

By Senator Fasano

11-00880-09

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1 A bill to be entitled
2 An act relating to the Department of Business and
3 Professional Regulation; amending s. 20.165, F.S.;
4 creating the Division of Service Operations of the
5 department; amending s. 455.217, F.S.; conforming
6 provisions and transferring to the Division of Service
7 Operations from the Division of Technology certain
8 responsibilities related to examinations; deleting a
9 requirement that the department use professional
10 testing services for the development, preparation, and
11 evaluation of examinations under certain
12 circumstances; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Paragraph (k) is added to subsection (2) of
17 section 20.165, Florida Statutes, to read:

18 20.165 Department of Business and Professional Regulation.—
19 There is created a Department of Business and Professional
20 Regulation.

21 (2) The following divisions of the Department of Business
22 and Professional Regulation are established:

23 (k) Division of Service Operations.

24 Section 2. Paragraph (a) of subsection (1) of section
25 455.217, Florida Statutes, is amended to read:

26 455.217 Examinations.—This section shall be read in
27 conjunction with the appropriate practice act associated with
28 each regulated profession under this chapter.

29 (1) The Division of Service Operations ~~Technology~~ of the

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30 Department of Business and Professional Regulation shall
31 provide, contract, or approve services for the development,
32 preparation, administration, scoring, score reporting, and
33 evaluation of all examinations. The division shall seek the
34 advice of the appropriate board in providing such services.

35 (a) The department, acting in conjunction with the Division
36 of Service Operations ~~Technology~~ and the Division of Real
37 Estate, as appropriate, shall ensure that examinations
38 adequately and reliably measure an applicant's ability to
39 practice the profession regulated by the department. After an
40 examination developed or approved by the department has been
41 administered, the board or department may reject any question
42 which does not reliably measure the general areas of competency
43 specified in the rules of the board or department, when there is
44 no board. ~~The department shall use professional testing services
45 for the development, preparation, and evaluation of
46 examinations, when such services are available and approved by
47 the board.~~

48 Section 3. This act shall take effect July 1, 2009.