

Bill No. CS for SB 248

Barcode 210250

CHAMBER ACTION

Senate

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The Committee on Health and Human Services Appropriations  
(Saunders) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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

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

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

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

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

1. The observation, assessment, nursing diagnosis,  
planning, intervention, and evaluation of care; health  
teaching and counseling of the ill, injured, or infirm; and  
the promotion of wellness, maintenance of health, and

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1 prevention of illness of others.

2           2. The administration of medications and treatments as  
3 prescribed or authorized by a duly licensed practitioner  
4 authorized by the laws of this state to prescribe such  
5 medications and treatments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (8)~~(7)~~ "Approved program" means a nursing program  
 31 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 seeking certification as a clinical  
8 nurse specialist must apply to the department and submit proof  
9 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 who fulfills the  
16 qualifications of this section. The board shall establish an  
17 application fee not to exceed \$75 and a biennial renewal fee  
18 not to exceed \$75.

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

21 Section 3. Subsection (3) of section 464.012, Florida  
22 Statutes, is amended to read:

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

25 (3) An advanced registered nurse practitioner shall  
26 perform those functions authorized in this section within the  
27 framework of an established protocol that is filed with the  
28 board upon biennial license renewal and within 30 days after  
29 entering into a supervisory relationship with a physician or  
30 changes to the protocol. The board shall review the protocol  
31 to ensure compliance with applicable regulatory standards for

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1 protocols. The board shall refer to the department licensees  
 2 submitting protocols that are not compliant with the  
 3 regulatory standards for protocols. A practitioner currently  
 4 licensed under chapter 458, chapter 459, or chapter 466 shall  
 5 maintain supervision for directing the specific course of  
 6 medical treatment. Within the established framework, an  
 7 advanced registered nurse practitioner may:

8 (a) Monitor and alter drug therapies.

9 (b) Initiate appropriate therapies for certain  
 10 conditions.

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

13 (d) Order diagnostic tests and physical and  
 14 occupational therapy.

15 Section 4. Section 464.015, Florida Statutes, is  
 16 amended to read:

17 464.015 Titles and abbreviations; restrictions;  
 18 penalty.--

19 (1) Only persons who hold licenses to practice  
 20 professional nursing in this state or who are performing  
 21 nursing services pursuant to the exception set forth in s.  
 22 464.022(8) shall have the right to use the title "Registered  
 23 Nurse" and the abbreviation "R.N."

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

29 (3) Only persons who are graduates of approved  
 30 programs or the equivalent may use the term "Graduate Nurse"  
 31 and the abbreviation "G.N.," pending the results of the first

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1 licensure examination for which they are eligible.

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

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

11 (6) Only persons who hold valid certificates to  
12 practice as certified registered nurse anesthetists in this  
13 state may use the title "Certified Registered Nurse  
14 Anesthetist" and the abbreviations "C.R.N.A." or "nurse  
15 anesthetist."

16 (7) Only persons who hold valid certificates to  
17 practice as certified nurse midwives in this state may use the  
18 title "Certified Nurse Midwife" and the abbreviations "C.N.M."  
19 or "nurse midwife."

20 (8)(5) Only persons who hold valid certificates to  
21 practice as advanced registered nurse practitioners in this  
22 state ~~may~~ ~~shall have the right to~~ use the title "Advanced  
23 Registered Nurse Practitioner" and the abbreviation "A.R.N.P."

24 (9)(6) ~~A~~ ~~No~~ person ~~may not~~ ~~shall~~ practice or advertise  
25 as, or assume the title of, registered nurse, licensed  
26 practical nurse, clinical nurse specialist, certified  
27 registered nurse anesthetist, certified nurse midwife, or  
28 advanced registered nurse practitioner or use the abbreviation  
29 "R.N.," "L.P.N.," "C.N.S.," "C.R.N.A.," "C.N.M.," or  
30 "A.R.N.P." or take any other action that would lead the public  
31 to believe that person was certified as such or is performing

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1 nursing services pursuant to the exception set forth in s.  
2 464.022(8), unless that person is licensed or certified to  
3 practice as such.

