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LEGISLATIVE ACTION

Senate	.	House
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Floor: WD	.	
03/08/2012 06:42 PM	.	
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Senator Hays moved the following:

Senate Amendment (with title amendment)

Delete lines 2404 - 4214

and insert:

Section 43. Subsection (5) of section 381.0303, Florida Statutes, is amended to read:

381.0303 Special needs shelters.—

(5) SPECIAL NEEDS SHELTER INTERAGENCY COMMITTEE.—The State Surgeon General may establish a special needs shelter interagency committee and serve as, or appoint a designee to serve as, the committee's chair. The department shall provide any necessary staff and resources to support the committee in the performance of its duties. The committee shall address and



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14 resolve problems related to special needs shelters not addressed
15 in the state comprehensive emergency medical plan and shall
16 consult on the planning and operation of special needs shelters.

17 (a) The committee shall~~+~~

18 ~~1.~~ develop, negotiate, and regularly review any necessary
19 interagency agreements, and~~-~~

20 ~~2.~~ undertake other such activities as the department deems
21 necessary to facilitate the implementation of this section.

22 ~~3. Submit recommendations to the Legislature as necessary.~~

23 (b) The special needs shelter interagency committee shall
24 be composed of representatives of emergency management, health,
25 medical, and social services organizations. Membership shall
26 include, but shall not be limited to, representatives of the
27 Departments of Health, Children and Family Services, Elderly
28 Affairs, and Education; the Agency for Health Care
29 Administration; the Division of Emergency Management; the
30 Florida Medical Association; the Florida Osteopathic Medical
31 Association; Associated Home Health Industries of Florida, Inc.;
32 the Florida Nurses Association; the Florida Health Care
33 Association; the Florida Assisted Living Affiliation; the
34 Florida Hospital Association; the Florida Statutory Teaching
35 Hospital Council; the Florida Association of Homes for the
36 Aging; the Florida Emergency Preparedness Association; the
37 American Red Cross; Florida Hospices and Palliative Care, Inc.;
38 the Association of Community Hospitals and Health Systems; the
39 Florida Association of Health Maintenance Organizations; the
40 Florida League of Health Systems; the Private Care Association;
41 the Salvation Army; the Florida Association of Aging Services
42 Providers; the AARP; and the Florida Renal Coalition.



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43 (c) Meetings of the committee shall be held in Tallahassee,
44 and members of the committee shall serve at the expense of the
45 agencies or organizations they represent. The committee shall
46 make every effort to use teleconference or videoconference
47 capabilities in order to ensure statewide input and
48 participation.

49 Section 44. Section 381.04015, Florida Statutes, is
50 repealed.

51 Section 45. Subsections (2), (3), and (4) of section
52 381.0403, Florida Statutes, are amended to read:

53 381.0403 The Community Hospital Education Act.—

54 (2) ESTABLISHMENT OF PROGRAM ~~LEGISLATIVE INTENT.~~—

55 ~~(a) It is the intent of the Legislature that health care~~
56 ~~services for the citizens of this state be upgraded and that a~~
57 ~~program for continuing these services be maintained through a~~
58 ~~plan for community medical education. The A program is intended~~
59 ~~established to plan for community medical education, provide~~
60 ~~additional outpatient and inpatient services, increase the a~~
61 ~~continuing supply of highly trained physicians, and expand~~
62 ~~graduate medical education.~~

63 ~~(b) The Legislature further acknowledges the critical need~~
64 ~~for increased numbers of primary care physicians to provide the~~
65 ~~necessary current and projected health and medical services. In~~
66 ~~order to meet both present and anticipated needs, the~~
67 ~~Legislature supports an expansion in the number of family~~
68 ~~practice residency positions. The Legislature intends that the~~
69 ~~funding for graduate education in family practice be maintained~~
70 ~~and that funding for all primary care specialties be provided at~~
71 ~~a minimum of \$10,000 per resident per year. Should funding for~~



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72 ~~this act remain constant or be reduced, it is intended that all~~
73 ~~programs funded by this act be maintained or reduced~~
74 ~~proportionately.~~

