

1 A bill to be entitled
2 An act relating to certificates and licenses for certain
3 health care practitioners; amending s. 456.024, F.S.;
4 providing for issuance of a temporary license to specified
5 health care practitioners who are spouses of active duty
6 members of the Armed Forces under certain circumstances;
7 providing for criminal history checks; providing fees;
8 providing for expiration of a temporary license; requiring
9 a person who is issued a temporary license to be subject
10 to certain general licensing requirements; providing that
11 certain persons are ineligible for such license; providing
12 for revocation of such license; requiring certain
13 temporary licensees to practice under the indirect
14 supervision of other licensees; amending ss. 458.315 and
15 459.0076, F.S.; naming the temporary certificates issued
16 to physicians who practice in areas of critical need after
17 Rear Admiral LeRoy Collins, Jr.; amending s. 458.3312,
18 F.S.; eliminating a requirement of the Board of Medicine
19 to triennially review and reauthorize recognizing agencies
20 that certify dermatologists; amending s. 466.003, F.S.;
21 revising the definition of the term "health access
22 setting" and defining the term "school-based prevention
23 program" for purposes of provisions regulating the
24 practice of dentistry; amending s. 466.023, F.S.; revising
25 the scope and area of practice for dental hygienists;
26 amending s. 466.0235, F.S.; revising the locations at
27 which dental hygienists may perform dental charting;
28 amending s. 466.024, F.S.; authorizing dental hygienists

29 | to perform certain duties without supervision or
30 | authorization by a dentist; providing exceptions;
31 | requiring that dental hygienists in a health access
32 | setting provide a certain disclaimer to patients before a
33 | procedure is performed; providing that a health access
34 | setting may bill for certain services; requiring that
35 | dental hygienists provide a referral, encourage the
36 | establishment of a dental home, and maintain insurance
37 | coverage in specified circumstances; reenacting s.
38 | 466.00672(2), F.S., relating to the revocation of health
39 | access dental licenses, to incorporate the amendment made
40 | by the act to s. 466.003, F.S., in a reference thereto;
41 | amending s. 466.006, F.S.; providing legislative intent
42 | with respect to the use of the American Dental Licensing
43 | Examination developed by the American Board of Dental
44 | Examiners, Inc., in lieu of an independent state-developed
45 | practical or clinical exam, to measure an applicant's
46 | ability to practice the profession of dentistry; providing
47 | for examination fees and use thereof; revising criteria
48 | for applicants for licensure with respect to accreditation
49 | of dental school and period of validity of examination
50 | scores; adopting the American Dental Licensing Examination
51 | as the clinical or practical licensure examination used
52 | for licensure as a dentist in this state, providing
53 | specified conditions are maintained; providing for period
54 | of validity of examination scores; authorizing applicants
55 | to submit American Dental Licensing Examination scores
56 | from a jurisdiction outside the state; specifying period

57 | of validity of such examination scores; providing that
58 | authority to submit such examination scores does not apply
59 | retroactively; providing that such examination scores
60 | outside the period of validity be recognized as valid upon
61 | demonstration that the applicant has met specified
62 | additional standards; designating the practical
63 | examination and specifying minimum standards therefor;
64 | requiring applicants for licensure with American Dental
65 | Licensing Examination scores from a state other than this
66 | state to engage in the full-time practice of dentistry
67 | inside the geographic boundaries of this state within 1
68 | year of receiving such licensure in this state; providing
69 | legislative findings with respect thereto; providing a
70 | definition; providing legislative intent with respect to
71 | expiration of such licenses upon a finding that acceptable
72 | proof of full-time practice within the geographic
73 | boundaries of this state within 1 year after the initial
74 | issuance of the license was not received by the board;
75 | providing procedures and requirements with respect to
76 | determination of compliance; providing procedures,
77 | requirements, and prohibitions in the event of expiration;
78 | providing a penalty for using or attempting to use a
79 | license that has expired; amending s. 466.0067, F.S.;
80 | correcting a cross-reference; reenacting ss. 466.0065(1),
81 | 466.0067(2), (5), (9), and (12), 466.00671(1)(d),
82 | 466.007(2)(b) and (3), 466.009(1), and 466.011, F.S.,
83 | relating to regional licensure examinations, application
84 | for health access dental license, renewal of the health

85 | access dental license, examination of dental hygienists,
 86 | reexamination, and licensure, respectively, to incorporate
 87 | the amendments made to s. 466.006, F.S., in references
 88 | thereto; amending s. 468.701, F.S.; defining "Board of
 89 | Certification"; amending s. 468.703, F.S.; revising
 90 | qualifications for certain members of the Board of
 91 | Athletic Training; amending s. 468.707, F.S.; revising
 92 | requirements for licensure by the Department of Health as
 93 | an athletic trainer; reorganizing provisions; amending s.
 94 | 468.711, F.S.; revising provisions relating to renewal of
 95 | license and continuing education requirements for athletic
 96 | trainers; providing severability; providing that the act
 97 | does not apply retroactively; providing effective dates.

98 |

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

100 |

101 | Section 1. Subsection (3) is added to section 456.024,
 102 | Florida Statutes, to read:

103 | 456.024 Members of Armed Forces in good standing with
 104 | administrative boards or the department; spouses.—

105 | (3) (a) The board, or the department if there is no board,
 106 | may issue a temporary professional license to the spouse of an
 107 | active duty member of the Armed Forces of the United States who
 108 | submits to the department:

109 | 1. A completed application upon a form prepared and
 110 | furnished by the department in accordance with the board's
 111 | rules;

112 | 2. The required application fee;

113 3. Proof that the applicant is married to a member of the
114 Armed Forces of the United States who is on active duty;

115 4. Proof that the applicant holds a valid license for the
116 profession issued by another state, the District of Columbia, or
117 a possession or territory of the United States, and is not the
118 subject of any disciplinary proceeding in any jurisdiction in
119 which the applicant holds a license to practice a profession
120 regulated by this chapter;

121 5. Proof that the applicant's spouse is assigned to a duty
122 station in this state pursuant to the member's official active
123 duty military orders; and

124 6. Proof that the applicant would otherwise be entitled to
125 full licensure under the appropriate practice act, and is
126 eligible to take the respective licensure examination as
127 required in Florida.

128 (b) The applicant must also submit to the Department of
129 Law Enforcement a complete set of fingerprints. The Department
130 of Law Enforcement shall conduct a statewide criminal history
131 check and forward the fingerprints to the Federal Bureau of
132 Investigation for a national criminal history check.

