

1 A bill to be entitled
2 An act relating to naturopathic medicine; changing the
3 title of ch. 462, F.S., from "Naturopathy" to
4 "Naturopathic Medicine"; amending s. 462.01, F.S.;
5 revising and providing definitions; creating s. 462.0215,
6 F.S.; creating the Board of Naturopathic Medicine;
7 providing membership and duties of the board; providing
8 guidelines for probable cause panels and disciplinary
9 decisions; providing applicability of ch. 456, F.S.;
10 amending s. 462.023, F.S.; providing powers and duties of
11 the board under ch. 462, F.S., including rulemaking
12 authority; deleting obsolete language; amending s. 462.08,
13 F.S.; conforming terminology; amending s. 462.11, F.S.;
14 conforming and correcting terminology; amending s. 462.13,
15 F.S.; providing additional powers and duties of the board;
16 amending s. 462.14, F.S.; specifying authority of the
17 department and the board with respect to disciplinary
18 action and revising grounds for disciplinary action with
19 respect to such authority; conforming terminology;
20 amending s. 462.16, F.S.; specifying authority for setting
21 the fee for the reissuance of license under certain
22 circumstances; conforming terminology; amending s. 462.17,
23 F.S.; conforming terminology; amending s. 462.18, F.S.,
24 relating to educational requirements; conforming
25 terminology; amending s. 462.19, F.S.; increasing the
26 maximum amount at which the inactive status fee may be
27 set; creating s. 462.193, F.S.; providing requirements for
28 licensure as a naturopathic physician; providing fees;

29 providing grounds for denying or restricting licenses;
 30 providing for the applicability of certain rights to
 31 naturopathic physicians who have certain qualifications;
 32 creating s. 462.195, F.S.; providing exemptions from
 33 licensure requirements; amending s. 462.2001, F.S.;
 34 updating the saving clause; conforming terminology;
 35 providing that certain rights and privileges of active
 36 licensees are retained; amending ss. 20.43, 381.0031,
 37 468.301, 476.044, 477.0135, 485.003, 486.161, 627.351,
 38 893.02, and 921.0022, F.S.; conforming terminology;
 39 providing an effective date.

40

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

42

43 Section 1. Chapter 462, Florida Statutes, which is
 44 entitled "Naturopathy," is redesignated as "Naturopathic
 45 Medicine."

46 Section 2. Section 462.01, Florida Statutes, is amended to
 47 read:

48 462.01 Definitions.--As used in this chapter, the term:

49 (1) "Approved naturopathic medical program" means:

50 (a) A naturopathic medical education program in the United
 51 States accredited by the Council on Naturopathic Medical
 52 Education or an equivalent federally recognized accrediting body
 53 for the naturopathic medical profession recognized by the board.

54 This program shall offer graduate-level full-time didactic and
 55 supervised clinical training leading to the degree of Doctor of
 56 Naturopathic Medicine. Additionally, the program shall be an

57 institution, or part of an institution, of higher education that
 58 is either accredited or is a candidate for accreditation by an
 59 institutional accrediting agency recognized by the United States
 60 Secretary of Education; or

61 (b) A degree-granting college or university that is
 62 reputable and in good standing in the judgment of the board and
 63 that offers a full-time structured curriculum in basic sciences
 64 and supervised patient care comprising a doctoral naturopathic
 65 medical education. As a prerequisite to graduation, a student
 66 shall be enrolled for not less than 132 weeks and shall complete
 67 the course of study within a period of not less than 35 months.

68 (2) "Board" means the Board of Naturopathic Medicine.

69 (3)(2) "Department" means the Department of Health.

70 (4) "Doctor of naturopathic medicine," "naturopathic
 71 doctor," or "naturopathic physician" means a person licensed to
 72 practice naturopathic medicine under this chapter.

73 (5) "Minor surgeries and procedures" means the excision of
 74 skin lesions, moles, warts, cysts, and limpomas, the repair of
 75 lacerations, or surgery limited to the skin and subcutaneous
 76 tissue performed under topical or local anesthesia and which
 77 does not involve a drug-induced alteration of consciousness
 78 other than preoperative tranquilization.

79 (6)(1) "~~Natureopathy~~" and "Naturopathy" and "naturopathic
 80 medicine" shall be construed as synonymous terms and mean a
 81 distinct and comprehensive system of primary health care for the
 82 prevention, diagnosis, and treatment of human health conditions,
 83 injuries, and disease; the promotion or restoration of health;
 84 and the support and stimulation of a patient's self-healing

85 processes through patient education and use of natural therapies
 86 and therapeutic substances. A doctor of naturopathic medicine
 87 employs the use and practice of psychological, mechanical, and
 88 material health sciences to aid in purifying, cleansing, and
 89 normalizing human tissues for the preservation or restoration of
 90 health, according to the fundamental principles of anatomy,
 91 physiology, and applied psychology, as may be required.
 92 Naturopathic medicine practice employs, among other agencies,
 93 phytotherapy, dietetics, psychotherapy, suggestotherapy,
 94 hydrotherapy, zone therapy, biochemistry, external applications,
 95 electrotherapy, mechanotherapy, mechanical and electrical
 96 appliances, hygiene, first aid, sanitation, minor surgeries and
 97 procedures, administration of vitamins, food, and food
 98 supplements, and heliotherapy. ~~provided,~~ However, ~~that~~ nothing
 99 in this chapter shall be held or construed to authorize any
 100 doctor of naturopathic medicine, naturopathic doctor, or
 101 naturopathic physician licensed under this chapter hereunder to
 102 practice materia medica, ~~or~~ surgery, ~~or~~ chiropractic medicine,
 103 acupuncture, oriental medicine, child birth attendance, or
 104 midwifery, nor shall the provisions of this chapter law in any
 105 manner apply to or affect the practice of osteopathic medicine,
 106 chiropractic medicine, Christian Science, the examination,
 107 diagnosis, and treatment of teeth and gums, or any other
 108 treatment authorized and provided for by law for the cure or
 109 prevention of disease and ailments.

110 Section 3. Section 462.0215, Florida Statutes, is created
 111 to read:

112 462.0215 Board of Naturopathic Medicine.--

113 (1) There is created within the department the Board of
 114 Naturopathic Medicine, composed of seven members appointed by
 115 the Governor and confirmed by the Senate.

