

By the Committee on Health Regulation; and Senator Saunders

588-1911-07

1 A bill to be entitled
 2 An act relating to nursing specialties;
 3 amending s. 464.003, F.S.; defining the terms
 4 "clinical nurse specialist practice" and
 5 "clinical nurse specialist"; creating s.
 6 464.0115, F.S.; providing requirements for
 7 certification as a clinical nurse specialist;
 8 providing fees; authorizing the Board of
 9 Nursing to adopt rules; amending s. 464.012,
 10 F.S.; adding clinical nurse specialist to the
 11 classifications of advanced registered nurse
 12 practitioners; amending s. 464.015, F.S.;
 13 restricting the use of professional titles and
 14 abbreviations relating to practice by clinical
 15 nurse specialists, certified registered nurse
 16 anesthetists, and certified nurse midwives;
 17 providing penalties; amending s. 464.016, F.S.;
 18 prohibiting the use of any name or title
 19 stating or implying that a person is a clinical
 20 nurse specialist, certified registered nurse
 21 anesthetist, or certified nurse midwife unless
 22 the person is licensed or certified; providing
 23 penalties; reenacting s. 921.0022(3)(g), F.S.,
 24 relating to the offense severity ranking chart
 25 of the Criminal Punishment Code, to incorporate
 26 the amendment to s. 464.016, F.S., in a
 27 reference thereto; amending ss. 458.348 and
 28 459.025, F.S.; conforming cross-references;
 29 providing an effective date.

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

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

3 464.003 Definitions.--As used in this part, the term:

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

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

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

11 1. The observation, assessment, nursing diagnosis,
12 planning, intervention, and evaluation of care; health
13 teaching and counseling of the ill, injured, or infirm; and
14 the promotion of wellness, maintenance of health, and
15 prevention of illness of others.

16 2. The administration of medications and treatments as
17 prescribed or authorized by a duly licensed practitioner
18 authorized by the laws of this state to prescribe such
19 medications and treatments.

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

22 (b) "Practice of practical nursing" means the
23 performance of selected acts, including the administration of
24 treatments and medications, in the care of the ill, injured,
25 or infirm and the promotion of wellness, maintenance of
26 health, and prevention of illness of others under the
27 direction of a registered nurse, a licensed physician, a
28 licensed osteopathic physician, a licensed podiatric
29 physician, or a licensed dentist.

1 The professional nurse and the practical nurse shall be
2 responsible and accountable for making decisions that are
3 based upon the individual's educational preparation and
4 experience in nursing.

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

8 1. Assess the health status of individuals and
9 families using methods appropriate to the population and area
10 of practice.

11 2. Diagnose human responses to actual or potential
12 health problems.

13 3. Plan for health promotion, disease prevention, and
14 therapeutic intervention in collaboration with the patient or
15 client.

16 4. Implement therapeutic interventions based on the
17 nurse specialist's area of expertise, including, but not
18 limited to, direct nursing care, counseling, teaching, and
19 collaboration with other licensed health care providers.

20 5. Coordinate health care as necessary and appropriate
21 and evaluate with the patient or client the effectiveness of
22 care.

23 (d)(e) "Advanced or specialized nursing practice"
24 means, in addition to the practice of professional nursing,
25 the performance of advanced-level nursing acts approved by the
26 board which, by virtue of postbasic specialized education,
27 training, and experience, are proper to be performed by an
28 advanced registered nurse practitioner. Within the context of
29 advanced or specialized nursing practice, the advanced
30 registered nurse practitioner may perform acts of nursing
31 diagnosis and nursing treatment of alterations of the health

1 status. The advanced registered nurse practitioner may also
2 perform acts of medical diagnosis and treatment, prescription,
3 and operation which are identified and approved by a joint
4 committee composed of three members appointed by the Board of
5 Nursing, two of whom shall be advanced registered nurse
6 practitioners; three members appointed by the Board of
7 Medicine, two of whom shall have had work experience with
8 advanced registered nurse practitioners; and the secretary of
9 the department or the secretary's designee. Each committee
10 member appointed by a board shall be appointed to a term of 4
11 years unless a shorter term is required to establish or
12 maintain staggered terms. The Board of Nursing shall adopt
13 rules authorizing the performance of any such acts approved by
14 the joint committee. Unless otherwise specified by the joint
15 committee, such acts shall be performed under the general
16 supervision of a practitioner licensed under chapter 458,
17 chapter 459, or chapter 466 within the framework of standing
18 protocols which identify the medical acts to be performed and
19 the conditions for their performance. The department may, by
20 rule, require that a copy of the protocol be filed with the
21 department along with the notice required by s. 458.348.