4 ~~(10)(7)~~ A violation of this section is a misdemeanor  
5 of the first degree, punishable as provided in s. 775.082 or  
6 s. 775.083.

7 Section 5. Section 464.016, Florida Statutes, is  
8 amended to read:

9 464.016 Violations and penalties.--

10 (1) Each of the following acts constitutes a felony of  
11 the third degree, punishable as provided in s. 775.082, s.  
12 775.083, or s. 775.084:

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

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

18 (c) Knowingly employing unlicensed persons in the  
19 practice of nursing.

20 (d) Obtaining or attempting to obtain a license or  
21 certificate under this part by misleading statements or  
22 knowing misrepresentation.

23 (2) Each of the following acts constitutes a  
24 misdemeanor of the first degree, punishable as provided in s.  
25 775.082 or s. 775.083:

26 (a) Using the name or title "Nurse," "Registered  
27 Nurse," "Licensed Practical Nurse," "Clinical Nurse  
28 Specialist," "Certified Registered Nurse Anesthetist,"  
29 "Certified Nurse Midwife," "Advanced Registered Nurse  
30 Practitioner," or any other name or title which implies that a  
31 person was licensed or certified as same, unless such person



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1 is duly licensed or certified.

2 (b) Knowingly concealing information relating to  
3 violations of this part.

4 Section 6. 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

11	12 Florida	13 Felony	
14	15 Statute	16 Degree	17 Description
18			(g) LEVEL 7
19	316.027(1)(b)	1st	Accident involving death, failure
20			to stop; leaving scene.
21	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
22			injury.
23	316.1935(3)(b)	1st	Causing serious bodily injury or
24			death to another person; driving
25			at high speed or with wanton
26			disregard for safety while
27			fleeing or attempting to elude
28			law enforcement officer who is in
29			a patrol vehicle with siren and
30			lights activated.
31	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
			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	775.21(10)(a)	3rd	Sexual predator; failure to
2			register; failure to renew
3			driver's license or
4			identification card; other
5			registration violations.
6	775.21(10)(b)	3rd	Sexual predator working where
7			children regularly congregate.
8	775.21(10)(g)	3rd	Failure to report or providing
9			false information about a sexual
10			predator; harbor or conceal a
11			sexual predator.
12	782.051(3)	2nd	Attempted felony murder of a
13			person by a person other than the
14			perpetrator or the perpetrator of
15			an attempted felony.
16	782.07(1)	2nd	Killing of a human being by the
17			act, procurement, or culpable
18			negligence of another
19			(manslaughter).
20	782.071	2nd	Killing of human being or viable
21			fetus by the operation of a motor
22			vehicle in a reckless manner
23			(vehicular homicide).
24	782.072	2nd	Killing of a human being by the
25			operation of a vessel in a
26			reckless manner (vessel
27			homicide).
28	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
29			causing great bodily harm or
30			disfigurement.
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1	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
2			weapon.
3	784.045(1)(b)	2nd	Aggravated battery; perpetrator
4			aware victim pregnant.
5	784.048(4)	3rd	Aggravated stalking; violation of
6			injunction or court order.
7	784.048(7)	3rd	Aggravated stalking; violation of
8			court order.
9	784.07(2)(d)	1st	Aggravated battery on law
10			enforcement officer.
11	784.074(1)(a)	1st	Aggravated battery on sexually
12			violent predators facility staff.
13	784.08(2)(a)	1st	Aggravated battery on a person 65
14			years of age or older.
15	784.081(1)	1st	Aggravated battery on specified
16			official or employee.
17	784.082(1)	1st	Aggravated battery by detained
18			person on visitor or other
19			detainee.
20	784.083(1)	1st	Aggravated battery on code
21			inspector.
22	790.07(4)	1st	Specified weapons violation
23			subsequent to previous conviction
24			of s. 790.07(1) or (2).
25	790.16(1)	1st	Discharge of a machine gun under
26			specified circumstances.
27	790.165(2)	2nd	Manufacture, sell, possess, or
28			deliver hoax bomb.
29	790.165(3)	2nd	Possessing, displaying, or
30			threatening to use any hoax bomb
31			while committing or attempting to

