

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.

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

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 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~~  
 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 certified  
 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, 2005.