22 (e)~~(d)~~ "Nursing diagnosis" means the observation and
23 evaluation of physical or mental conditions, behaviors, signs
24 and symptoms of illness, and reactions to treatment and the
25 determination as to whether such conditions, signs, symptoms,
26 and reactions represent a deviation from normal.

27 (f)~~(e)~~ "Nursing treatment" means the establishment and
28 implementation of a nursing regimen for the care and comfort
29 of individuals, the prevention of illness, and the education,
30 restoration, and maintenance of health.

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

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

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

8 ~~(7)(6)~~ "Advanced registered nurse practitioner" means
9 any person licensed in this state to practice professional
10 nursing and certified in advanced or specialized nursing
11 practice, including certified registered nurse anesthetists,
12 certified nurse midwives, and nurse practitioners.

13 ~~(8)(7)~~ "Approved program" means a nursing program
14 conducted in a school, college, or university which is
15 approved by the board pursuant to s. 464.019 for the education
16 of nurses.

17 Section 2. Section 464.0115, Florida Statutes, is
18 created to read:

19 464.0115 Certification of clinical nurse
20 specialists.--

21 (1) Any nurse desiring to be certified as a clinical
22 nurse specialist must apply to the department and submit proof
23 that he or she holds a current license to practice
24 professional nursing, a master's degree in a clinical nursing
25 specialty, and current certification in a specialty area as a
26 clinical nurse specialist from a nationally recognized
27 certifying body as determined by the board.

28 (2) The board shall certify, and the department shall
29 issue a certificate to, any nurse who fulfills the
30 qualifications in this section. The board shall establish an
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1 application fee not to exceed \$25 and a biennial renewal fee
2 not to exceed \$10.

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

5 Section 3. Subsections (2) and (3) of section 464.012,
6 Florida Statutes, are amended to read:

7 464.012 Certification of advanced registered nurse
8 practitioners; fees.--

9 (2) The board shall provide by rule the appropriate
10 requirements for advanced registered nurse practitioners in
11 the categories of certified registered nurse anesthetist,
12 certified nurse midwife, ~~and~~ nurse practitioner, and clinical
13 nurse specialist.

14 (3) An advanced registered nurse practitioner shall
15 perform those functions authorized in this section within the
16 framework of an established protocol that is filed with the
17 board upon biennial license renewal and within 30 days after
18 entering into a supervisory relationship with a physician or
19 changes to the protocol. The board shall review the protocol
20 to ensure compliance with applicable regulatory standards for
21 protocols. The board shall refer to the department licensees
22 submitting protocols that are not compliant with the
23 regulatory standards for protocols. A practitioner currently
24 licensed under chapter 458, chapter 459, or chapter 466 shall
25 maintain supervision for directing the specific course of
26 medical treatment. Within the established framework, an
27 advanced registered nurse practitioner may:

28 (a) Monitor and alter drug therapies.

29 (b) Initiate appropriate therapies for certain
30 conditions.

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

3 (d) Order diagnostic tests and physical and
4 occupational therapy.

5 Section 4. Section 464.015, Florida Statutes, is
6 amended to read:

7 464.015 Titles and abbreviations; restrictions;
8 penalty.--

9 (1) Only persons who hold licenses to practice
10 professional nursing in this state or who are performing
11 nursing services pursuant to the exception set forth in s.
12 464.022(8) shall have the right to use the title "Registered
13 Nurse" and the abbreviation "R.N."