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1			commit a felony.
2	790.166(3)	2nd	Possessing, selling, using, or
3			attempting to use a hoax weapon
4			of mass destruction.
5	790.166(4)	2nd	Possessing, displaying, or
6			threatening to use a hoax weapon
7			of mass destruction while
8			committing or attempting to
9			commit a felony.
10	796.03	2nd	Procuring any person under 16
11			years for prostitution.
12	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
13			victim less than 12 years of age;
14			offender less than 18 years.
15	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
16			victim 12 years of age or older
17			but less than 16 years; offender
18			18 years or older.
19	806.01(2)	2nd	Maliciously damage structure by
20			fire or explosive.
21	810.02(3)(a)	2nd	Burglary of occupied dwelling;
22			unarmed; no assault or battery.
23	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
24			unarmed; no assault or battery.
25	810.02(3)(d)	2nd	Burglary of occupied conveyance;
26			unarmed; no assault or battery.
27	812.014(2)(a)1.	1st	Property stolen, valued at
28			\$100,000 or more or a semitrailer
29			deployed by a law enforcement
30			officer; property stolen while
31			causing other property damage;
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1			1st degree grand theft.
2	812.014(2)(b)2.	2nd	Property stolen, cargo valued at
3			less than \$50,000, grand theft in
4			2nd degree.
5	812.014(2)(b)3.	2nd	Property stolen, emergency
6			medical equipment; 2nd degree
7			grand theft.
8	812.0145(2)(a)	1st	Theft from person 65 years of age
9			or older; \$50,000 or more.
10	812.019(2)	1st	Stolen property; initiates,
11			organizes, plans, etc., the theft
12			of property and traffics in
13			stolen property.
14	812.131(2)(a)	2nd	Robbery by sudden snatching.
15	812.133(2)(b)	1st	Carjacking; no firearm, deadly
16			weapon, or other weapon.
17	817.234(8)(a)	2nd	Solicitation of motor vehicle
18			accident victims with intent to
19			defraud.
20	817.234(9)	2nd	Organizing, planning, or
21			participating in an intentional
22			motor vehicle collision.
23	817.234(11)(c)	1st	Insurance fraud; property value
24			\$100,000 or more.
25	817.2341(2)(b)&		
26	(3)(b)	1st	Making false entries of material
27			fact or false statements
28			regarding property values
29			relating to the solvency of an
30			insuring entity which are a
31			significant cause of the

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1			insolvency of that entity.
2	825.102(3)(b)	2nd	Neglecting an elderly person or
3			disabled adult causing great
4			bodily harm, disability, or
5			disfigurement.
6	825.103(2)(b)	2nd	Exploiting an elderly person or
7			disabled adult and property is
8			valued at \$20,000 or more, but
9			less than \$100,000.
10	827.03(3)(b)	2nd	Neglect of a child causing great
11			bodily harm, disability, or
12			disfigurement.
13	827.04(3)	3rd	Impregnation of a child under 16
14			years of age by person 21 years
15			of age or older.
16	837.05(2)	3rd	Giving false information about
17			alleged capital felony to a law
18			enforcement officer.
19	838.015	2nd	Bribery.
20	838.016	2nd	Unlawful compensation or reward
21			for official behavior.
22	838.021(3)(a)	2nd	Unlawful harm to a public
23			servant.
24	838.22	2nd	Bid tampering.
25	847.0135(3)	3rd	Solicitation of a child, via a
26			computer service, to commit an
27			unlawful sex act.
28	872.06	2nd	Abuse of a dead human body.
29	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
30			cocaine (or other drug prohibited
31			under s. 893.03(1)(a), (1)(b),
			16
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1			(1)(d), (2)(a), (2)(b), or
2			(2)(c)4.) within 1,000 feet of a
3			child care facility, school, or
4			state, county, or municipal park
5			or publicly owned recreational
6			facility or community center.
7	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
8			cocaine or other drug prohibited
9			under s. 893.03(1)(a), (1)(b),
10			(1)(d), (2)(a), (2)(b), or
11			(2)(c)4., within 1,000 feet of
12			property used for religious
13			services or a specified business
14			site.
15	893.13(4)(a)	1st	Deliver to minor cocaine (or
16			other s. 893.03(1)(a), (1)(b),
17			(1)(d), (2)(a), (2)(b), or
18			(2)(c)4. drugs).
19	893.135(1)(a)1.	1st	Trafficking in cannabis, more
20			than 25 lbs., less than 2,000
21			lbs.
22	893.135		
23	(1)(b)1.a.	1st	Trafficking in cocaine, more than
24			28 grams, less than 200 grams.
25	893.135		
26	(1)(c)1.a.	1st	Trafficking in illegal drugs,
27			more than 4 grams, less than 14
28			grams.
29	893.135		
30	(1)(d)1.	1st	Trafficking in phencyclidine,
31			more than 28 grams, less than 200