116 (2)(a) Five members of the board must be:

117 1. Licensed doctors of naturopathic medicine or
 118 naturopathic physicians in good standing in this state who are
 119 residents of the state and who have been engaged in the practice
 120 of naturopathic medicine for at least 5 years; or

121 2. Persons who have been teaching naturopathic medicine
 122 and who hold a doctorate of naturopathic medicine from an
 123 institution accredited by an accrediting agency recognized by
 124 the United States Secretary of Education.

125 (b) The remaining two members of the board must be
 126 residents of the state who are not and never have been licensed
 127 health care practitioners.

128 (c) At least one member of the board must be 60 years of
 129 age or older.

130 (3) For the purpose of staggering terms, the Governor
 131 shall initially appoint to the board three members for terms of
 132 4 years each, two members for terms of 3 years each, and two
 133 members for terms of 2 years each. As the terms of board members
 134 expire, the Governor shall appoint successors for terms of 4
 135 years and such members shall serve until their successors are
 136 appointed.

137 (4) The board, in conjunction with the department, shall
 138 establish a disciplinary training program for members of the
 139 board. The program shall provide for initial and periodic
 140 training in the grounds for disciplinary action, the actions

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141 that may be taken by the board and the department, changes in
142 relevant statutes and rules, and any relevant judicial and
143 administrative decisions. A member of the board may not
144 participate on a probable cause panel or in a disciplinary
145 decision of the board unless she or he has completed the
146 disciplinary training program.

147 (5) During the time members of the board serve on a
148 probable cause panel, they shall attempt to complete their work
149 on every case presented to them. If consideration of a case is
150 begun but is not completed during the term of the board members
151 on the panel, they may reconvene as a probable cause panel for
152 the purpose of completing their deliberations on that case.

153 (6) All provisions of chapter 456 relating to activities
154 of the board are applicable.

155 Section 4. Section 462.023, Florida Statutes, is amended
156 to read:

157 462.023 Powers and duties of the board and the
158 department.--The board and the department may adopt such rules
159 as are necessary to carry out the purposes of this chapter, may
160 initiate disciplinary action as provided by this chapter, and
161 shall establish fees as provided by this chapter based on their
162 ~~its~~ estimates of the revenue required to administer this chapter
163 provided the fees do ~~but shall~~ not exceed the fee amounts
164 provided in this chapter. ~~The department shall not adopt any~~
165 ~~rules which would cause any person who was not licensed in~~
166 ~~accordance with this chapter on July 1, 1959, and had not been a~~
167 ~~resident of the state for 2 years prior to such date, to become~~
168 ~~licensed.~~

169 Section 5. Section 462.08, Florida Statutes, is amended to
 170 read:

171 462.08 Renewal of license to practice naturopathic
 172 medicine naturopathy.--Each licensee ~~licenseholder~~ shall
 173 biennially renew her or his license to practice naturopathic
 174 medicine naturopathy. The applicant must furnish to the board
 175 ~~department~~ such evidence as it requires of the applicant's
 176 compliance with s. 462.18, relating to educational requirements.
 177 The biennial renewal fee, the amount of which shall be
 178 determined by the board ~~department~~ but which may not exceed
 179 \$1,000, must be paid at the time the application for renewal of
 180 the license is filed.

181 Section 6. Section 462.11, Florida Statutes, is amended to
 182 read:

183 462.11 Doctors of naturopathic medicine, naturopathic
 184 doctors, or naturopathic physicians ~~Naturopaths~~ to observe
 185 regulations.--Doctors of naturopathic medicine, naturopathic
 186 doctors, or naturopathic physicians ~~naturopathy~~ shall observe
 187 and be subject to all state, county, and municipal regulations
 188 in regard to the control of contagious and infectious diseases,
 189 the reporting of births and deaths, and to any and all other
 190 matters pertaining to the public health in the same manner as is
 191 required of other practitioners of the healing arts ~~art~~.

192 Section 7. Section 462.13, Florida Statutes, is amended to
 193 read:

194 462.13 Additional powers and duties of the department and
 195 the board.--The department and the board may administer oaths,
 196 summon witnesses, and take testimony in all matters relating to

197 their ~~its~~ duties pursuant to this chapter. Every unrevoked
 198 license shall be presumptive evidence in all courts and places
 199 that the person therein named is legally licensed to practice
 200 naturopathic medicine ~~naturopathy~~. The department and the board
 201 shall aid the prosecuting attorneys of the state in the
 202 enforcement of this chapter.

203 Section 8. Section 462.14, Florida Statutes, is amended to
 204 read:

205 462.14 Grounds for disciplinary action; action by the
 206 department or the board.--

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

209 (a) Attempting to obtain, obtaining, or renewing a license
 210 to practice naturopathic medicine by bribery, by fraudulent
 211 misrepresentation, or through an error of the department or the
 212 board.

213 (b) Having a license to practice naturopathic medicine
 214 revoked, suspended, or otherwise acted against, including the
 215 denial of licensure, by the licensing authority of another
 216 state, territory, or country.

217 (c) Being convicted or found guilty, regardless of
 218 adjudication, of a crime in any jurisdiction which directly
 219 relates to the practice of naturopathic medicine or to the
 220 ability to practice naturopathic medicine. Any plea of nolo
 221 contendere shall be considered a conviction for purposes of this
 222 chapter.

223 (d) False, deceptive, or misleading advertising.

224 (e) Advertising, practicing, or attempting to practice
 225 under a name other than one's own.

226 (f) Failing to report to the department any person who the
 227 licensee knows is in violation of this chapter or of the rules
 228 of the department or the board.

229 (g) Aiding, assisting, procuring, or advising any
 230 unlicensed person to practice naturopathic medicine contrary to
 231 this chapter or to a rule of the department or the board.

232 (h) Failing to perform any statutory or legal obligation
 233 placed upon a licensed doctor of naturopathic medicine,
 234 naturopathic doctor, or naturopathic physician.

235 (i) Making or filing a report which the licensee knows to
 236 be false, intentionally or negligently failing to file a report
 237 or record required by state or federal law, willfully impeding
 238 or obstructing such filing or inducing another person to do so.
 239 Such reports or records shall include only those which are
 240 signed in the capacity as a licensed doctor of naturopathic
 241 medicine, naturopathic doctor, or naturopathic physician.