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

19 (3) Only persons who are graduates of approved
20 programs or the equivalent may use the term "Graduate Nurse"
21 and the abbreviation "G.N.," pending the results of the first
22 licensure examination for which they are eligible.

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

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

1 (6) Only persons who hold valid certificates to
2 practice as certified registered nurse anesthetists in this
3 state may use the title "Certified Registered Nurse
4 Anesthetist" and the abbreviations "C.R.N.A." or "nurse
5 anesthetist."

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

10 ~~(8)(5)~~ Only persons who hold valid certificates to
11 practice as advanced registered nurse practitioners in this
12 state ~~may shall have the right to~~ use the title "Advanced
13 Registered Nurse Practitioner" and the abbreviation "A.R.N.P."

14 ~~(9)(6)~~ ~~A No~~ person ~~may not shall~~ practice or advertise
15 as, or assume the title of, registered nurse, licensed
16 practical nurse, clinical nurse specialist, certified
17 registered nurse anesthetist, certified nurse midwife, or
18 advanced registered nurse practitioner or use the abbreviation
19 "R.N.," "L.P.N.," "C.N.S.," "C.R.N.A.," "C.N.M.," or
20 "A.R.N.P." or take any other action that would lead the public
21 to believe that person was certified as such or is performing
22 nursing services pursuant to the exception set forth in s.
23 464.022(8), unless that person is licensed or certified to
24 practice as such.

25 ~~(10)(7)~~ A violation of this section is a misdemeanor
26 of the first degree, punishable as provided in s. 775.082 or
27 s. 775.083.

28 Section 5. Section 464.016, Florida Statutes, is
29 amended to read:

30 464.016 Violations and penalties.--

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1 (1) Each of the following acts constitutes a felony of
2 the third degree, punishable as provided in s. 775.082, s.
3 775.083, or s. 775.084:

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

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

9 (c) Knowingly employing unlicensed persons in the
10 practice of nursing.

11 (d) Obtaining or attempting to obtain a license or
12 certificate under this part by misleading statements or
13 knowing misrepresentation.

14 (2) Each of the following acts constitutes a
15 misdemeanor of the first degree, punishable as provided in s.
16 775.082 or s. 775.083:

17 (a) Using the name or title "Nurse," "Registered
18 Nurse," "Licensed Practical Nurse," "Clinical Nurse
19 Specialist," "Certified Registered Nurse Anesthetist,"
20 "Certified Nurse Midwife," "Advanced Registered Nurse
21 Practitioner," or any other name or title which implies that a
22 person was licensed or certified as same, unless such person
23 is duly licensed or certified.

24 (b) Knowingly concealing information relating to
25 violations of this part.

26 Section 6. For the purpose of incorporating the
27 amendment to section 464.016, Florida Statutes, in a reference
28 thereto, paragraph (g) of subsection (3) of section 921.0022,
29 Florida Statutes, is reenacted to read:

