

1 A bill to be entitled
 2 An act relating to licensing of health care
 3 practitioners; amending s. 456.074, F.S.; authorizing
 4 the Department of Health to issue an emergency order
 5 to restrict the license of a health care practitioner
 6 under specified conditions; amending s. 903.046, F.S.;
 7 providing additional criteria that a court may
 8 consider when determining whether to release a
 9 defendant on bail; providing an effective date.

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

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13 Section 1. Subsection (5) is added to section 456.074,
 14 Florida Statutes, to read:

15 456.074 Certain health care practitioners; immediate
 16 suspension or restriction of license.-

17 (5) The department may issue an emergency order
 18 restricting the license of any health care practitioner as
 19 defined in chapter 458, chapter 459, chapter 461, or chapter 466
 20 from prescribing any controlled substance as defined in chapter
 21 893 if the licensee has committed any act, is arrested for any
 22 act, or is under criminal investigation or criminal prosecution
 23 for any act that is a violation of chapter 782; or is arrested
 24 for any act or is under criminal investigation or criminal
 25 prosecution for any act that relates to the importation,
 26 manufacture, distribution, possession, transfer, sale, improper
 27 use, or prescribing of a controlled substance as defined in
 28 chapter 893, or is in violation of any federal law relating to

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29 | the possession, transfer, sale, or prescribing of a controlled
30 | substance as defined in chapter 893 or 21 U.S.C. ss. 801-970.

31 | Section 2. Paragraph (m) is added to subsection (2) of
32 | section 903.046, Florida Statutes, to read:

33 | 903.046 Purpose of and criteria for bail determination.—

34 | (2) When determining whether to release a defendant on
35 | bail or other conditions, and what that bail or those conditions
36 | may be, the court shall consider:

37 | (m) Whether the suspension of a license or the restriction
38 | on the ability to practice a licensed profession as defined in
39 | s. 456.001 is necessary to protect the community against
40 | unreasonable danger from the criminal defendant.

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