

By Senator Smith

14-1028-06

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A bill to be entitled

An act relating to psychotherapist-patient privilege; amending s. 90.503, F.S.; redefining the term "psychotherapist" to include certain advanced registered nurse practitioners for purposes of the psychotherapist-patient privilege of the Florida Evidence Code; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) of section 90.503, Florida Statutes, is amended to read:

90.503 Psychotherapist-patient privilege.--

(1) For purposes of this section:

(a) A "psychotherapist" is:

1. A person authorized to practice medicine in any state or nation, or reasonably believed by the patient so to be, who is engaged in the diagnosis or treatment of a mental or emotional condition, including alcoholism and other drug addiction;

2. A person licensed or certified as a psychologist under the laws of any state or nation, who is engaged primarily in the diagnosis or treatment of a mental or emotional condition, including alcoholism and other drug addiction;

3. A person licensed or certified as a clinical social worker, marriage and family therapist, or mental health counselor under the laws of this state, who is engaged primarily in the diagnosis or treatment of a mental or

1 | emotional condition, including alcoholism and other drug
2 | addiction; ~~or~~

3 | 4. Treatment personnel of facilities licensed by the
4 | state pursuant to chapter 394, chapter 395, or chapter 397, of
5 | facilities designated by the Department of Children and Family
6 | Services pursuant to chapter 394 as treatment facilities, or
7 | of facilities defined as community mental health centers
8 | pursuant to s. 394.907(1), who are engaged primarily in the
9 | diagnosis or treatment of a mental or emotional condition,
10 | including alcoholism and other drug addiction; or-

11 | 5. An advanced registered nurse practitioner licensed
12 | under s. 464.012, whose primary scope of practice is the
13 | diagnosis or treatment of mental or emotional conditions,
14 | including chemical abuse, and limited only to actions
15 | performed in accordance with part I of chapter 464.

16 | Section 2. This act shall take effect July 1, 2006.

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19 | SENATE SUMMARY

20 | Includes certain advanced registered nurse practitioners
21 | within the definition of psychotherapist for purposes of
22 | the Florida Evidence Code.
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