242 (j) Paying or receiving any commission, bonus, kickback,
 243 or rebate, or engaging in any split-fee arrangement in any form
 244 whatsoever with a physician, organization, agency, or person,
 245 either directly or indirectly, for patients referred to
 246 providers of health care goods and services, including, but not
 247 limited to, hospitals, nursing homes, clinical laboratories,
 248 ambulatory surgical centers, or pharmacies. The provisions of
 249 this paragraph shall not be construed to prevent a doctor of
 250 naturopathic medicine, naturopathic doctor, or naturopathic

251 physician from receiving a fee for professional consultation
 252 services.

253 (k) Exercising influence within a patient-physician
 254 relationship for purposes of engaging a patient in sexual
 255 activity. A patient shall be presumed to be incapable of giving
 256 free, full, and informed consent to sexual activity with her or
 257 his physician.

258 (l) Making deceptive, untrue, or fraudulent
 259 representations in the practice of naturopathic medicine or
 260 employing a trick or scheme in the practice of naturopathic
 261 medicine when such scheme or trick fails to conform to the
 262 generally prevailing standards of treatment in the medical
 263 community.

264 (m) Soliciting patients, either personally or through an
 265 agent, through the use of fraud, intimidation, undue influence,
 266 or a form of overreaching or vexatious conduct. A "solicitation"
 267 is any communication which directly or implicitly requests an
 268 immediate oral response from the recipient.

269 (n) Failing to keep written medical records justifying the
 270 course of treatment of the patient, including, but not limited
 271 to, patient histories, examination results, test results, X
 272 rays, and records of the prescribing, dispensing, and
 273 administering of drugs.

274 (o) Exercising influence on the patient or client in such
 275 a manner as to exploit the patient or client for the financial
 276 gain of the licensee or of a third party, which shall include,
 277 but not be limited to, the promoting or selling of services,
 278 goods, appliances, or drugs and the promoting or advertising on

279 any prescription form of a community pharmacy unless the form
 280 also states "This prescription may be filled at any pharmacy of
 281 your choice."

282 (p) Performing professional services which have not been
 283 duly authorized by the patient or client, or her or his legal
 284 representative, except as provided in s. 743.064, s. 766.103, or
 285 s. 768.13.

286 (q) Prescribing, dispensing, administering, mixing, or
 287 otherwise preparing a legend drug, including any controlled
 288 substance, other than in the course of the doctor of
 289 naturopathic medicine's, naturopathic doctor's, or naturopathic
 290 physician's professional practice. For the purposes of this
 291 paragraph, it shall be legally presumed that prescribing,
 292 dispensing, administering, mixing, or otherwise preparing legend
 293 drugs, including all controlled substances, inappropriately or
 294 in excessive or inappropriate quantities is not in the best
 295 interest of the patient and is not in the course of the doctor
 296 of naturopathic medicine's, naturopathic doctor's, or
 297 naturopathic physician's professional practice, without regard
 298 to her or his intent.

299 (r) Prescribing, dispensing, or administering any
 300 medicinal drug appearing on any schedule set forth in chapter
 301 893 by the doctor of naturopathic medicine, naturopathic doctor,
 302 or naturopathic physician to herself or himself, except one
 303 prescribed, dispensed, or administered to the doctor of
 304 naturopathic medicine, naturopathic doctor, or naturopathic
 305 physician by another practitioner authorized to prescribe,
 306 dispense, or administer medicinal drugs.

307 (s) Being unable to practice naturopathic medicine with
308 reasonable skill and safety to patients by reason of illness or
309 use of alcohol, drugs, narcotics, chemicals, or any other type
310 of material or as a result of any mental or physical condition.
311 In enforcing this paragraph, the department shall have, upon
312 probable cause, authority to compel a doctor of naturopathic
313 medicine, naturopathic doctor, or naturopathic physician to
314 submit to a mental or physical examination by physicians
315 designated by the department. The failure of a doctor of
316 naturopathic medicine, naturopathic doctor, or naturopathic
317 physician to submit to such an examination when so directed
318 shall constitute an admission of the allegations against her or
319 him upon which a default and final order may be entered without
320 the taking of testimony or presentation of evidence, unless the
321 failure was due to circumstances beyond the doctor of
322 naturopathic medicine's, naturopathic doctor's, or naturopathic
323 physician's control. A doctor of naturopathic medicine,
324 naturopathic doctor, or naturopathic physician affected under
325 this paragraph shall at reasonable intervals be afforded an
326 opportunity to demonstrate that she or he can resume the
327 competent practice of naturopathic medicine with reasonable
328 skill and safety to patients. In any proceeding under this
329 paragraph, neither the record of proceedings nor the orders
330 entered by the department may be used against a doctor of
331 naturopathic medicine, naturopathic doctor, or naturopathic
332 physician in any other proceeding.

333 (t) Gross or repeated malpractice or the failure to
334 practice naturopathic medicine with that level of care, skill,

335 and treatment which is recognized by a reasonably prudent
 336 similar physician as being acceptable under similar conditions
 337 and circumstances. The board ~~department~~ shall give great weight
 338 to the provisions of s. 766.102 when enforcing this paragraph.

339 (u) Performing any procedure or prescribing any therapy
 340 which, by the prevailing standards of medical practice in the
 341 community, constitutes experimentation on a human subject,
 342 without first obtaining full, informed, and written consent.

343 (v) Practicing or offering to practice beyond the scope
 344 permitted by law or accepting and performing professional
 345 responsibilities which the licensee knows or has reason to know
 346 that she or he is not competent to perform.

347 (w) Delegating professional responsibilities to a person
 348 when the licensee delegating such responsibilities knows or has
 349 reason to know that such person is not qualified by training,
 350 experience, or licensure to perform them.

351 (x) Violating a lawful order of the department or the
 352 board previously entered in a disciplinary hearing or failing to
 353 comply with a lawfully issued subpoena of the department.

354 (y) Conspiring with another licensee or with any other
 355 person to commit an act, or committing an act, which would tend
 356 to coerce, intimidate, or preclude another licensee from
 357 lawfully advertising her or his services.

358 (z) Procuring, or aiding or abetting in the procuring of,
 359 an unlawful termination of pregnancy.

360 (aa) Presigning blank prescription forms.