30 921.0022 Criminal Punishment Code; offense severity
31 ranking chart.--

1	(3) OFFENSE SEVERITY RANKING CHART		
2			
3	Florida	Felony	
4	Statute	Degree	Description
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7			(g) LEVEL 7
8	316.027(1)(b)	1st	Accident involving death, failure
9			to stop; leaving scene.
10	316.193(3)(c)2.	3rd	DUI resulting in serious bodily
11			injury.
12	316.1935(3)(b)	1st	Causing serious bodily injury or
13			death to another person; driving
14			at high speed or with wanton
15			disregard for safety while
16			fleeing or attempting to elude
17			law enforcement officer who is in
18			a patrol vehicle with siren and
19			lights activated.
20	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
21			bodily injury.
22	402.319(2)	2nd	Misrepresentation and negligence
23			or intentional act resulting in
24			great bodily harm, permanent
25			disfiguration, permanent
26			disability, or death.
27	409.920(2)	3rd	Medicaid provider fraud.
28	456.065(2)	3rd	Practicing a health care
29			profession without a license.
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1	456.065(2)	2nd	Practicing a health care
2			profession without a license
3			which results in serious bodily
4			injury.
5	458.327(1)	3rd	Practicing medicine without a
6			license.
7	459.013(1)	3rd	Practicing osteopathic medicine
8			without a license.
9	460.411(1)	3rd	Practicing chiropractic medicine
10			without a license.
11	461.012(1)	3rd	Practicing podiatric medicine
12			without a license.
13	462.17	3rd	Practicing naturopathy without a
14			license.
15	463.015(1)	3rd	Practicing optometry without a
16			license.
17	464.016(1)	3rd	Practicing nursing without a
18			license.
19	465.015(2)	3rd	Practicing pharmacy without a
20			license.
21	466.026(1)	3rd	Practicing dentistry or dental
22			hygiene without a license.
23	467.201	3rd	Practicing midwifery without a
24			license.
25	468.366	3rd	Delivering respiratory care
26			services without a license.
27	483.828(1)	3rd	Practicing as clinical laboratory
28			personnel without a license.
29	483.901(9)	3rd	Practicing medical physics
30			without a license.
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1	484.013(1)(c)	3rd	Preparing or dispensing optical
2			devices without a prescription.
3	484.053	3rd	Dispensing hearing aids without a
4			license.
5	494.0018(2)	1st	Conviction of any violation of
6			ss. 494.001-494.0077 in which the
7			total money and property
8			unlawfully obtained exceeded
9			\$50,000 and there were five or
10			more victims.
11	560.123(8)(b)1.	3rd	Failure to report currency or
12			payment instruments exceeding
13			\$300 but less than \$20,000 by
14			money transmitter.
15	560.125(5)(a)	3rd	Money transmitter business by
16			unauthorized person, currency or
17			payment instruments exceeding
18			\$300 but less than \$20,000.
19	655.50(10)(b)1.	3rd	Failure to report financial
20			transactions exceeding \$300 but
21			less than \$20,000 by financial
22			institution.
23	775.21(10)(a)	3rd	Sexual predator; failure to
24			register; failure to renew
25			driver's license or
26			identification card; other
27			registration violations.
28	775.21(10)(b)	3rd	Sexual predator working where
29			children regularly congregate.
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1	775.21(10)(g)	3rd	Failure to report or providing
2			false information about a sexual
3			predator; harbor or conceal a
4			sexual predator.
5	782.051(3)	2nd	Attempted felony murder of a
6			person by a person other than the
7			perpetrator or the perpetrator of
8			an attempted felony.
9	782.07(1)	2nd	Killing of a human being by the
10			act, procurement, or culpable
11			negligence of another
12			(manslaughter).
13	782.071	2nd	Killing of human being or viable
14			fetus by the operation of a motor
15			vehicle in a reckless manner
16			(vehicular homicide).
17	782.072	2nd	Killing of a human being by the
18			operation of a vessel in a
19			reckless manner (vessel
20			homicide).
21	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
22			causing great bodily harm or
23			disfigurement.
24	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
25			weapon.
26	784.045(1)(b)	2nd	Aggravated battery; perpetrator
27			aware victim pregnant.
28	784.048(4)	3rd	Aggravated stalking; violation of
29			injunction or court order.
30	784.048(7)	3rd	Aggravated stalking; violation of
31			court order.