75 (3) PROGRAM FOR COMMUNITY HOSPITAL EDUCATION; STATE AND
76 LOCAL PLANNING.—

77 (a) ~~There is established under the Department of Health a~~
78 ~~program for statewide graduate medical education. It is intended~~
79 ~~that continuing graduate medical education programs for interns~~
80 ~~and residents be established on a statewide basis.~~ The program
81 shall provide financial support for primary care specialty
82 interns and residents based on recommendations of policies
83 ~~recommended and approved by~~ the Community Hospital Education
84 Council, herein established, and the Department of Health, as
85 authorized by the General Appropriations Act. Only those
86 programs with at least three residents or interns in each year
87 of the training program are qualified to apply for financial
88 support. Programs with fewer than three residents or interns per
89 training year are qualified to apply for financial support, but
90 only if the appropriate accrediting entity for the particular
91 specialty has approved the program for fewer positions. New
92 ~~programs added after fiscal year 1997-1998~~ shall have 5 years to
93 attain the requisite number of residents or interns. When
94 feasible and to the extent allowed through the General
95 Appropriations Act, state funds shall be used to generate
96 federal matching funds under Medicaid, or other federal
97 programs, and the resulting combined state and federal funds
98 shall be allocated to participating hospitals for the support of
99 graduate medical education.

100 (b) For the purposes of this section, primary care



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101 specialties include emergency medicine, family practice,
102 internal medicine, pediatrics, psychiatry,
103 obstetrics/gynecology, and combined pediatrics and internal
104 medicine, and other primary care specialties as may be included
105 by the council and Department of Health.

106 (c) Medical institutions throughout the state may apply to
107 the Community Hospital Education Council for grants-in-aid for
108 financial support of their approved programs. Recommendations
109 for funding of approved programs shall be forwarded to the
110 Department of Health.

111 (d) The program shall provide a plan for community clinical
112 teaching and training with the cooperation of the medical
113 profession, hospitals, and clinics. The plan shall also include
114 formal teaching opportunities for intern and resident training.
115 In addition, the plan shall establish an off-campus medical
116 faculty with university faculty review to be located throughout
117 the state in local communities.

118 (4) PROGRAM FOR GRADUATE MEDICAL EDUCATION INNOVATIONS.—

119 (a) There is established under the Department of Health a
120 program for fostering graduate medical education innovations.
121 Funds appropriated annually by the Legislature for this purpose
122 shall be distributed to participating hospitals or consortia of
123 participating hospitals and Florida medical schools or to a
124 Florida medical school for the direct costs of providing
125 graduate medical education in community-based clinical settings
126 on a competitive grant or formula basis to achieve state health
127 care workforce policy objectives, including, but not limited to:

128 1. Increasing the number of residents in primary care and
129 other high demand specialties or fellowships;



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130 2. Enhancing retention of primary care physicians in
131 Florida practice;

132 3. Promoting practice in medically underserved areas of the
133 state;

134 4. Encouraging racial and ethnic diversity within the
135 state's physician workforce; and

136 5. Encouraging increased production of geriatricians.

137 (b) Participating hospitals or consortia of participating
138 hospitals and Florida medical schools or a Florida medical
139 school providing graduate medical education in community-based
140 clinical settings may apply to the Community Hospital Education
141 Council for funding under this innovations program, except when
142 such innovations directly compete with services or programs
143 provided by participating hospitals or consortia of
144 participating hospitals, or by both hospitals and consortia.
145 Innovations program funding shall be allocated ~~provide funding~~
146 based on recommendations of ~~policies recommended and approved by~~
147 the Community Hospital Education Council and the Department of
148 Health, as authorized by the General Appropriations Act.

149 (c) Participating hospitals or consortia of participating
150 hospitals and Florida medical schools or Florida medical schools
151 awarded an innovations grant shall provide the Community
152 Hospital Education Council and Department of Health with an
153 annual report on their project.

154 Section 46. Subsection (7) of section 381.0405, Florida
155 Statutes, is amended to read:

156 381.0405 Office of Rural Health.—

157 ~~(7) APPROPRIATION. The Legislature shall appropriate such~~
158 ~~sums as are necessary to support the Office of Rural Health.~~



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159 Section 47. Subsection (3) of section 381.0406, Florida
160 Statutes, is amended to read:

161 381.0406 Rural health networks.—

162 ~~(3) Because each rural area is unique, with a different~~
163 ~~health care provider mix,~~ Health care provider membership may
164 vary, but all networks shall include members that provide public
165 health, comprehensive primary care, emergency medical care, and
166 acute inpatient care.