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1			grams.
2	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
3			than 200 grams, less than 5
4			kilograms.
5	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
6			than 14 grams, less than 28
7			grams.
8	893.135		
9	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
10			grams or more, less than 14
11			grams.
12	893.135		
13	(1)(h)1.a.	1st	Trafficking in
14			gamma-hydroxybutyric acid (GHB),
15			1 kilogram or more, less than 5
16			kilograms.
17	893.135		
18	(1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1
19			kilogram or more, less than 5
20			kilograms.
21	893.135		
22	(1)(k)2.a.	1st	Trafficking in Phenethylamines,
23			10 grams or more, less than 200
24			grams.
25	896.101(5)(a)	3rd	Money laundering, financial
26			transactions exceeding \$300 but
27			less than \$20,000.
28	896.104(4)(a)1.	3rd	Structuring transactions to evade
29			reporting or registration
30			requirements, financial
31			transactions exceeding \$300 but
			18
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1			less than \$20,000.
2	943.0435(4)(c)	2nd	Sexual offender vacating
3			permanent residence; failure to
4			comply with reporting
5			requirements.
6	943.0435(8)	2nd	Sexual offender; remains in state
7			after indicating intent to leave;
8			failure to comply with reporting
9			requirements.
10	943.0435(9)(a)	3rd	Sexual offender; failure to
11			comply with reporting
12			requirements.
13	943.0435(13)	3rd	Failure to report or providing
14			false information about a sexual
15			offender; harbor or conceal a
16			sexual offender.
17	943.0435(14)	3rd	Sexual offender; failure to
18			report and reregister; failure to
19			respond to address verification.
20	944.607(9)	3rd	Sexual offender; failure to
21			comply with reporting
22			requirements.
23	944.607(10)(a)	3rd	Sexual offender; failure to
24			submit to the taking of a
25			digitized photograph.
26	944.607(12)	3rd	Failure to report or providing
27			false information about a sexual
28			offender; harbor or conceal a
29			sexual offender.
30	944.607(13)	3rd	Sexual offender; failure to
31			report and reregister; failure to

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1 respond to address verification.

2 Section 7. Paragraph (a) of subsection (1) and  
3 subsection (2) of section 458.348, Florida Statutes, are  
4 amended to read:

5 458.348 Formal supervisory relationships, standing  
6 orders, and established protocols; notice; standards.--

7 (1) NOTICE.--

8 (a) When a physician enters into a formal supervisory  
9 relationship or standing orders with an emergency medical  
10 technician or paramedic licensed pursuant to s. 401.27, which  
11 relationship or orders contemplate the performance of medical  
12 acts, or when a physician enters into an established protocol  
13 with an advanced registered nurse practitioner, which protocol  
14 contemplates the performance of medical acts identified and  
15 approved by the joint committee pursuant to s. 464.003(3)(d)  
16 ~~s. 464.003(3)(c)~~ or acts set forth in s. 464.012(3) and (4),  
17 the physician shall submit notice to the board. The notice  
18 shall contain a statement in substantially the following form:

19  
20 I, ...(name and professional license number of  
21 physician)..., of ...(address of physician)... have hereby  
22 entered into a formal supervisory relationship, standing  
23 orders, or an established protocol with ...(number of  
24 persons)... emergency medical technician(s), ...(number of  
25 persons)... paramedic(s), or ...(number of persons)...  
26 advanced registered nurse practitioner(s).