1	784.07(2)(d)	1st	Aggravated battery on law
2			enforcement officer.
3	784.074(1)(a)	1st	Aggravated battery on sexually
4			violent predators facility staff.
5	784.08(2)(a)	1st	Aggravated battery on a person 65
6			years of age or older.
7	784.081(1)	1st	Aggravated battery on specified
8			official or employee.
9	784.082(1)	1st	Aggravated battery by detained
10			person on visitor or other
11			detainee.
12	784.083(1)	1st	Aggravated battery on code
13			inspector.
14	790.07(4)	1st	Specified weapons violation
15			subsequent to previous conviction
16			of s. 790.07(1) or (2).
17	790.16(1)	1st	Discharge of a machine gun under
18			specified circumstances.
19	790.165(2)	2nd	Manufacture, sell, possess, or
20			deliver hoax bomb.
21	790.165(3)	2nd	Possessing, displaying, or
22			threatening to use any hoax bomb
23			while committing or attempting to
24			commit a felony.
25	790.166(3)	2nd	Possessing, selling, using, or
26			attempting to use a hoax weapon
27			of mass destruction.
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1	790.166(4)	2nd	Possessing, displaying, or
2			threatening to use a hoax weapon
3			of mass destruction while
4			committing or attempting to
5			commit a felony.
6	796.03	2nd	Procuring any person under 16
7			years for prostitution.
8	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
9			victim less than 12 years of age;
10			offender less than 18 years.
11	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
12			victim 12 years of age or older
13			but less than 16 years; offender
14			18 years or older.
15	806.01(2)	2nd	Maliciously damage structure by
16			fire or explosive.
17	810.02(3)(a)	2nd	Burglary of occupied dwelling;
18			unarmed; no assault or battery.
19	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
20			unarmed; no assault or battery.
21	810.02(3)(d)	2nd	Burglary of occupied conveyance;
22			unarmed; no assault or battery.
23	812.014(2)(a)1.	1st	Property stolen, valued at
24			\$100,000 or more or a semitrailer
25			deployed by a law enforcement
26			officer; property stolen while
27			causing other property damage;
28			1st degree grand theft.
29	812.014(2)(b)2.	2nd	Property stolen, cargo valued at
30			less than \$50,000, grand theft in
31			2nd degree.

1	812.014(2)(b)3.	2nd	Property stolen, emergency
2			medical equipment; 2nd degree
3			grand theft.
4	812.0145(2)(a)	1st	Theft from person 65 years of age
5			or older; \$50,000 or more.
6	812.019(2)	1st	Stolen property; initiates,
7			organizes, plans, etc., the theft
8			of property and traffics in
9			stolen property.
10	812.131(2)(a)	2nd	Robbery by sudden snatching.
11	812.133(2)(b)	1st	Carjacking; no firearm, deadly
12			weapon, or other weapon.
13	817.234(8)(a)	2nd	Solicitation of motor vehicle
14			accident victims with intent to
15			defraud.
16	817.234(9)	2nd	Organizing, planning, or
17			participating in an intentional
18			motor vehicle collision.
19	817.234(11)(c)	1st	Insurance fraud; property value
20			\$100,000 or more.
21	817.2341(2)(b)&		
22	(3)(b)	1st	Making false entries of material
23			fact or false statements
24			regarding property values
25			relating to the solvency of an
26			insuring entity which are a
27			significant cause of the
28			insolvency of that entity.
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1	825.102(3)(b)	2nd	Neglecting an elderly person or
2			disabled adult causing great
3			bodily harm, disability, or
4			disfigurement.
5	825.103(2)(b)	2nd	Exploiting an elderly person or
6			disabled adult and property is
7			valued at \$20,000 or more, but
8			less than \$100,000.
9	827.03(3)(b)	2nd	Neglect of a child causing great
10			bodily harm, disability, or
11			disfigurement.
12	827.04(3)	3rd	Impregnation of a child under 16
13			years of age by person 21 years
14			of age or older.
15	837.05(2)	3rd	Giving false information about
16			alleged capital felony to a law
17			enforcement officer.
18	838.015	2nd	Bribery.
19	838.016	2nd	Unlawful compensation or reward
20			for official behavior.
21	838.021(3)(a)	2nd	Unlawful harm to a public
22			servant.
23	838.22	2nd	Bid tampering.
24	847.0135(3)	3rd	Solicitation of a child, via a
25			computer service, to commit an
26			unlawful sex act.
27	872.06	2nd	Abuse of a dead human body.
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1	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
2			cocaine (or other drug prohibited
3			under s. 893.03(1)(a), (1)(b),
4			(1)(d), (2)(a), (2)(b), or
5			(2)(c)4.) within 1,000 feet of a
6			child care facility, school, or
7			state, county, or municipal park
8			or publicly owned recreational
9			facility or community center.
10	893.13(1)(e)1.	1st	Sell, manufacture, or deliver
11			cocaine or other drug prohibited
12			under s. 893.03(1)(a), (1)(b),
13			(1)(d), (2)(a), (2)(b), or
14			(2)(c)4., within 1,000 feet of
15			property used for religious
16			services or a specified business
17			site.
18	893.13(4)(a)	1st	Deliver to minor cocaine (or
19			other s. 893.03(1)(a), (1)(b),
20			(1)(d), (2)(a), (2)(b), or
21			(2)(c)4. drugs).
22	893.135(1)(a)1.	1st	Trafficking in cannabis, more
23			than 25 lbs., less than 2,000
24			lbs.
25	893.135		
26	(1)(b)1.a.	1st	Trafficking in cocaine, more than
27			28 grams, less than 200 grams.
28	893.135		
29	(1)(c)1.a.	1st	Trafficking in illegal drugs,
30			more than 4 grams, less than 14
31			grams.