133 (c) Each board, or the department if there is no board,
134 shall review the results of the state and federal criminal
135 history checks according to the level 2 screening standards in
136 s. 435.04 when granting an exemption and when granting or
137 denying the temporary license.

138 (d) The applicant shall pay the cost of fingerprint
139 processing. If the fingerprints are submitted through an
140 authorized agency or vendor, the agency or vendor shall collect

141 the required processing fees and remit the fees to the
 142 Department of Law Enforcement.

143 (e) The department shall set an application fee, which may
 144 not exceed the cost of issuing the license.

145 (f) A temporary license expires 12 months after the date
 146 of issuance and is not renewable.

147 (g) An applicant for a temporary license under this
 148 subsection is subject to the requirements under s. 456.013(3) (a)
 149 and (c).

150 (h) An applicant shall be deemed ineligible for a
 151 temporary license pursuant to this section if the applicant:

152 1. Has been convicted of or pled nolo contendere to,
 153 regardless of adjudication, any felony or misdemeanor related to
 154 the practice of a health care profession;

155 2. Has had a health care provider license revoked or
 156 suspended from another of the United States, the District of
 157 Colombia, or a United States Territory;

158 3. Has been reported to the National Practitioner Data
 159 Bank, unless the applicant has successfully appealed to have his
 160 or her name removed from the data bank; or

161 4. Has previously failed the Florida examination required
 162 to receive a license to practice the profession for which the
 163 applicant is seeking a license.

164 (i) The board, or department if there is no board, may
 165 revoke a temporary license upon finding that the individual
 166 violated the profession's governing practice act.

167 (j) An applicant who is issued a temporary professional
 168 license to practice as a dentist pursuant to this section must

169 practice under the indirect supervision, as defined in s.
 170 466.003, of a dentist licensed pursuant to chapter 466.

171 Section 2. Present subsections (1) through (4) of section
 172 458.315, Florida Statutes, are renumbered as subsections (2)
 173 through (5), respectively, and a new subsection (1) is added to
 174 that section, to read:

175 458.315 Temporary certificate for practice in areas of
 176 critical need.—

177 (1) A certificate issued pursuant to this section may be
 178 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary
 179 Certificate for Practice in Areas of Critical Need."

180 Section 3. Section 458.3312, Florida Statutes, is amended
 181 to read:

182 458.3312 Specialties.—A physician licensed under this
 183 chapter may not hold himself or herself out as a board-certified
 184 specialist unless the physician has received formal recognition
 185 as a specialist from a specialty board of the American Board of
 186 Medical Specialties or other recognizing agency that has been
 187 approved by the board. However, a physician may indicate the
 188 services offered and may state that his or her practice is
 189 limited to one or more types of services when this accurately
 190 reflects the scope of practice of the physician. ~~A physician may~~
 191 ~~not hold himself or herself out as a board-certified specialist~~
 192 ~~in dermatology unless the recognizing agency, whether authorized~~
 193 ~~in statute or by rule, is triennially reviewed and reauthorized~~
 194 ~~by the Board of Medicine.~~

195 Section 4. Present subsections (1) through (4) of section
 196 459.0076, Florida Statutes, are renumbered as subsections (2)

197 through (5), respectively, and a new subsection (1) is added to
 198 that section, to read:

199 459.0076 Temporary certificate for practice in areas of
 200 critical need.—

201 (1) A certificate issued pursuant to this section may be
 202 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary
 203 Certificate for Practice in Areas of Critical Need."

204 Section 5. Subsection (14) of section 466.003, Florida
 205 Statutes, is amended, and subsection (15) is added to that
 206 section, to read:

207 466.003 Definitions.—As used in this chapter:

208 (14) "Health access setting settings" means a program or
 209 an institution ~~programs and institutions~~ of the Department of
 210 Children and Family Services, the Department of Health, the
 211 Department of Juvenile Justice, a nonprofit community health
 212 center centers, a Head Start center centers, a federally
 213 qualified health center or look-alike centers ~~(FQHCs), FQHC~~
 214 ~~look-alikes~~ as defined by federal law, a school-based prevention
 215 program, a clinic and clinics operated by an accredited college
 216 ~~colleges~~ of dentistry, or an accredited dental hygiene program
 217 in this state if such community service program or institution
 218 ~~programs and institutions~~ immediately reports report to the
 219 Board of Dentistry all violations of s. 466.027, s. 466.028, or
 220 other practice act or standard of care violations related to the
 221 actions or inactions of a dentist, dental hygienist, or dental
 222 assistant engaged in the delivery of dental care in such setting
 223 settings.

224 (15) "School-based prevention program" means preventive

225 oral health services offered at a school by one of the entities
 226 defined in subsection (14) or by a nonprofit organization that
 227 is exempt from federal income taxation under s. 501(a) of the
 228 Internal Revenue Code, and described in s. 501(c) (3) of the
 229 Internal Revenue Code.

230 Section 6. Subsections (2) and (3) of section 466.023,
 231 Florida Statutes, are amended to read:

232 466.023 Dental hygienists; scope and area of practice.—

233 (2) Dental hygienists may perform their duties:

234 (a) In the office of a licensed dentist;

235 (b) In public health programs and institutions of the
 236 Department of Children and Family Services, Department of

237 Health, and Department of Juvenile Justice under the general
 238 supervision of a licensed dentist; ~~or~~

239 (c) In a health access setting as defined in s. 466.003;

240 or

241 (d) ~~(e)~~ Upon a patient of record of a dentist who has
 242 issued a prescription for the services of a dental hygienist,
 243 which prescription shall be valid for 2 years unless a shorter
 244 length of time is designated by the dentist, in:

245 1. Licensed public and private health facilities;

246 2. Other public institutions of the state and federal
 247 government;

248 3. Public and private educational institutions;

249 4. The home of a nonambulatory patient; and

250 5. Other places in accordance with the rules of the board.

251

252 However, the dentist issuing such prescription shall remain

253 responsible for the care of such patient. As used in this
 254 subsection, "patient of record" means a patient upon whom a
 255 dentist has taken a complete medical history, completed a
 256 clinical examination, recorded any pathological conditions, and
 257 prepared a treatment plan.

258 (3) Dental hygienists may, without supervision, provide
 259 educational programs, faculty or staff training programs, and
 260 authorized fluoride rinse programs; apply fluorides; instruct a
 261 patient in oral hygiene care; supervise the oral hygiene care of
 262 a patient; ~~and perform other services that which~~ do not involve
 263 diagnosis or treatment of dental conditions and that which
 264 ~~services~~ are approved by rule of the board.