361 (bb) Prescribing by the doctor of naturopathic medicine,
 362 naturopathic doctor, or naturopathic physician ~~for office use~~

363 any controlled substance ~~medicinal drug~~ appearing on Schedule I,
 364 Schedule II, or Schedule III in chapter 893.

365 (cc) Prescribing, ordering, dispensing, administering,
 366 supplying, selling, or giving any drug which is an amphetamine
 367 or sympathomimetic amine drug, or a compound designated pursuant
 368 to chapter 893 as a Schedule II controlled substance to or for
 369 any person except for:

370 1. The treatment of narcolepsy; hyperkinesis; behavioral
 371 syndrome in children characterized by the developmentally
 372 inappropriate symptoms of moderate to severe distractability,
 373 short attention span, hyperactivity, emotional lability, and
 374 impulsivity; or drug-induced brain dysfunction.

375 2. The differential diagnostic psychiatric evaluation of
 376 depression or the treatment of depression shown to be refractory
 377 to other therapeutic modalities.

378 3. The clinical investigation of the effects of such drugs
 379 or compounds when an investigative protocol therefor is
 380 submitted to, reviewed, and approved by the board ~~department~~
 381 before such investigation is begun.

382 (dd) Prescribing, ordering, dispensing, administering,
 383 supplying, selling, or giving growth hormones, testosterone or
 384 its analogs, human chorionic gonadotropin (HCG), or other
 385 hormones for the purpose of muscle building or to enhance
 386 athletic performance. For the purposes of this subsection, the
 387 term "muscle building" does not include the treatment of injured
 388 muscle. A prescription written for the drug products listed
 389 above may be dispensed by the pharmacist with the presumption
 390 that the prescription is for legitimate medical use.

391 (ee) Violating any provision of this chapter or chapter
 392 456, or any rules adopted pursuant thereto.

393 (2) The board ~~department~~ may enter an order denying
 394 licensure or imposing any of the penalties in s. 456.072(2)
 395 against any applicant for licensure or licensee who is found
 396 guilty of violating any provision of subsection (1) of this
 397 section or who is found guilty of violating any provision of s.
 398 456.072(1).

399 (3) The board ~~department~~ shall not reinstate the license
 400 of a doctor of naturopathic medicine, naturopathic doctor, or
 401 naturopathic physician until such time as the board ~~department~~
 402 is satisfied that such person has complied with all the terms
 403 and conditions set forth in the final order and that such person
 404 is capable of safely engaging in the practice of naturopathic
 405 medicine.

406 (4) The board ~~department~~ shall by rule establish
 407 guidelines for the disposition of disciplinary cases involving
 408 specific types of violations. Such guidelines may include
 409 minimum and maximum fines, periods of supervision or probation,
 410 or conditions of probation or reissuance of a license.

411 Section 9. Section 462.16, Florida Statutes, is amended to
 412 read:

413 462.16 Reissue of license.--Any person who practices
 414 naturopathic medicine ~~shall practice naturopathy~~ after her or
 415 his license has been revoked and ~~registration annulled~~ shall be
 416 deemed to have practiced naturopathic medicine ~~naturopathy~~
 417 without a license; ~~provided~~, however, at any time after 6 months
 418 after the date of license revocation ~~said conviction~~, the

419 department may grant a license to the person affected, restoring
 420 to her or him all the rights and privileges of and pertaining to
 421 the practice of naturopathic medicine ~~naturopathy~~ as defined and
 422 regulated by this chapter. The fee therefor shall be set by the
 423 board not to exceed \$250.

424 Section 10. Section 462.17, Florida Statutes, is amended
 425 to read:

426 462.17 Penalty for offenses relating to naturopathic
 427 medicine ~~naturopathy~~.--Any person who shall:

428 (1) Sell, fraudulently obtain, or furnish any naturopathic
 429 diploma, license, record, or registration or aid or abet in the
 430 same;

431 (2) Practice naturopathic medicine ~~naturopathy~~ under the
 432 cover of any diploma, license, record, or registration illegally
 433 or fraudulently obtained or secured or issued unlawfully or upon
 434 fraudulent representations;

435 (3) Advertise to practice naturopathic medicine
 436 ~~naturopathy~~ under a name other than her or his own or under an
 437 assumed name;

438 (4) Falsely impersonate another practitioner of a like or
 439 different name;

440 (5) Practice or advertise to practice naturopathic
 441 medicine ~~naturopathy~~ or use in connection with her or his name
 442 any designation tending to imply or to designate the person as a
 443 practitioner of naturopathic medicine ~~naturopathy~~ without then
 444 being lawfully licensed and authorized to practice naturopathic
 445 medicine ~~naturopathy~~ in this state; or

446 (6) Practice naturopathic medicine ~~naturopathy~~ during the
 447 time her or his license is suspended or revoked

448
 449 ~~commits shall be guilty of~~ a felony of the third degree,
 450 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

451 Section 11. Section 462.18, Florida Statutes, is amended
 452 to read:

453 462.18 Educational requirements.--

454 (1) At the time each licensee shall renew her or his
 455 license as otherwise provided in this chapter, each licensee,
 456 ~~beginning with the license renewal due May 1, 1944,~~ in addition
 457 to the payment of the regular renewal fee, shall furnish to the
 458 board ~~department~~ satisfactory evidence that, in the year
 459 preceding each such application for renewal, the licensee has
 460 attended the 2-day educational program as promulgated and
 461 conducted by the Florida Naturopathic Physicians Association,
 462 Inc., or, as a substitute therefor, the equivalent of that
 463 program as approved by the board ~~department~~. The department
 464 shall send a written notice to this effect to every person
 465 holding a valid license to practice naturopathic medicine
 466 ~~naturopathy~~ within this state at least 30 days prior to May 1 in
 467 each biennial year, directed to the last known address of such
 468 licensee, and shall enclose with the notice proper blank forms
 469 for application for ~~annual~~ license renewal. All of the details
 470 and requirements of the ~~aforesaid~~ educational program shall be
 471 adopted and prescribed by the board ~~department~~. In the event of
 472 national emergencies, or for sufficient reason, the board may
 473 ~~department shall have the power to~~ excuse the naturopathic

474 physicians as a group or as individuals from taking this
 475 postgraduate course.

476 (2) The determination of whether a substitute ~~annual~~
 477 educational program is necessary shall be solely within the
 478 discretion of the board ~~department~~.