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

1 944.607(12) 3rd Failure to report or providing
2 false information about a sexual
3 offender; harbor or conceal a
4 sexual offender.
5 944.607(13) 3rd Sexual offender; failure to
6 report and reregister; failure to
7 respond to address verification.

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

11 458.348 Formal supervisory relationships, standing
12 orders, and established protocols; notice; standards.--

13 (1) NOTICE.--

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

25
26 I, ...(name and professional license number of
27 physician)..., of ...(address of physician)... have hereby
28 entered into a formal supervisory relationship, standing
29 orders, or an established protocol with ...(number of
30 persons)... emergency medical technician(s), ...(number of
31

1 persons)... paramedic(s), or ...(number of persons)...
2 advanced registered nurse practitioner(s).

3 (2) ESTABLISHMENT OF STANDARDS BY JOINT
4 COMMITTEE.--The joint committee created under s. 464.003(3)(d)
5 ~~by s. 464.003(3)(c)~~ shall determine minimum standards for the
6 content of established protocols pursuant to which an advanced
7 registered nurse practitioner may perform medical acts
8 identified and approved by the joint committee pursuant to s.
9 464.003(3)(d) ~~s. 464.003(3)(c)~~ or acts set forth in s.
10 464.012(3) and (4) and shall determine minimum standards for
11 supervision of such acts by the physician, unless the joint
12 committee determines that any act set forth in s. 464.012(3)
13 or (4) is not a medical act. Such standards shall be based on
14 risk to the patient and acceptable standards of medical care
15 and shall take into account the special problems of medically
16 underserved areas. The standards developed by the joint
17 committee shall be adopted as rules by the Board of Nursing
18 and the Board of Medicine for purposes of carrying out their
19 responsibilities pursuant to part I of chapter 464 and this
20 chapter, respectively, but neither board shall have
21 disciplinary powers over the licensees of the other board.

22 Section 8. Paragraph (a) of subsection (1) of section
23 459.025, Florida Statutes, is amended to read:

24 459.025 Formal supervisory relationships, standing
25 orders, and established protocols; notice; standards.--

26 (1) NOTICE.--

27 (a) When an osteopathic physician enters into a formal
28 supervisory relationship or standing orders with an emergency
29 medical technician or paramedic licensed pursuant to s.
30 401.27, which relationship or orders contemplate the
31 performance of medical acts, or when an osteopathic physician

1 enters into an established protocol with an advanced
2 registered nurse practitioner, which protocol contemplates the
3 performance of medical acts identified and approved by the
4 joint committee pursuant to s. 464.003(3)(d) ~~s. 464.003(3)(c)~~
5 or acts set forth in s. 464.012(3) and (4), the osteopathic
6 physician shall submit notice to the board. The notice must
7 contain a statement in substantially the following form:

8 I, (name and professional license number of osteopathic
9 physician), of (address of osteopathic physician) have hereby
10 entered into a formal supervisory relationship, standing
11 orders, or an established protocol with (number of persons)
12 emergency medical technician(s), (number of persons)
13 paramedic(s), or (number of persons) advanced registered nurse
14 practitioner(s).

15 Section 9. This act shall take effect July 1, 2007.

16
17 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18 COMMITTEE SUBSTITUTE FOR
19 Senate Bill 248

20 The committee substitute revises the definition of "clinical
21 nurse specialist practice" and also revises the list of
22 protected nursing titles.
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