265 Section 7. Subsection (2) of section 466.0235, Florida
 266 Statutes, is amended to read:

267 466.0235 Dental charting.—

268 (2) A dental hygienist may, without supervision and within
 269 the lawful scope of his or her duties as authorized by law,
 270 perform dental charting of hard and soft tissues in public and
 271 private educational institutions of the state and Federal
 272 Government, nursing homes, assisted living and long-term care
 273 facilities, community health centers, county health departments,
 274 mobile dental or health units, health access settings as defined
 275 in s. 466.003, and epidemiological surveys for public health. A
 276 dental hygienist may also perform dental charting on a volunteer
 277 basis at health fairs.

278 Section 8. Section 466.024, Florida Statutes, is amended
 279 to read:

280 466.024 Delegation of duties; expanded functions.—

281 (1) A dentist may not delegate irremediable tasks to a
 282 dental hygienist or dental assistant, except as provided by law.
 283 A dentist may delegate remediable tasks to a dental hygienist or
 284 dental assistant when such tasks pose no risk to the patient. A
 285 dentist may only delegate remediable tasks so defined by law or
 286 rule of the board. The board by rule shall designate which tasks
 287 are remediable and delegable, except that the following are by
 288 law found to be remediable and delegable:

289 (a) Taking impressions for study casts but not for the
 290 purpose of fabricating any intraoral restorations or orthodontic
 291 appliance.

292 (b) Placing periodontal dressings.

293 (c) Removing periodontal or surgical dressings.

294 (d) Removing sutures.

295 (e) Placing or removing rubber dams.

296 (f) Placing or removing matrices.

297 (g) Placing or removing temporary restorations.

298 (h) Applying cavity liners, varnishes, or bases.

299 (i) Polishing amalgam restorations.

300 (j) Polishing clinical crowns of the teeth for the purpose
 301 of removing stains but not changing the existing contour of the
 302 tooth.

303 (k) Obtaining bacteriological cytological specimens not
 304 involving cutting of the tissue.

305
 306 ~~Nothing in~~ This subsection does not ~~shall be construed to~~ limit
 307 delegable tasks to those specified herein.

308 (2) A dental hygienist licensed in this state may perform

309 the following remediable tasks in a health access setting as
310 defined in s. 466.003 without the physical presence, prior
311 examination, or authorization of a dentist:

312 (a) Perform dental charting as defined in s. 466.0235 and
313 as provided by rule.

314 (b) Measure and record a patient's blood pressure rate,
315 pulse rate, respiration rate, and oral temperature.

316 (c) Record a patient's case history.

317 (d) Apply topical fluorides, including fluoride varnishes,
318 which are approved by the American Dental Association or the
319 Food and Drug Administration.

320 (e) Apply dental sealants.

321 (f) Remove calculus deposits, accretions, and stains from
322 exposed surfaces of the teeth and from tooth surfaces within the
323 gingival sulcus.

324 1. A dentist licensed under this chapter or a physician
325 licensed under chapter 458 or chapter 459 must give medical
326 clearance before a dental hygienist removes calculus deposits,
327 accretions, and stains from exposed surfaces of the teeth or
328 from tooth surfaces within the gingival sulcus.

329 2. A dentist shall conduct a dental examination on a
330 patient within 13 months after a dental hygienist removes the
331 patient's calculus deposits, accretions, and stains from exposed
332 surfaces of the teeth or from tooth surfaces within the gingival
333 sulcus. Additional oral hygiene services may not be performed
334 under this paragraph without a clinical examination by a dentist
335 who is licensed under this chapter.

336

337 This subsection does not authorize a dental hygienist to perform
338 root planing or gingival curettage without supervision by a
339 dentist.

340 (3) For all remediable tasks listed in subsection (2), the
341 following disclaimer must be provided to the patient in writing
342 before any procedure is performed:

343 (a) The services being offered are not a substitute for a
344 comprehensive dental exam by a dentist.

345 (b) The diagnosis of caries, soft tissue disease, oral
346 cancer, temporomandibular joint disease (TMJ), and dentofacial
347 malocclusions will be completed only by a dentist in the context
348 of delivering a comprehensive dental exam.

349 (4) This section does not prevent a program operated by
350 one of the health access settings as defined in s. 466.003 or a
351 nonprofit organization that is exempt from federal income
352 taxation under s. 501(a) of the Internal Revenue Code and
353 described in s. 501(c)(3) of the Internal Revenue Code from
354 billing and obtaining reimbursement for the services described
355 in this section which are provided by a dental hygienist or from
356 making or maintaining any records pursuant to s. 456.057
357 necessary to obtain reimbursement.

358 (5) A dental hygienist who performs, without supervision,
359 the remediable tasks listed in subsection (2) shall:

360 (a) Provide a dental referral in strict compliance with
361 federal and state patient referral, anti-kickback, and patient
362 brokering laws.

363 (b) Encourage the establishment of a dental home.

364 (c) Maintain professional malpractice insurance coverage

365 that has minimum limits of \$100,000 per occurrence and \$300,000
 366 in the aggregate through the employing health access setting or
 367 individual policy.

368 (6)~~(2)~~ Notwithstanding subsection (1) or subsection (2), a
 369 dentist may delegate the tasks of gingival curettage and root
 370 planing to a dental hygienist but not to a dental assistant.

371 (7)~~(3)~~ All other remediable tasks shall be performed under
 372 the direct, indirect, or general supervision of a dentist, as
 373 determined by rule of the board, and after such formal or on-
 374 the-job training by the dental hygienist or dental assistant as
 375 the board by rule may require. The board by rule may establish a
 376 certification process for expanded-duty dental assistants,
 377 establishing such training or experience criteria or
 378 examinations as it deems necessary and specifying which tasks
 379 may be delegable only to such assistants. If the board does
 380 establish such a certification process, the department shall
 381 implement the application process for such certification and
 382 administer any examinations required.

383 (8)~~(4)~~ Notwithstanding subsection (1) or subsection (2), a
 384 dentist may not delegate to anyone other than another licensed
 385 dentist:

386 (a) Any prescription of drugs or medications requiring the
 387 written order or prescription of a licensed dentist or
 388 physician.

389 (b) Any diagnosis for treatment or treatment planning.

390 (9)~~(5)~~ Notwithstanding any other provision of law, a
 391 dentist is primarily responsible for all procedures delegated by
 392 her or him.

393 ~~(10)(6)~~ A ~~Ne~~ dental assistant may not ~~shall~~ perform an
394 intraoral procedure except after such formal or on-the-job
395 training as the board by rule shall prescribe.