479 Section 12. Subsection (3) of section 462.19, Florida
 480 Statutes, is amended to read:

481 462.19 Renewal of license; inactive status.--

482 (3) A licensee may request that her or his license be
 483 placed in an inactive status by making application to the
 484 department and paying a fee in an amount set by the department
 485 not to exceed \$100 ~~\$50~~.

486 Section 13. Section 462.193, Florida Statutes, is created
 487 to read:

488 462.193 Licensure by examination; requirements; fees.--

489 (1) Any person desiring to be licensed as a doctor of
 490 naturopathic medicine, naturopathic doctor, or naturopathic
 491 physician shall apply to the department on forms furnished by
 492 the department. The department shall license each applicant who
 493 the board certifies:

494 (a) Has completed the application form and remitted a
 495 nonrefundable application fee set by the board not to exceed
 496 \$500.

497 (b) Is at least 21 years of age.

498 (c) Is of good moral character.

499 (d) Has not committed any act or offense in this or any
 500 other jurisdiction which would constitute the basis for

501 disciplining a doctor of naturopathic medicine, naturopathic
 502 doctor, or naturopathic physician pursuant to s. 462.14.

503 (e) Has been awarded a bachelor's degree from an
 504 institution holding accreditation from a regional accrediting
 505 agency recognized by the United States Secretary of Education,
 506 and which program included, at a minimum and as determined by
 507 rule of the board, courses in such fields as anatomy, biology,
 508 and chemistry prior to entering naturopathic medical school.

509 (f) Meets one of the following naturopathic medical
 510 education and postgraduate training requirements:

511 1. Is a graduate of an approved naturopathic medical
 512 program;

513 2. Is a graduate of an approved school of naturopathic
 514 medicine which is licensed by the Florida Commission for
 515 Independent Education to grant the degree of Doctor of
 516 Naturopathic Medicine; or

517 3. Is a graduate of a foreign medical school certified by
 518 the Educational Commission for Foreign Medical Graduates (ECFMG)
 519 to be examined in the basic and clinical medical sciences, or a
 520 graduate of an accredited United States allopathic,
 521 chiropractic, or osteopathic medical school, and has completed a
 522 2-year course in naturopathic medicine from an approved
 523 naturopathic medical program.

524 (g) Has submitted to the department a set of fingerprints
 525 on a form and in accordance with procedures specified by the
 526 department, along with payment in an amount equal to the costs
 527 incurred by the department for the criminal background check of
 528 the applicant.

529 (h) Has obtained a passing score on a competency-based
530 national naturopathic licensing examination, including the
531 examination on minor surgery, administered by the North American
532 Board of Naturopathic Examiners or an equivalent agency
533 recognized by the board. For graduates of approved naturopathic
534 schools as defined in s. 462.01(1)(b), eligibility for licensure
535 may be granted upon presentation of evidence of successful
536 passage of a board-approved state competency examination or a
537 Canadian provincial examination. For graduates of foreign
538 medical schools or allopathic, osteopathic, or chiropractic
539 medical schools who have completed a 2-year course in
540 naturopathic medicine from an approved naturopathic medical
541 program, eligibility for licensure may be granted upon
542 presentation of evidence of successful passage of the applicable
543 medical examinations, parts one and two.

544 (i) Has completed an approved internship or residency of
545 at least 1 year.

546 (j) Is physically and mentally fit to practice as a doctor
547 of naturopathic medicine, naturopathic doctor, or naturopathic
548 physician.

549 (k) Has not had her or his license to practice any
550 profession refused, revoked, or suspended by any other state,
551 district, or territory of the United States or another country
552 for reasons that relate to her or his ability to skillfully and
553 safely practice as a doctor of naturopathic medicine,
554 naturopathic doctor, or naturopathic physician in this state.

555 (l) Has not been found guilty of a felony.

556 (2) As prescribed by board rule, the board may require an
557 applicant who does not pass the licensing examination after five
558 attempts to complete additional remedial education or training.
559 The board shall prescribe the additional requirements in a
560 manner that permits the applicant to complete the requirements
561 and be reexamined within 2 years after the date the applicant
562 petitions the board to retake the examination a sixth or
563 subsequent time.

564 (3) The department and the board shall ensure that
565 applicants for licensure meet the criteria in subsection (1)
566 through an investigative process. When the investigation is not
567 completed within the time set out in s. 120.60(1) and the
568 department or board has reason to believe that the applicant
569 does not meet the criteria, the secretary or the secretary's
570 designee may issue a 90-day licensure delay, which must be in
571 writing and sufficient to notify the applicant of the reason for
572 the delay. This subsection controls over any conflicting
573 provisions of s. 120.60(1).

574 (4) The board may not certify to the department for
575 licensure any applicant who is under investigation in another
576 jurisdiction for an offense that would constitute a violation of
577 this chapter until the investigation has been completed. Upon
578 completion of the investigation, s. 462.14 applies. Furthermore,
579 the department may not issue an unrestricted license to any
580 individual who has committed an act or offense in any
581 jurisdiction which would constitute the basis for disciplining a
582 doctor of naturopathic medicine, naturopathic doctor, or
583 naturopathic physician under s. 462.14. If the board finds that

584 an individual has committed an act or offense in any
585 jurisdiction which would constitute the basis for disciplining a
586 doctor of naturopathic medicine, naturopathic doctor, or
587 naturopathic physician under s. 462.14, the board may enter an
588 order imposing one or more of the sanctions set forth in
589 subsection (7).

590 (5) Each applicant who meets the requirements of this
591 chapter shall be licensed as a doctor of naturopathic medicine,
592 naturopathic doctor, or naturopathic physician, with rights as
593 defined by law.

594 (6) Upon certification by the board, the department shall
595 impose conditions, limitations, or restrictions on a license if
596 the applicant is on probation in another jurisdiction for an act
597 that would constitute a violation of this chapter.

598 (7) If the board determines that an applicant for
599 licensure has failed to meet, to the board's satisfaction, any
600 of the applicable requirements set forth in this section, it may
601 enter an order that imposes one or more of the following
602 sanctions:

603 (a) Refusal to certify to the department an application
604 for licensure.

605 (b) Certification to the department of an application for
606 licensure with restrictions on the scope of practice of the
607 doctor of naturopathic medicine, naturopathic doctor, or
608 naturopathic physician.

