

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fetterman offered the following:

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3 **Amendment to Amendment (841564) (with title amendment)**

4 Between lines 141 and 142, insert:

5 Section 11. Section 390.027, Florida Statutes, is created  
6 to read:

7 390.027 Limited-service pregnancy centers.-

8 (1) As used in this section, the term:

9 (a) "Client" means a person who enters a limited-service  
10 pregnancy center and receives information, counseling, pregnancy  
11 testing, ultrasound services, or any other service from the  
12 center's employees or volunteers.

13 (b) "Limited-service pregnancy center" means a facility,  
14 office, organization, or person whose primary purpose is to  
15 provide pregnancy-related services and who, for a fee or as a  
16 free service, provides information about pregnancy-related

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17 services but does not provide information or referrals regarding  
18 abortions or nondirective and comprehensive birth control  
19 services.

20 (2) A limited-service pregnancy center is authorized to:

21 (a) Provide pregnancy-related services.

22 (b) Offer and perform obstetrical ultrasound procedures  
23 only if the procedure is:

24 1. Ordered by a physician licensed under chapter 458 or  
25 chapter 459; or

26 2. For a medical or diagnostic purpose.

27 (3) A limited-service pregnancy center may not contact a  
28 client after the client has left the facility unless the client  
29 has requested subsequent contact in writing.

30 (4) A license issued by the agency is required in order to  
31 operate a limited-service pregnancy center that provides  
32 obstetrical ultrasound services. In accordance with s. 408.805,  
33 an applicant or a licensee shall pay a fee for each license  
34 application submitted under this section. The amount of the fee  
35 shall be established by rule. Each applicant for licensure and  
36 each licensee must comply with the requirements of this section  
37 and part II of chapter 408. This requirement does not apply to  
38 facilities licensed under ss. 383.30-383.335, chapter 390, or  
39 part I of chapter 395 or offices maintained by a physician for  
40 the practice of medicine.

41 (5) The agency shall adopt rules pursuant to ss.  
42 120.536(1) and 120.54 to implement this section, which shall  
43 include reasonable and fair minimum standards for ensuring that  
44 all limited-service pregnancy centers:

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- 45       (a) Designate a medical director who is a physician
- 46 licensed under chapter 458 or chapter 459.
- 47       (b) Display the facility license.
- 48       (c) Display the license of the medical director overseeing
- 49 medical procedures or services offered at the facility.
- 50       (d) Establish and follow protocols to:
- 51       1. Calibrate and maintain all ultrasound, laboratory, and
- 52 other equipment.
- 53       2. Ensure the safety of clients and staff.
- 54       3. Ensure that the information given to a client regarding
- 55 the results of any obstetrical ultrasound performed upon that
- 56 client is medically accurate and accurately reflects the
- 57 information provided by the ultrasound machine.
- 58       4. Ensure that client privacy is protected, including
- 59 requirements that all client names or other identifying
- 60 information associated with clients is kept confidential.
- 61       (6) The agency shall enforce this section in accordance
- 62 with the powers granted to it under part II of chapter 408. In
- 63 addition, the agency shall make or cause to be made such
- 64 inspections and investigations as it deems necessary, including
- 65 licensure complaint investigations and full licensure
- 66 investigations with a review of all licensure standards as
- 67 outlined in the administrative rules. Complaints received by the
- 68 agency from individuals, organizations, or other sources are
- 69 subject to review and investigation by the agency.

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**T I T L E   A M E N D M E N T**

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73 Remove line 167 and insert:  
74 ultrasound images; creating s. 390.027, F.S.; authorizing  
75 limited-service pregnancy centers; providing definitions;  
76 specifying services that may be performed by such centers;  
77 requiring that such a center not contact a client without a  
78 written request after the client has left the facility;  
79 providing for licensing; providing exceptions for  
80 facilities licensed under specified provisions; requiring  
81 rulemaking; specifying standards for centers; providing for  
82 enforcement; amending s.