396 Section 9. For the purpose of incorporating the amendment
397 made by this act to section 466.003, Florida Statutes, in a
398 reference thereto, subsection (2) of section 466.00672, Florida
399 Statutes, is reenacted to read:

400 466.00672 Revocation of health access dental license.—

401 (2) Failure of an individual licensed pursuant to s.
402 466.0067 to limit the practice of dentistry to health access
403 settings as defined in s. 466.003 constitutes the unlicensed
404 practice of dentistry.

405 Section 10. Effective October 1, 2011, section 466.006,
406 Florida Statutes, is amended to read:

407 466.006 Examination of dentists.—

408 (1) (a) It is the intent of the Legislature to reduce the
409 costs associated with an independent state-developed practical
410 or clinical examination to measure an applicant's ability to
411 practice the profession of dentistry and to use the American
412 Dental Licensing Examination developed by the American Board of
413 Dental Examiners, Inc., in lieu of an independent state-
414 developed practical or clinical examination. The Legislature
415 finds that the American Dental Licensing Examination, in both
416 its structure and function, consistently meets generally
417 accepted testing standards and has been found, as it is
418 currently organized and operating, to adequately and reliably
419 measure an applicant's ability to practice the profession of
420 dentistry.

421 **(b)** Any person desiring to be licensed as a dentist shall
 422 apply to the department to take the licensure examinations and
 423 shall verify the information required on the application by
 424 oath. The application shall include two recent photographs.
 425 There shall be an application fee set by the board not to exceed
 426 \$100 which shall be nonrefundable. There shall also be an
 427 examination fee set by the board, which shall not exceed \$425
 428 plus the actual per applicant cost to the department for
 429 purchase of some or all portions of the examination from the
 430 American Board of Dental Examiners or its successor entity, if
 431 any, provided the board finds the successor entity's clinical
 432 examination complies with the provisions of this section. The
 433 examination fee Northeast Regional Board of Dental Examiners or
 434 a similar national organization, which may be refundable if the
 435 applicant is found ineligible to take the examinations.

436 (2) An applicant shall be entitled to take the
 437 examinations required in this section to practice dentistry in
 438 this state if the applicant:

439 (a) Is 18 years of age or older.

440 (b)1. Is a graduate of a dental school accredited by the
 441 American Dental Association Commission on Dental Accreditation
 442 Commission on Accreditation of the American Dental Association
 443 or its successor entity agency, if any, or any other dental
 444 nationally recognized accrediting entity recognized by the
 445 United States Department of Education agency; or

446 2. Is a dental student in the final year of a program at
 447 such an accredited dental school who has completed all the
 448 coursework necessary to prepare the student to perform the

449 clinical and diagnostic procedures required to pass the
450 examinations. With respect to a dental student in the final year
451 of a program at a dental school, a passing score on the
452 examinations is valid for 365 ~~180~~ days after the date the
453 examinations were completed. A dental school student who takes
454 the licensure examinations during the student's final year of an
455 approved dental school must have graduated before being
456 certified for licensure pursuant to s. 466.011.

457 (c)1. Has successfully completed the National Board of
458 Dental Examiners dental examination ~~within 10 years of the date~~
459 ~~of application~~; or

460 2. Has an active health access dental license in this
461 state; and

462 a. The applicant has at least 5,000 hours within 4
463 consecutive years of clinical practice experience providing
464 direct patient care in a health access setting as defined in s.
465 466.003 ~~s. 466.003(14)~~; the applicant is a retired veteran
466 dentist of any branch of the United States Armed Services who
467 has practiced dentistry while on active duty and has at least
468 3,000 hours within 3 consecutive years of clinical practice
469 experience providing direct patient care in a health access
470 setting as defined in s. 466.003 ~~s. 466.003(14)~~; or the
471 applicant has provided a portion of his or her salaried time
472 teaching health profession students in any public education
473 setting, including, but not limited to, a community college,
474 college, or university, and has at least 3,000 hours within 3
475 consecutive years of clinical practice experience providing
476 direct patient care in a health access setting as defined in s.

477 466.003 ~~s. 466.003(14)~~;

478 b. The applicant has not been disciplined by the board,
479 except for citation offenses or minor violations;

480 c. The applicant has not filed a report pursuant to s.
481 456.049; and

482 d. The applicant has not been convicted of or pled nolo
483 contendere to, regardless of adjudication, any felony or
484 misdemeanor related to the practice of a health care profession.

485 (3) If an applicant is a graduate of a dental college or
486 school not accredited in accordance with paragraph (2)(b) or of
487 a dental college or school not approved by the board, the
488 applicant shall not be entitled to take the examinations
489 required in this section to practice dentistry until she or he
490 satisfies one of the following:

491 (a) Completes a program of study, as defined by the board
492 by rule, at an accredited American dental school and
493 demonstrates receipt of a D.D.S. or D.M.D. from said school; or

494 (b) Completes a 2-year supplemental dental education
495 program at an accredited dental school and receives a dental
496 diploma, degree, or certificate as evidence of program
497 completion.

498 (4) Notwithstanding any other provision of law in chapter
499 456 pertaining to the clinical dental licensure examination or
500 national examinations ~~s. 456.017(1)(c)~~, to be licensed as a
501 dentist in this state, an applicant must successfully complete
502 the following:

503 (a) A written examination on the laws and rules of the
504 state regulating the practice of dentistry;

505 (b)1. A practical or clinical examination, which shall be
506 the American Dental Licensing Examination produced by the
507 American Board of Dental Examiners, Inc., or its successor
508 entity, if any, that is administered in this state and graded by
509 dentists licensed in this state and employed by the department
510 for just such purpose, provided that the board has attained, and
511 continues to maintain thereafter, representation on the board of
512 directors of the American Board of Dental Examiners, the
513 examination development committee of the American Board of
514 Dental Examiners, and such other committees of the American
515 Board of Dental Examiners as the board deems appropriate by rule
516 to assure that the standards established herein are maintained
517 organizationally. A passing score on the American Dental
518 Licensing Examination administered in this state and graded by
519 dentists who are licensed in this state is valid for 365 days
520 after the date the official examination results are published.

521 2.a. As an alternative to the requirements of subparagraph
522 1., an applicant may submit scores from an American Dental
523 Licensing Examination previously administered in a jurisdiction
524 other than this state after October 1, 2011, and such
525 examination results shall be recognized as valid for the purpose
526 of licensure in this state. A passing score on the American
527 Dental Licensing Examination administered out-of-state shall be
528 the same as the passing score for the American Dental Licensing
529 Examination administered in this state and graded by dentists
530 who are licensed in this state. The examination results are
531 valid for 365 days after the date the official examination
532 results are published. The applicant must have completed the

533 examination after October 1, 2011.