609 (c) Certification to the department of an application for
610 licensure with placement of the doctor of naturopathic medicine,
611 naturopathic doctor, or naturopathic physician on probation for

612 a period of time and subject to such conditions as the board
 613 specifies, including, but not limited to, requiring the doctor
 614 of naturopathic medicine, naturopathic doctor, or naturopathic
 615 physician to submit to treatment, attend continuing education
 616 courses, submit to reexamination, or work under the supervision
 617 of another doctor of naturopathic medicine, naturopathic doctor,
 618 or naturopathic physician.

619 (8) A physician who holds the doctor of medicine or doctor
 620 of osteopathy degree, who has completed a 1-year internship
 621 approved by the American Medical Association or the American
 622 Osteopathic Association, and who is licensed under this section
 623 as a doctor of naturopathic medicine, naturopathic doctor, or
 624 naturopathic physician has rights and privileges equal to those
 625 of physicians licensed under chapter 458 or chapter 459.

626 Section 14. Section 462.195, Florida Statutes, is created
 627 to read:

628 462.195 Exemptions from naturopathic licensure
 629 requirements.--Licensure requirements for practitioners of
 630 naturopathic medicine under this chapter are inapplicable to:

631 (1) Any individual who is engaged in selling vitamins,
 632 health foods, dietary supplements, herbs, or other products of
 633 nature, the sale of which is not otherwise prohibited under
 634 state or federal law. This exemption does not:

635 (a) Allow a person to diagnose any human disease, ailment,
 636 injury, infirmity, deformity, pain, or other condition; or

637 (b) Prohibit providing information regarding any of the
 638 products listed in this subsection, which information is
 639 truthful and is not misleading.

640 (2) Any individual who is:
 641 (a) Engaged in good faith in the practice of the religious
 642 tenets of any church or religious belief, without the use of
 643 prescription drugs; or
 644 (b) Acting in good faith for religious reasons as a matter
 645 of conscience or on the basis of a personal belief when
 646 obtaining or providing information regarding health care and the
 647 use of any product.
 648 (3) Any individual who is administering a domestic or
 649 family remedy.
 650 (4) No provision of this chapter shall be construed to
 651 prohibit a physician licensed under chapter 458; an osteopathic
 652 physician licensed under chapter 459; a chiropractic physician
 653 licensed under chapter 460; a podiatric physician licensed under
 654 chapter 461; an optometrist licensed under chapter 463; an
 655 advanced registered nurse practitioner, registered nurse, or
 656 licensed practical nurse licensed under part I of chapter 464;
 657 an occupational therapist licensed under part III of chapter
 658 468; a massage therapist licensed under chapter 480; a physical
 659 therapist licensed under chapter 486; a psychologist licensed
 660 under chapter 490; or a clinical social worker, marriage and
 661 family therapist, or mental health counselor licensed under
 662 chapter 491 from the lawful practice of her or his profession.
 663 Section 15. Section 462.2001, Florida Statutes, is amended
 664 to read:
 665 462.2001 Saving clause.--All licenses to practice
 666 naturopathic medicine ~~naturopathy~~ issued pursuant to this

667 chapter and valid on July 1, 2005 ~~October 1, 1985~~, shall remain
 668 in full force and effect.

669 Section 16. Doctors of naturopathic medicine, naturopathic
 670 doctors, or naturopathic physicians who hold a license on the
 671 effective date of this act shall retain the same rights and
 672 privileges as they had before implementation of the amendments
 673 to chapter 462, Florida Statutes, by this act.

674 Section 17. Paragraph (g) of subsection (3) of section
 675 20.43, Florida Statutes, is amended to read:

676 20.43 Department of Health.--There is created a Department
 677 of Health.

678 (3) The following divisions of the Department of Health
 679 are established:

680 (g) Division of Medical Quality Assurance, which is
 681 responsible for the following boards and professions established
 682 within the division:

- 683 1. The Board of Acupuncture, created under chapter 457.
- 684 2. The Board of Medicine, created under chapter 458.
- 685 3. The Board of Osteopathic Medicine, created under
 686 chapter 459.
- 687 4. The Board of Chiropractic Medicine, created under
 688 chapter 460.
- 689 5. The Board of Podiatric Medicine, created under chapter
 690 461.
- 691 6. The Board of Naturopathic Medicine Naturoopathy, created
 692 ~~as provided~~ under chapter 462.
- 693 7. The Board of Optometry, created under chapter 463.

694 8. The Board of Nursing, created under part I of chapter
695 464.

696 9. Nursing assistants, as provided under part II of
697 chapter 464.

698 10. The Board of Pharmacy, created under chapter 465.

699 11. The Board of Dentistry, created under chapter 466.

700 12. Midwifery, as provided under chapter 467.

701 13. The Board of Speech-Language Pathology and Audiology,
702 created under part I of chapter 468.

703 14. The Board of Nursing Home Administrators, created
704 under part II of chapter 468.

705 15. The Board of Occupational Therapy, created under part
706 III of chapter 468.

707 16. Respiratory therapy, as provided under part V of
708 chapter 468.

709 17. Dietetics and nutrition practice, as provided under
710 part X of chapter 468.

711 18. The Board of Athletic Training, created under part
712 XIII of chapter 468.

713 19. The Board of Orthotists and Prosthetists, created
714 under part XIV of chapter 468.

715 20. Electrolysis, as provided under chapter 478.

716 21. The Board of Massage Therapy, created under chapter
717 480.

718 22. The Board of Clinical Laboratory Personnel, created
719 under part III of chapter 483.

720 23. Medical physicists, as provided under part IV of
721 chapter 483.

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722 24. The Board of Opticianry, created under part I of
723 chapter 484.

724 25. The Board of Hearing Aid Specialists, created under
725 part II of chapter 484.

726 26. The Board of Physical Therapy Practice, created under
727 chapter 486.

728 27. The Board of Psychology, created under chapter 490.

729 28. School psychologists, as provided under chapter 490.

730 29. The Board of Clinical Social Work, Marriage and Family
731 Therapy, and Mental Health Counseling, created under chapter
732 491.

