 Section 18. For the purpose of incorporating the
13 amendment made by this act to section 456.072, Florida
14 Statutes, in a reference thereto, subsection (2) of section
15 468.719, Florida Statutes, is reenacted to read:

16 468.719 Disciplinary actions.--

17 (2) The board may enter an order denying licensure or
18 imposing any of the penalties in s. 456.072(2) against any
19 applicant for licensure or licensee who is found guilty of
20 violating any provision of subsection (1) of this section or
21 who is found guilty of violating any provision of s.
22 456.072(1).

23 Section 19. For the purpose of incorporating the
24 amendment made by this act to section 456.072, Florida
25 Statutes, in a reference thereto, subsection (2) of section
26 468.811, Florida Statutes, is reenacted to read:

27 468.811 Disciplinary proceedings.--

28 (2) The board may enter an order denying licensure or
29 imposing any of the penalties in s. 456.072(2) against any
30 applicant for licensure or licensee who is found guilty of
31 violating any provision of subsection (1) of this section or

1 | who is found guilty of violating any provision of s.
2 | 456.072(1).

3 | Section 20. For the purpose of incorporating the
4 | amendment made by this act to section 456.072, Florida
5 | Statutes, in a reference thereto, subsection (2) of section
6 | 478.52, Florida Statutes, is reenacted to read:

7 | 478.52 Disciplinary proceedings.--

8 | (2) The board may enter an order denying licensure or
9 | imposing any of the penalties in s. 456.072(2) against any
10 | applicant for licensure or licensee who is found guilty of
11 | violating any provision of subsection (1) of this section or
12 | who is found guilty of violating any provision of s.
13 | 456.072(1).

14 | Section 21. For the purpose of incorporating the
15 | amendment made by this act to section 456.072, Florida
16 | Statutes, in a reference thereto, subsection (2) of section
17 | 480.046, Florida Statutes, is reenacted to read:

18 | 480.046 Grounds for disciplinary action by the
19 | board.--

20 | (2) The board may enter an order denying licensure or
21 | imposing any of the penalties in s. 456.072(2) against any
22 | applicant for licensure or licensee who is found guilty of
23 | violating any provision of subsection (1) of this section or
24 | who is found guilty of violating any provision of s.
25 | 456.072(1).

26 | Section 22. For the purpose of incorporating the
27 | amendment made by this act to section 456.072, Florida
28 | Statutes, in a reference thereto, subsection (2) of section
29 | 483.825, Florida Statutes, is reenacted to read:

30 | 483.825 Grounds for disciplinary action.--

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1 (2) The board may enter an order denying licensure or
2 imposing any of the penalties in s. 456.072(2) against any
3 applicant for licensure or licensee who is found guilty of
4 violating any provision of subsection (1) of this section or
5 who is found guilty of violating any provision of s.
6 456.072(1).

7 Section 23. For the purpose of incorporating the
8 amendment made by this act to section 456.072, Florida
9 Statutes, in a reference thereto, paragraph (h) of subsection
10 (6) of section 483.901, Florida Statutes, is reenacted to
11 read:

12 483.901 Medical physicists; definitions; licensure.--

13 (6) LICENSE REQUIRED.--An individual may not engage in
14 the practice of medical physics, including the specialties of
15 diagnostic radiological physics, therapeutic radiological
16 physics, medical nuclear radiological physics, or medical
17 health physics, without a license issued by the department for
18 the appropriate specialty.

19 (h) The department may enter an order denying
20 licensure or imposing any of the penalties in s. 456.072(2)
21 against any applicant for licensure or licensee who is found
22 guilty of violating any provision of subsection (1) of this
23 section or who is found guilty of violating any provision of
24 s. 456.072(1).

25 Section 24. For the purpose of incorporating the
26 amendment made by this act to section 456.072, Florida
27 Statutes, in a reference thereto, subsection (2) of section
28 484.014, Florida Statutes, is reenacted to read:

29 484.014 Disciplinary actions.--

30 (2) The board may enter an order denying licensure or
31 imposing any of the penalties in s. 456.072(2) against any

1 applicant for licensure or licensee who is found guilty of
2 violating any provision of subsection (1) of this section or
3 who is found guilty of violating any provision of s.
4 456.072(1).

5 Section 25. For the purpose of incorporating the
6 amendment made by this act to section 456.072, Florida
7 Statutes, in references thereto, paragraph (a) of subsection
8 (1) and paragraph (a) of subsection (2) of section 484.056,
9 Florida Statutes, are reenacted to read:

10 484.056 Disciplinary proceedings.--

11 (1) The following acts constitute grounds for denial
12 of a license or disciplinary action, as specified in s.
13 456.072(2):

14 (a) Violation of any provision of s. 456.072(1), s.
15 484.0512, or s. 484.053.

16 (2)(a) The board may enter an order denying licensure
17 or imposing any of the penalties in s. 456.072(2) against any
18 applicant for licensure or licensee who is found guilty of
19 violating any provision of subsection (1) of this section or
20 who is found guilty of violating any provision of s.
21 456.072(1).

22 Section 26. For the purpose of incorporating the
23 amendment made by this act to section 456.072, Florida
24 Statutes, in a reference thereto, subsection (2) of section
25 486.125, Florida Statutes, is reenacted to read:

26 486.125 Refusal, revocation, or suspension of license;
27 administrative fines and other disciplinary measures.--

28 (2) The board may enter an order denying licensure or
29 imposing any of the penalties in s. 456.072(2) against any
30 applicant for licensure or licensee who is found guilty of
31 violating any provision of subsection (1) of this section or

1 | who is found guilty of violating any provision of s.
2 | 456.072(1).

3 | Section 27. For the purpose of incorporating the
4 | amendment made by this act to section 456.072, Florida
5 | Statutes, in a reference thereto, subsection (2) of section
6 | 490.009, Florida Statutes, is reenacted to read:

7 | 490.009 Discipline.--

8 | (2) The department, or in the case of psychologists,
9 | the board, may enter an order denying licensure or imposing
10 | any of the penalties in s. 456.072(2) against any applicant
11 | for licensure or licensee who is found guilty of violating any
12 | provision of subsection (1) of this section or who is found
13 | guilty of violating any provision of s. 456.072(1).

14 | Section 28. For the purpose of incorporating the
15 | amendment made by this act to section 456.072, Florida
16 | Statutes, in a reference thereto, subsection (2) of section
17 | 491.009, Florida Statutes, is reenacted to read:

18 | 491.009 Discipline.--

19 | (2) The department, or, in the case of psychologists,
20 | the board, may enter an order denying licensure or imposing
21 | any of the penalties in s. 456.072(2) against any applicant
22 | for licensure or licensee who is found guilty of violating any
23 | provision of subsection (1) of this section or who is found
24 | guilty of violating any provision of s. 456.072(1).

25 | Section 29. This act shall take effect July 1, 2005.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 366

The Committee Substitute revises the grounds for which a licensed health care practitioner may be disciplined to make a practitioner subject to discipline for being terminated from a treatment program for impaired practitioners for failure to successfully complete any drug-treatment or alcohol-treatment program.