534 b. This subparagraph may not be given retroactive
535 application.

536 3. If the date of an applicant's passing American Dental
537 Licensing Examination scores from an examination previously
538 administered in a jurisdiction other than this state under
539 subparagraph 2. is older than 365 days, then such scores shall
540 nevertheless be recognized as valid for the purpose of licensure
541 in this state, but only if the applicant demonstrates that all
542 of the following additional standards have been met:

543 a.(I) The applicant completed the American Dental
544 Licensing Examination after October 1, 2011.

545 (II) This sub-subparagraph may not be given retroactive
546 application;

547 b. The applicant graduated from a dental school accredited
548 by the American Dental Association Commission on Dental
549 Accreditation or its successor entity, if any, or any other
550 dental accrediting organization recognized by the United States
551 Department of Education. Provided, however, if the applicant did
552 not graduate from such a dental school, the applicant may submit
553 proof of having successfully completed a full-time supplemental
554 general dentistry program accredited by the American Dental
555 Association Commission on Dental Accreditation of at least 2
556 consecutive academic years at such accredited sponsoring
557 institution. Such program must provide didactic and clinical
558 education at the level of a D.D.S. or D.M.D. program accredited
559 by the American Dental Association Commission on Dental
560 Accreditation;

561 c. The applicant currently possesses a valid and active
562 dental license in good standing, with no restriction, which has
563 never been revoked, suspended, restricted, or otherwise
564 disciplined, from another state or territory of the United
565 States, the District of Columbia, or the Commonwealth of Puerto
566 Rico;

567 d. The applicant submits proof that he or she has never
568 been reported to the National Practitioner Data Bank, the
569 Healthcare Integrity and Protection Data Bank, or the American
570 Association of Dental Boards Clearinghouse. This sub-
571 subparagraph does not apply if the applicant successfully
572 appealed to have his or her name removed from the data banks of
573 these agencies;

574 e.(I) In the 5 years immediately preceding the date of
575 application for licensure in this state, the applicant must
576 submit proof of having been consecutively engaged in the full-
577 time practice of dentistry in another state or territory of the
578 United States, the District of Columbia, or the Commonwealth of
579 Puerto Rico, or, if the applicant has been licensed in another
580 state or territory of the United States, the District of
581 Columbia, or the Commonwealth of Puerto Rico for less than 5
582 years, the applicant must submit proof of having been engaged in
583 the full-time practice of dentistry since the date of his or her
584 initial licensure.

585 (II) As used in this section, "full-time practice" is
586 defined as a minimum of 1,200 hours per year for each and every
587 year in the consecutive 5-year period or, where applicable, the
588 period since initial licensure, and must include any combination

589 of the following:

590 (A) Active clinical practice of dentistry providing direct
 591 patient care.

592 (B) Full-time practice as a faculty member employed by a
 593 dental or dental hygiene school approved by the board or
 594 accredited by the American Dental Association Commission on
 595 Dental Accreditation.

596 (C) Full-time practice as a student at a postgraduate
 597 dental education program approved by the board or accredited by
 598 the American Dental Association Commission on Dental
 599 Accreditation.

600 (III) The board shall develop rules to determine what type
 601 of proof of full-time practice is required and to recoup the
 602 cost to the board of verifying full-time practice under this
 603 section. Such proof must, at a minimum, be:

604 (A) Admissible as evidence in an administrative
 605 proceeding;

606 (B) Submitted in writing;

607 (C) Submitted by the applicant under oath with penalties
 608 of perjury attached;

609 (D) Further documented by an affidavit of someone
 610 unrelated to the applicant who is familiar with the applicant's
 611 practice and testifies with particularity that the applicant has
 612 been engaged in full-time practice; and

613 (E) Specifically found by the board to be both credible
 614 and admissible.

615 (IV) An affidavit of only the applicant is not acceptable
 616 proof of full-time practice unless it is further attested to by

617 someone unrelated to the applicant who has personal knowledge of
618 the applicant's practice. If the board deems it necessary to
619 assess credibility or accuracy, the board may require the
620 applicant or the applicant's witnesses to appear before the
621 board and give oral testimony under oath.

622 f. The applicant must submit documentation that he or she
623 has completed, or will complete, prior to licensure in this
624 state, continuing education equivalent to this state's
625 requirements for the last full reporting biennium;

626 g. The applicant must prove that he or she has never been
627 convicted of, or pled nolo contendere to, regardless of
628 adjudication, any felony or misdemeanor related to the practice
629 of a health care profession in any jurisdiction;

630 h. The applicant must successfully pass a written
631 examination on the laws and rules of this state regulating the
632 practice of dentistry and must successfully pass the computer-
633 based diagnostic skills examination; and

634 i. The applicant must submit documentation that he or she
635 has successfully completed the National Board of Dental
636 Examiners dental examination.

637 (5) (a) The practical examination required under subsection
638 (4) shall be the American Dental Licensing Examination developed
639 by the American Board of Dental Examiners, Inc., or its
640 successor entity, if any, provided the board finds that the
641 successor entity's clinical examination complies with the
642 provisions of this section, and shall include, at a minimum:

643 1. A comprehensive diagnostic skills examination covering
644 the full scope of dentistry and an examination on applied

645 clinical diagnosis and treatment planning in dentistry for
646 dental candidates.

647 ~~2.a. Two restorations on a live patient or patients, and~~
648 The board by rule shall determine the class of such
649 restorations, ~~and whether they shall be performed on mannequins,~~
650 ~~live patients, or both. At least one restoration shall be on a~~
651 ~~live patient;~~

652 ~~3.b.~~ A demonstration of periodontal skills on a live
653 patient;

654 ~~4.e.~~ A demonstration of prosthetics and restorative skills
655 in complete and partial dentures and crowns and bridges and the
656 utilization of practical methods of evaluation, specifically
657 including the evaluation by the candidate of completed
658 laboratory products such as, but not limited to, crowns and
659 inlays filled to prepared model teeth;

660 ~~5.d.~~ A demonstration of restorative skills on a mannequin
661 which requires the candidate to complete procedures performed in
662 preparation for a cast restoration; ~~and~~

663 ~~6.e.~~ A demonstration of endodontic skills; ~~and-~~

664 7. A diagnostic skills examination demonstrating ability
665 to diagnose conditions within the human oral cavity and its
666 adjacent tissues and structures from photographs, slides,
667 radiographs, or models pursuant to rules of the board. If an
668 applicant fails to pass the diagnostic skills examination in
669 three attempts, the applicant shall not be eligible for
670 reexamination unless she or he completes additional educational
671 requirements established by the board.