733 Section 18. Subsection (1) of section 381.0031, Florida
734 Statutes, is amended to read:

735 381.0031 Report of diseases of public health significance
736 to department.--

737 (1) Any practitioner licensed in this state to practice
738 medicine, osteopathic medicine, chiropractic medicine,
739 naturopathic medicine ~~naturopathy~~, or veterinary medicine; any
740 hospital licensed under part I of chapter 395; or any laboratory
741 licensed under chapter 483 that diagnoses or suspects the
742 existence of a disease of public health significance shall
743 immediately report the fact to the Department of Health.

744
745 This section does not affect s. 384.25.

746 Section 19. Subsection (10) of section 468.301, Florida
747 Statutes, is amended to read:

748 468.301 Definitions.--As used in this part, the term:

749 (10) "Licensed practitioner" means a person who is
 750 licensed or otherwise authorized by law to practice medicine,
 751 podiatric medicine, chiroprody, osteopathic medicine,
 752 naturopathic medicine ~~naturopathy~~, or chiropractic medicine in
 753 this state.

754 Section 20. Subsection (1) of section 476.044, Florida
 755 Statutes, is amended to read:

756 476.044 Exemptions.--This chapter does not apply to the
 757 following persons when practicing pursuant to their professional
 758 responsibilities and duties:

759 (1) Persons authorized under the laws of this state to
 760 practice medicine, surgery, osteopathic medicine, chiropractic
 761 medicine, naturopathic medicine ~~naturopathy~~, or podiatric
 762 medicine;

763 Section 21. Paragraph (a) of subsection (1) of section
 764 477.0135, Florida Statutes, is amended to read:

765 477.0135 Exemptions.--

766 (1) This chapter does not apply to the following persons
 767 when practicing pursuant to their professional or occupational
 768 responsibilities and duties:

769 (a) Persons authorized under the laws of this state to
 770 practice medicine, surgery, osteopathic medicine, chiropractic
 771 medicine, massage, naturopathic medicine ~~naturopathy~~, or
 772 podiatric medicine.

773 Section 22. Subsections (2) and (3) of section 485.003,
 774 Florida Statutes, are amended to read:

775 485.003 Definitions.--In construing this chapter, the
 776 words, phrases, or terms, unless the context otherwise
 777 indicates, shall have the following meanings:

778 (2) "Healing arts" shall mean the practice of medicine,
 779 surgery, psychiatry, dentistry, osteopathic medicine,
 780 chiropractic medicine, naturopathic medicine ~~naturopathy~~,
 781 podiatric medicine, chiropody, psychology, clinical social work,
 782 marriage and family therapy, mental health counseling, and
 783 optometry.

784 (3) "Practitioner of the healing arts" shall mean a person
 785 licensed under the laws of the state to practice medicine,
 786 surgery, psychiatry, dentistry, osteopathic medicine,
 787 chiropractic medicine, naturopathic medicine ~~naturopathy~~,
 788 podiatric medicine, chiropody, psychology, clinical social work,
 789 marriage and family therapy, mental health counseling, or
 790 optometry within the scope of his or her professional training
 791 and competence and within the purview of the statutes applicable
 792 to his or her respective profession, and who may refer a patient
 793 for treatment by a qualified person, who shall employ hypnotic
 794 techniques under the supervision, direction, prescription, and
 795 responsibility of such referring practitioner.

796 Section 23. Subsection (1) of section 486.161, Florida
 797 Statutes, is amended to read:

798 486.161 Exemptions.--

799 (1) No provision of this chapter shall be construed to
 800 prohibit any person licensed in this state from using any
 801 physical agent as a part of, or incidental to, the lawful
 802 practice of her or his profession under the statutes applicable

803 to the profession of chiropractic physician, podiatric
 804 physician, doctor of medicine, massage therapist, nurse,
 805 osteopathic physician or surgeon, occupational therapist, or
 806 doctor of naturopathic medicine, naturopathic doctor, or
 807 naturopathic physician naturopath.

808 Section 24. Paragraph (h) of subsection (4) of section
 809 627.351, Florida Statutes, is amended to read:

810 627.351 Insurance risk apportionment plans.--

811 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT.--

812 (h) As used in this subsection:

813 1. "Health care provider" means hospitals licensed under
 814 chapter 395; physicians licensed under chapter 458; osteopathic
 815 physicians licensed under chapter 459; podiatric physicians
 816 licensed under chapter 461; dentists licensed under chapter 466;
 817 chiropractic physicians licensed under chapter 460; doctors of
 818 naturopathic medicine, naturopathic doctors, or naturopathic
 819 physicians naturopaths licensed under chapter 462; nurses
 820 licensed under part I of chapter 464; midwives licensed under
 821 chapter 467; clinical laboratories registered under chapter 483;
 822 physician assistants licensed under chapter 458 or chapter 459;
 823 physical therapists and physical therapist assistants licensed
 824 under chapter 486; health maintenance organizations certificated
 825 under part I of chapter 641; ambulatory surgical centers
 826 licensed under chapter 395; other medical facilities as defined
 827 in subparagraph 2.; blood banks, plasma centers, industrial
 828 clinics, and renal dialysis facilities; or professional
 829 associations, partnerships, corporations, joint ventures, or

830 other associations for professional activity by health care
831 providers.

832 2. "Other medical facility" means a facility the primary
833 purpose of which is to provide human medical diagnostic services
834 or a facility providing nonsurgical human medical treatment, to
835 which facility the patient is admitted and from which facility
836 the patient is discharged within the same working day, and which
837 facility is not part of a hospital. However, a facility existing
838 for the primary purpose of performing terminations of pregnancy
839 or an office maintained by a physician or dentist for the
840 practice of medicine shall not be construed to be an "other
841 medical facility."

842 3. "Health care facility" means any hospital licensed
843 under chapter 395, health maintenance organization certificated
844 under part I of chapter 641, ambulatory surgical center licensed
845 under chapter 395, or other medical facility as defined in
846 subparagraph 2.

847 Section 25. Subsection (19) of section 893.02, Florida
848 Statutes, is amended to read:

849 893.02 Definitions.--The following words and phrases as
850 used in this chapter shall have the following meanings, unless
851 the context otherwise requires:

852 (19) "Practitioner" means a physician licensed pursuant to
853 chapter 458, a dentist licensed pursuant to chapter 466, a
854 veterinarian licensed pursuant to chapter 474, an osteopathic
855 physician licensed pursuant to chapter 459, a doctor of
856 naturopathic medicine, naturopathic doctor, or naturopathic
857 physician ~~naturopath~~ licensed pursuant to chapter 462, or a

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858 | podiatric physician licensed pursuant to chapter 461, provided
 859 | such practitioner holds a valid federal controlled substance
 860 | registry number.

