

Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Quality Subcommittee  
3 Representative Costello offered the following:  
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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
7 Section 1. Subsection (5) is added to section 456.074,  
8 Florida Statutes, to read:

9 456.074 Certain health care practitioners; immediate  
10 suspension or restriction of license.—

11 (5) The department may issue an emergency order  
12 restricting any licensed health care practitioner as defined by  
13 ch. 458, ch. 459, ch. 461 and ch. 466, from prescribing  
14 controlled substances as defined by ch. 893 if the licensee has  
15 committed any act, is arrested for any act or is under criminal  
16 investigation or criminal prosecution for any act that is a  
17 violation of ch. 782, or is arrested for any act or is under  
18 criminal investigation or criminal prosecution for any act that  
19 relates to the importation, manufacture, distribution,

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20 possession, transfer, sale, improper use or prescribing of  
21 controlled substances as defined in ch. 893, or is in violation  
22 of any federal law relating to the possession, transfer, sale or  
23 prescribing of controlled substances as defined by ch. 893 or 21  
24 U.S.C ss. 801-970.

25 Section 2. Paragraph (m) is added to subsection (2) of  
26 section 903.046, Florida Statutes, to read:

27 903.046 Purpose of and criteria for bail determination.—

28 (2) When determining whether to release a defendant on  
29 bail or other conditions, and what that bail or those conditions  
30 may be, the court shall consider:

31 (m) Whether the suspension of a license or the restriction  
32 on the ability to practice a licensed profession as defined in  
33 s. 456.001 is necessary to protect the community against  
34 unreasonable danger from the criminal defendant.

35 Section 3. This act shall take effect July 1, 2012.

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39 **T I T L E A M E N D M E N T**

40 Remove the entire title and insert:

41 A bill to be entitled

42 An act relating to health care practitioner license suspension;  
43 amending s. 456.074, F.S.; authorizing the Department of Health  
44 to issue an emergency order to suspend or restrict the license  
45 of a health care practitioner under specified conditions;  
46 amending s. 903.046, F.S.; providing additional criteria that a

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47 court may consider when determining whether to release a  
48 defendant on bail; providing an effective date.