672 ~~(b)2.~~ The department shall consult with the board in

673 | planning the times, places, physical facilities, training of
674 | personnel, and other arrangements concerning the administration
675 | of the examination. The board or a duly designated committee
676 | thereof shall approve the final plans for the administration of
677 | the examination.

678 | (c)~~3.~~ If the applicant fails to pass the clinical
679 | examination in three attempts, the applicant shall not be
680 | eligible for reexamination unless she or he completes additional
681 | educational requirements established by the board; and

682 | ~~(c) A diagnostic skills examination demonstrating ability~~
683 | ~~to diagnose conditions within the human oral cavity and its~~
684 | ~~adjacent tissues and structures from photographs, slides,~~
685 | ~~radiographs, or models pursuant to rules of the board. If an~~
686 | ~~applicant fails to pass the diagnostic skills examination in~~
687 | ~~three attempts, the applicant shall not be eligible for~~
688 | ~~reexamination unless she or he completes additional educational~~
689 | ~~requirements established by the board.~~

690 | (d) The board may by rule provide for additional
691 | procedures which are to be tested, provided such procedures
692 | shall be common to the practice of general dentistry. The board
693 | by rule shall determine the passing grade for each procedure and
694 | the acceptable variation for examiners. No such rule shall apply
695 | retroactively.

696 |
697 | The department shall require a mandatory standardization
698 | exercise for all examiners prior to each practical or clinical
699 | examination and shall retain for employment only those dentists
700 | who have substantially adhered to the standard of grading

701 established at such exercise.

702 (6) (a) It is the finding of the Legislature that absent a
703 threat to the health, safety, and welfare of the public, the
704 relocation of applicants to practice dentistry within the
705 geographic boundaries of this state, who are lawfully and
706 currently practicing dentistry in another state or territory of
707 the United States, the District of Columbia, or the Commonwealth
708 of Puerto Rico, based on their scores from the American Dental
709 Licensing Examination administered in a state other than this
710 state, is substantially related to achieving the important state
711 interest of improving access to dental care for underserved
712 citizens of this state and furthering the economic development
713 goals of the state. Therefore, in order to maintain valid active
714 licensure in this state, all applicants for licensure who are
715 relocating to this state based on scores from the American
716 Dental Licensing Examination administered in a state other than
717 this state must actually engage in the full-time practice of
718 dentistry inside the geographic boundaries of this state within
719 1 year of receiving such licensure in this state. The
720 Legislature finds that, if such applicants do not actually
721 engage in the full-time practice of dentistry within the
722 geographic boundaries of this state within 1 year of receiving
723 such a license in this state, access to dental care for the
724 public will not significantly increase, patients' continuity of
725 care will not be attained, and the economic development goals of
726 the state will not be significantly met.

727 (b)1. As used in this section, "full-time practice of
728 dentistry within the geographic boundaries of this state within

729 1 year" is defined as a minimum of 1,200 hours in the initial
730 year of licensure, which must include any combination of the
731 following:

732 a. Active clinical practice of dentistry providing direct
733 patient care within the geographic boundaries of this state.

734 b. Full-time practice as a faculty member employed by a
735 dental or dental hygiene school approved by the board or
736 accredited by the American Dental Association Commission on
737 Dental Accreditation and located within the geographic
738 boundaries of this state.

739 c. Full-time practice as a student at a postgraduate
740 dental education program approved by the board or accredited by
741 the American Dental Association Commission on Dental
742 Accreditation and located within the geographic boundaries of
743 this state.

744 2. The board shall develop rules to determine what type of
745 proof of full-time practice of dentistry within the geographic
746 boundaries of this state for 1 year is required in order to
747 maintain active licensure and shall develop rules to recoup the
748 cost to the board of verifying maintenance of such full-time
749 practice under this section. Such proof must, at a minimum:

750 a. Be admissible as evidence in an administrative
751 proceeding;

752 b. Be submitted in writing;

753 c. Be submitted by the applicant under oath with penalties
754 of perjury attached;

755 d. Be further documented by an affidavit of someone
756 unrelated to the applicant who is familiar with the applicant's

757 practice and testifies with particularity that the applicant has
758 been engaged in full-time practice of dentistry within the
759 geographic boundaries of this state within the last 365 days;
760 and

761 e. Include such additional proof as specifically found by
762 the board to be both credible and admissible.

763 3. An affidavit of only the applicant is not acceptable
764 proof of full-time practice of dentistry within the geographic
765 boundaries of this state within 1 year, unless it is further
766 attested to by someone unrelated to the applicant who has
767 personal knowledge of the applicant's practice within the last
768 365 days. If the board deems it necessary to assess credibility
769 or accuracy, the board may require the applicant or the
770 applicant's witnesses to appear before the board and give oral
771 testimony under oath.

772 (c) It is the further intent of the Legislature that a
773 license issued pursuant to paragraph (a) shall expire in the
774 event the board finds that it did not receive acceptable proof
775 of full-time practice within the geographic boundaries of this
776 state within 1 year after the initial issuance of the license.
777 The board shall make reasonable attempts within 30 days prior to
778 the expiration of such a license to notify the licensee in
779 writing at his or her last known address of the need for proof
780 of full-time practice in order to continue licensure. If the
781 board has not received a satisfactory response from the licensee
782 within the 30-day period, the licensee must be served with
783 actual or constructive notice of the pending expiration of
784 licensure and be given 20 days in which to submit proof required

785 in order to continue licensure. If the 20-day period expires and
786 the board finds it has not received acceptable proof of full-
787 time practice within the geographic boundaries of this state
788 within 1 year after the initial issuance of the license, then
789 the board must issue an administrative order finding that the
790 license has expired. Such an order may be appealed by the former
791 licensee in accordance with the provisions of chapter 120. In
792 the event of expiration, the licensee shall immediately cease
793 and desist from practicing dentistry and shall immediately
794 surrender to the board the wallet-size identification card and
795 wall card. A person who uses or attempts to use a license issued
796 pursuant to this section which has expired commits unlicensed
797 practice of dentistry, a felony of the third degree pursuant to
798 s. 466.026(1) (b), punishable as provided in s. 775.082, s.
799 775.083, or s. 775.084.