27 (2) ESTABLISHMENT OF STANDARDS BY JOINT  
28 COMMITTEE.--The joint committee created under s. 464.003(3)(d)  
29 ~~by s. 464.003(3)(c)~~ shall determine minimum standards for the  
30 content of established protocols pursuant to which an advanced  
31 registered nurse practitioner may perform medical acts

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1 identified and approved by the joint committee pursuant to s.  
 2 464.003(3)(d) ~~s. 464.003(3)(c)~~ or acts set forth in s.  
 3 464.012(3) and (4) and shall determine minimum standards for  
 4 supervision of such acts by the physician, unless the joint  
 5 committee determines that any act set forth in s. 464.012(3)  
 6 or (4) is not a medical act. Such standards shall be based on  
 7 risk to the patient and acceptable standards of medical care  
 8 and shall take into account the special problems of medically  
 9 underserved areas. The standards developed by the joint  
 10 committee shall be adopted as rules by the Board of Nursing  
 11 and the Board of Medicine for purposes of carrying out their  
 12 responsibilities pursuant to part I of chapter 464 and this  
 13 chapter, respectively, but neither board shall have  
 14 disciplinary powers over the licensees of the other board.

15 Section 8. Paragraph (a) of subsection (1) of section  
 16 459.025, Florida Statutes, is amended to read:

17 459.025 Formal supervisory relationships, standing  
 18 orders, and established protocols; notice; standards.--

19 (1) NOTICE.--

20 (a) When an osteopathic physician enters into a formal  
 21 supervisory relationship or standing orders with an emergency  
 22 medical technician or paramedic licensed pursuant to s.  
 23 401.27, which relationship or orders contemplate the  
 24 performance of medical acts, or when an osteopathic physician  
 25 enters into an established protocol with an advanced  
 26 registered nurse practitioner, which protocol contemplates the  
 27 performance of medical acts identified and approved by the  
 28 joint committee pursuant to s. 464.003(3)(d) ~~s. 464.003(3)(c)~~  
 29 or acts set forth in s. 464.012(3) and (4), the osteopathic  
 30 physician shall submit notice to the board. The notice must  
 31 contain a statement in substantially the following form:

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1 I, (name and professional license number of osteopathic  
 2 physician), of (address of osteopathic physician) have hereby  
 3 entered into a formal supervisory relationship, standing  
 4 orders, or an established protocol with (number of persons)  
 5 emergency medical technician(s), (number of persons)  
 6 paramedic(s), or (number of persons) advanced registered nurse  
 7 practitioner(s).

8 Section 9. The sum of \$75,386 is appropriated from the  
 9 Medical Quality Assurance Trust Fund to the Department of  
 10 Health, and one position and associated salary rate of 43,548  
 11 is authorized to implement this act.

12 Section 10. This act shall take effect July 1, 2007.  
 13  
 14

15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 Delete everything before the enacting clause  
 18

19 and insert:

20 A bill to be entitled  
 21 An act relating to nursing specialties;  
 22 amending s. 464.003, F.S.; defining the terms  
 23 "clinical nurse specialist practice" and  
 24 "clinical nurse specialist"; creating s.  
 25 464.0115, F.S.; providing requirements for  
 26 certification as a clinical nurse specialist;  
 27 providing fees; authorizing the Board of  
 28 Nursing to adopt rules; amending s. 464.012,  
 29 F.S.; conforming a cross-reference; amending s.  
 30 464.015, F.S.; restricting the use of  
 31 professional titles and abbreviations relating

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1 to practice by clinical nurse specialists,  
2 certified registered nurse anesthetists, and  
3 certified nurse midwives; providing penalties;  
4 amending s. 464.016, F.S.; prohibiting the use  
5 of any name or title stating or implying that a  
6 person is a clinical nurse specialist,  
7 certified registered nurse anesthetist, or  
8 certified nurse midwife unless the person is  
9 licensed or certified; providing penalties;  
10 reenacting s. 921.0022(3)(g), F.S., relating to  
11 the offense severity ranking chart of the  
12 Criminal Punishment Code, to incorporate the  
13 amendment to s. 464.016, F.S., in a reference  
14 thereto; amending ss. 458.348 and 459.025,  
15 F.S.; conforming cross-references; providing an  
16 appropriation; providing an effective date.

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