861 | Section 26. Paragraph (g) of subsection (3) of section
 862 | 921.0022, Florida Statutes, is amended to read:

863 | 921.0022 Criminal Punishment Code; offense severity
 864 | ranking chart.--

865 | (3) OFFENSE SEVERITY RANKING CHART

866

Florida Statute	Felony Degree	Description
		(g) LEVEL 7
316.027(1)(b)	2nd	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for

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			safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
871	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
872	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
873	409.920(2)	3rd	Medicaid provider fraud.
874	456.065(2)	3rd	Practicing a health

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875	456.065(2)	2nd	care profession without a license.
876	458.327(1)	3rd	Practicing a health care profession without a license which results in serious bodily injury.
877	459.013(1)	3rd	Practicing osteopathic medicine without a license.
878	460.411(1)	3rd	Practicing chiropractic medicine without a license.
879	461.012(1)	3rd	Practicing podiatric medicine without a license.
880	462.17	3rd	Practicing <u>naturopathic</u>

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881			<u>medicine</u> naturopathy without a license.
	463.015(1)	3rd	Practicing optometry without a license.
882			
	464.016(1)	3rd	Practicing nursing without a license.
883			
	465.015(2)	3rd	Practicing pharmacy without a license.
884			
	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
885			
	467.201	3rd	Practicing midwifery without a license.
886			
	468.366	3rd	Delivering respiratory care services without a license.
887			
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.

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888	483.901(9)	3rd	Practicing medical physics without a license.
889	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
890	484.053	3rd	Dispensing hearing aids without a license.
891	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
892	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but

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893	560.125(5)(a)	3rd	<p>less than \$20,000 by money transmitter.</p> <p>Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p>
894	655.50(10)(b)1.	3rd	<p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>
895	782.051(3)	2nd	<p>Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.</p>
896	782.07(1)	2nd	<p>Killing of a human</p>

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897

782.071

2nd

being by the act,
procurement, or
culpable negligence
of another
(manslaughter).

Killing of human
being or viable
fetus by the
operation of a motor
vehicle in a
reckless manner
(vehicular
homicide).

898

782.072

2nd

Killing of a human
being by the
operation of a
vessel in a reckless
manner (vessel
homicide).

899

784.045(1)(a)1.

2nd

Aggravated battery;
intentionally
causing great bodily
harm or
disfigurement.

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901	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
902	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
903	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
904	784.048(7)	3rd	Aggravated stalking; violation of court order.
905	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
906	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.

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907	784.081(1)	1st	Aggravated battery on specified official or employee.
908	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
909	784.083(1)	1st	Aggravated battery on code inspector.
910	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
911	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
912	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.

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913	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
914	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
915	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
916	796.03	2nd	Procuring any person under 16 years for prostitution.
917	800.04(5)(c)1.	2nd	Lewd or lascivious

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918	800.04(5)(c)2.	2nd	molestation; victim less than 12 years of age; offender less than 18 years.
919	806.01(2)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
920	810.02(3)(a)	2nd	Maliciously damage structure by fire or explosive.
921	810.02(3)(b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
922	810.02(3)(d)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
			Burglary of occupied conveyance; unarmed;

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923	812.014(2)(a)1.	1st	no assault or battery.
924	812.014(2)(b)2.	2nd	Property stolen, valued at \$100,000 or more; property stolen while causing other property damage; 1st degree grand theft.
925	812.014(2)(b)3.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
926	812.0145(2)(a)	1st	Property stolen, emergency medical equipment; 2nd degree grand theft.
927	812.019(2)	1st	Theft from person 65 years of age or older; \$50,000 or more. Stolen property; initiates,

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			organizes, plans, etc., the theft of property and traffics in stolen property.
928	812.131(2)(a)	2nd	Robbery by sudden snatching.
929	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
930	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
931	817.234(9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
932	817.234(11)(c)	1st	Insurance fraud; property value

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933	817.2341(2)(b) & 1st (3)(b)	\$100,000 or more.
934	825.102(3)(b) 2nd	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
935	825.103(2)(b) 2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement. Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.

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936	827.03(3)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
937	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
938	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
939	838.015	2nd	Bribery.
940	838.016	2nd	Unlawful compensation or reward for official behavior.
941	838.021(3)(a)	2nd	Unlawful harm to a public servant.
942			

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943	838.22	2nd	Bid tampering.
944	872.06	2nd	Abuse of a dead human body.
945	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d),

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946	893.13(4)(a)	1st	(2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.
947	893.135(1)(a)1.	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
948	893.135(1)(b)1.a.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
949	893.135(1)(c)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
			Trafficking in illegal drugs, more than 4 grams, less

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			than 14 grams.
950	893.135(1)(d)1.	1st	Trafficking in
			phencyclidine, more
			than 28 grams, less
			than 200 grams.
951	893.135(1)(e)1.	1st	Trafficking in
			methaqualone, more
			than 200 grams, less
			than 5 kilograms.
952	893.135(1)(f)1.	1st	Trafficking in
			amphetamine, more
			than 14 grams, less
			than 28 grams.
953	893.135(1)(g)1.a.	1st	Trafficking in
			flunitrazepam, 4
			grams or more, less
			than 14 grams.
954	893.135(1)(h)1.a.	1st	Trafficking in
			gamma-hydroxybutyric
			acid (GHB), 1
			kilogram or more,
			less than 5
			kilograms.

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893.135(1)(j)1.a. 1st Trafficking in 1,4-
 Butanediol, 1
 kilogram or more,
 less than 5
 kilograms.

956

893.135(1)(k)2.a. 1st Trafficking in
 Phenethylamines, 10
 grams or more, less
 than 200 grams.

957

896.101(5)(a) 3rd Money laundering,
 financial
 transactions
 exceeding \$300 but
 less than \$20,000.

958

896.104(4)(a)1. 3rd Structuring
 transactions to
 evade reporting or
 registration
 requirements,
 financial
 transactions
 exceeding \$300 but
 less than \$20,000.

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Section 27. This act shall take effect July 1, 2005.