800 Section 11. Effective October 1, 2011, section 466.067,
801 Florida Statutes, is amended, and, for the purpose of
802 incorporating the amendment made by this act to section 466.006,
803 Florida Statutes, in a reference thereto, subsections (2), (5),
804 (9), and (12) of that section are reenacted, to read:

805 466.0067 Application for health access dental license.—The
806 Legislature finds that there is an important state interest in
807 attracting dentists to practice in underserved health access
808 settings in this state and further, that allowing out-of-state
809 dentists who meet certain criteria to practice in health access
810 settings without the supervision of a dentist licensed in this
811 state is substantially related to achieving this important state
812 interest. Therefore, notwithstanding the requirements of s.

813 466.006, the board shall grant a health access dental license to
 814 practice dentistry in this state in health access settings as
 815 defined in s. 466.003 ~~s. 466.003(14)~~ to an applicant that:

816 (1) Files an appropriate application approved by the
 817 board;

818 (2) Pays an application license fee for a health access
 819 dental license, laws-and-rule exam fee, and an initial licensure
 820 fee. The fees specified in this subsection may not differ from
 821 an applicant seeking licensure pursuant to s. 466.006;

822 (3) Has not been convicted of or pled nolo contendere to,
 823 regardless of adjudication, any felony or misdemeanor related to
 824 the practice of a health care profession;

825 (4) Submits proof of graduation from a dental school
 826 accredited by the Commission on Dental Accreditation of the
 827 American Dental Association or its successor agency;

828 (5) Submits documentation that she or he has completed, or
 829 will obtain prior to licensure, continuing education equivalent
 830 to this state's requirement for dentists licensed under s.
 831 466.006 for the last full reporting biennium before applying for
 832 a health access dental license;

833 (6) Submits proof of her or his successful completion of
 834 parts I and II of the dental examination by the National Board
 835 of Dental Examiners and a state or regional clinical dental
 836 licensing examination that the board has determined effectively
 837 measures the applicant's ability to practice safely;

838 (7) Currently holds a valid, active, dental license in
 839 good standing which has not been revoked, suspended, restricted,
 840 or otherwise disciplined from another of the United States, the

841 District of Columbia, or a United States territory;

842 (8) Has never had a license revoked from another of the
 843 United States, the District of Columbia, or a United States
 844 territory;

845 (9) Has never failed the examination specified in s.
 846 466.006, unless the applicant was reexamined pursuant to s.
 847 466.006 and received a license to practice dentistry in this
 848 state;

849 (10) Has not been reported to the National Practitioner
 850 Data Bank, unless the applicant successfully appealed to have
 851 his or her name removed from the data bank;

852 (11) Submits proof that he or she has been engaged in the
 853 active, clinical practice of dentistry providing direct patient
 854 care for 5 years immediately preceding the date of application,
 855 or in instances when the applicant has graduated from an
 856 accredited dental school within the preceding 5 years, submits
 857 proof of continuous clinical practice providing direct patient
 858 care since graduation; and

859 (12) Has passed an examination covering the laws and rules
 860 of the practice of dentistry in this state as described in s.
 861 466.006(4)(a).

862 Section 12. Effective October 1, 2011, for the purpose of
 863 incorporating the amendment made by this act to section 466.006,
 864 Florida Statutes, in a reference thereto, subsection (1) of
 865 section 466.0065, Florida Statutes, is reenacted to read:

866 466.0065 Regional licensure examinations.-

867 (1) It is the intent of the Legislature that schools of
 868 dentistry be allowed to offer regional licensure examinations to

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869 dental students who are in the final year of a program at an
870 approved dental school for the sole purpose of facilitating the
871 student's licensing in other jurisdictions. This section does
872 not allow a person to be licensed as a dentist in this state
873 without taking the examinations as set forth in s. 466.006, nor
874 does this section mean that regional examinations administered
875 under this section may be substituted for complying with testing
876 requirements under s. 466.006.

877 Section 13. Effective October 1, 2011, for the purpose of
878 incorporating the amendment made by this act to section 466.006,
879 Florida Statutes, in a reference thereto, paragraph (d) of
880 subsection (1) of section 466.00671, Florida Statutes, is
881 reenacted to read:

882 466.00671 Renewal of the health access dental license.—

883 (1) A health access dental licensee shall apply for
884 renewal each biennium. At the time of renewal, the licensee
885 shall sign a statement that she or he has complied with all
886 continuing education requirements of an active dentist licensee.
887 The board shall renew a health access dental license for an
888 applicant that:

889 (d) Has not failed the examination specified in s. 466.006
890 since initially receiving a health access dental license or
891 since the last renewal; and

892 Section 14. Effective October 1, 2011, for the purpose of
893 incorporating the amendment made by this act to section 466.006,
894 Florida Statutes, in a reference thereto, paragraph (b) of
895 subsection (2) and subsection (3) of section 466.007, Florida
896 Statutes, are reenacted to read:

897 466.007 Examination of dental hygienists.—

898 (2) An applicant shall be entitled to take the
899 examinations required in this section to practice dental hygiene
900 in this state if the applicant:

901 (b)1. Is a graduate of a dental hygiene college or school
902 approved by the board or accredited by the Commission on
903 Accreditation of the American Dental Association or its
904 successor agency; or

905 2. Is a graduate of a dental college or school accredited
906 in accordance with s. 466.006(2)(b), or a graduate of an
907 unaccredited dental college or school, and has met the
908 requirements of subsection (3).

909 (3) A graduate of a dental college or school shall be
910 entitled to take the examinations required in this section to
911 practice dental hygiene in this state if, in addition to the
912 requirements specified in subsection (2), the graduate meets the
913 following requirements:

914 (a) Submits the following credentials for review by the
915 board:

916 1. Transcripts totaling 4 academic years of postsecondary
917 dental education; and

918 2. A dental school diploma which is comparable to a D.D.S.
919 or D.M.D.

920

921 Such credentials shall be submitted in a manner provided by rule
922 of the board. The board shall approve those credentials which
923 comply with this paragraph and with rules of the board adopted
924 pursuant to this paragraph. The provisions of this paragraph

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925 notwithstanding, an applicant of a foreign dental college or
926 school not accredited in accordance with s. 466.006(2)(b) who
927 cannot produce the credentials required by this paragraph, as a
928 result of political or other conditions in the country in which
929 the applicant received his or her education, may seek the
930 board's approval of his or her educational background by
931 submitting, in lieu of the credentials required in this
932 paragraph, such other reasonable and reliable evidence as may be
933 set forth by board rule. The board shall not accept such other
934 evidence until it has made a reasonable attempt to obtain the
935 credentials required by this paragraph from the educational
936 institutions the applicant is alleged to have attended, unless
937 the board is otherwise satisfied that such credentials cannot be
938 obtained.

939 (b) Successfully completes one or more courses, of a scope
940 and duration approved and defined by board rule, that meet the
941 requirements of law for instructing health care providers on the
942 human immunodeficiency virus and acquired immune deficiency
943 syndrome. In addition, the board may require an applicant who
944 graduated from a nonaccredited dental college or school to
945 successfully complete additional coursework, only after failing
946 the initial examination, as defined by board rule, at an
947 educational institution approved by the board or accredited as
948 provided in subparagraph (2)(b)1. A graduate of a foreign dental
949 college or school not accredited in accordance with s.
950 466.006(2)(b) may not take the coursework set forth in this
951 paragraph until the board has approved the credentials required
952 by paragraph (a).

953 Section 15. Effective October 1, 2011, for the purpose of
 954 incorporating the amendment made by this act to section 466.006,
 955 Florida Statutes, in a reference thereto, subsection (1) of
 956 section 466.009, Florida Statutes, is reenacted to read:

957 466.009 Reexamination.—

958 (1) The department shall permit any person who fails an
 959 examination which is required under s. 466.006 or s. 466.007 to
 960 retake the examination. If the examination to be retaken is a
 961 practical or clinical examination, the applicant shall pay a
 962 reexamination fee set by rule of the board in an amount not to
 963 exceed the original examination fee.

964 Section 16. Effective October 1, 2011, for the purpose of
 965 incorporating the amendment made by this act to section 466.006,
 966 Florida Statutes, in a reference thereto, section 466.011,
 967 Florida Statutes, is reenacted to read:

968 466.011 Licensure.—The board shall certify for licensure
 969 by the department any applicant who satisfies the requirements
 970 of s. 466.006, s. 466.0067, or s. 466.007. The board may refuse
 971 to certify an applicant who has violated any of the provisions
 972 of s. 466.026 or s. 466.028.

973 Section 17. Subsections (7), (8), and (9) of section
 974 468.701, Florida Statutes, are renumbered as subsections (8),
 975 (9), and (10), respectively, and a new subsection (7) is added
 976 to that section, to read:

977 468.701 Definitions.—As used in this part, the term:

978 (7) "Board of Certification" means the nationally
 979 accredited certifying body for athletic trainers or its
 980 successor agency.

981 Section 18. Subsection (2) of section 468.703, Florida
 982 Statutes, is amended to read:

983 468.703 Board of Athletic Training.—

984 (2) Five members of the board must be licensed athletic
 985 trainers, certified by the Board of Certification. One member of
 986 the board must be a physician licensed under chapter 458 or
 987 chapter 459. One member of the board must be a physician
 988 licensed under chapter 460. Two members of the board shall be
 989 consumer members, each of whom must be a resident of this state
 990 who has never worked as an athletic trainer, who has no
 991 financial interest in the practice of athletic training, and who
 992 has never been a licensed health care practitioner as defined in
 993 s. 456.001(4).

994 Section 19. Section 468.707, Florida Statutes, is amended
 995 to read:

996 468.707 Licensure by examination; requirements.—

997 ~~(1)~~ Any person desiring to be licensed as an athletic
 998 trainer shall apply to the department on a form approved by the
 999 department. The department shall license each applicant who:

1000 (1)~~(a)~~ Has completed the application form and remitted the
 1001 required fees.

1002 (2)~~(b)~~ Is at least 21 years of age.

1003 (3)~~(c)~~ Has obtained a baccalaureate degree from a college
 1004 or university accredited by an accrediting agency recognized and
 1005 approved by the United States Department of Education or the
 1006 Commission on Recognition of Postsecondary Accreditation, ~~or~~
 1007 approved by the board, or recognized by the Board of
 1008 Certification.

1009 ~~(4)(d)~~ If graduated after 2004, has completed an approved
 1010 athletic training curriculum from a college or university
 1011 accredited by a program recognized by the Board of Certification
 1012 ~~an accrediting agency recognized and approved by the United~~
 1013 ~~States Department of Education or the Commission on Recognition~~
 1014 ~~of Postsecondary Accreditation, or approved by the board.~~

1015 ~~(5)(e)~~ Has current certification in cardiovascular
 1016 pulmonary resuscitation with an automated external defibrillator
 1017 from the American Red Cross or the American Heart Association,
 1018 or an equivalent certification as determined by the board.

1019 ~~(6)(f)~~ Has passed the an examination and is certified by
 1020 the Board of Certification ~~administered or approved by the~~
 1021 ~~board.~~

1022 ~~(2) Pursuant to the requirements of s. 456.034, each~~
 1023 ~~applicant shall complete a continuing education course on human~~
 1024 ~~immunodeficiency virus and acquired immune deficiency syndrome~~
 1025 ~~as part of initial licensure.~~

1026 Section 20. Section 468.711, Florida Statutes, is amended
 1027 to read:

1028 468.711 Renewal of license; continuing education.—

1029 (1) The department shall renew a license upon receipt of
 1030 the renewal application and fee, provided the applicant is in
 1031 compliance with the provisions of this section, chapter 456, and
 1032 rules promulgated pursuant thereto.

1033 (2) The board may, by rule, prescribe continuing education
 1034 requirements, not to exceed 24 hours biennially. The criteria
 1035 for continuing education shall be approved by the board and must
 1036 ~~shall~~ include a current certificate in cardiovascular pulmonary

1037 resuscitation with an automated external defibrillator from the
 1038 American Red Cross or the American Heart Association or an
 1039 equivalent training as determined by the board.

1040 (3) The licensee must be currently certified by the Board
 1041 of Certification or its successor agency ~~Pursuant to the~~
 1042 ~~requirements of s. 456.034, each licensee shall complete a~~
 1043 ~~continuing education course on human immunodeficiency virus and~~
 1044 ~~acquired immune deficiency syndrome as part of biennial~~
 1045 ~~relicensure.~~

1046 Section 21. If any provision of this act or its
 1047 application to any person or circumstance is held invalid by a
 1048 court of competent jurisdiction, the invalidity does not affect
 1049 other provisions or applications of the act which can be given
 1050 effect without the invalid provision or application, and to this
 1051 end the provisions of this act are severable.

1052 Section 22. Except as otherwise specifically provided in
 1053 this act, this act shall take effect upon becoming a law, and
 1054 shall not apply retroactively.