167 Section 48. Effective October 1, 2014, section 381.0407,
168 Florida Statutes, is repealed.

169 Section 49. Section 381.045, Florida Statutes, is repealed.

170 Section 50. Subsection (7) of section 381.06015, Florida
171 Statutes, is amended to read:

172 381.06015 Public Cord Blood Tissue Bank.—

173 ~~(7) In order to fund the provisions of this section the~~
174 ~~consortium participants, the Agency for Health Care~~
175 ~~Administration, and the Department of Health shall seek private~~
176 ~~or federal funds to initiate program actions for fiscal year~~
177 ~~2000-2001.~~

178 Section 51. Section 381.0605, Florida Statutes, is
179 repealed.

180 Section 52. Sections 381.1001, 381.1015, 381.102, and
181 381.103, Florida Statutes, are repealed.

182 Section 53. Subsection (2) of section 381.4018, Florida
183 Statutes, is repealed.

184 Section 54. Section 381.60225, Florida Statutes, is
185 repealed.

186 Section 55. Sections 381.732, 381.733, and 381.734, Florida
187 Statutes, are repealed.



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188 Section 56. Section 381.7352, Florida Statutes, is amended
189 to read:

190 381.7352 Legislative findings and intent.—

191 ~~(1) The Legislature finds that despite state investments in~~
192 ~~health care programs, certain racial and ethnic populations in~~
193 ~~Florida continue to have significantly poorer health outcomes~~
194 ~~when compared to non-Hispanic whites. The Legislature finds that~~
195 ~~local solutions to health care problems can have a dramatic and~~
196 ~~positive effect on the health status of these populations. Local~~
197 ~~governments and communities are best equipped to identify the~~
198 ~~health education, health promotion, and disease prevention needs~~
199 ~~of the racial and ethnic populations in their communities,~~
200 ~~mobilize the community to address health outcome disparities,~~
201 ~~enlist and organize local public and private resources, and~~
202 ~~faith-based organizations to address these disparities, and~~
203 ~~evaluate the effectiveness of interventions.~~

204 (2) It is therefore the intent of the Legislature to
205 provide funds within Florida counties and Front Porch Florida
206 Communities, in the form of Reducing Racial and Ethnic Health
207 Disparities: Closing the Gap grants, to stimulate the
208 development of community-based and neighborhood-based projects
209 which will improve the health outcomes of racial and ethnic
210 populations. Further, it is the intent of the Legislature that
211 these programs foster the development of coordinated,
212 collaborative, and broad-based participation by public and
213 private entities, and faith-based organizations. Finally, it is
214 the intent of the Legislature that the grant program function as
215 a partnership between state and local governments, faith-based
216 organizations, and private sector health care providers,



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217 including managed care, voluntary health care resources, social
218 service providers, and nontraditional partners.

219 Section 57. Subsection (3) of section 381.7353, Florida
220 Statutes, is amended to read:

221 381.7353 Reducing Racial and Ethnic Health Disparities:
222 Closing the Gap grant program; administration; department
223 duties.—

224 ~~(3) Pursuant to s. 20.43(6), the State Surgeon General may~~
225 ~~appoint an ad hoc advisory committee to: examine areas where~~
226 ~~public awareness, public education, research, and coordination~~
227 ~~regarding racial and ethnic health outcome disparities are~~
228 ~~lacking; consider access and transportation issues which~~
229 ~~contribute to health status disparities; and make~~
230 ~~recommendations for closing gaps in health outcomes and~~
231 ~~increasing the public's awareness and understanding of health~~
232 ~~disparities that exist between racial and ethnic populations.~~

233 Section 58. Subsections (5) and (6) of section 381.7356,
234 Florida Statutes, are renumbered as subsections (4) and (5),
235 respectively, and present subsection (4) of that section is
236 amended to read:

237 381.7356 Local matching funds; grant awards.—

238 ~~(4) Dissemination of grant awards shall begin no later than~~
239 ~~January 1, 2001.~~

240 Section 59. Subsection (3) of section 381.765, Florida
241 Statutes, is amended to read:

242 381.765 Retention of title to and disposal of equipment.—

243 ~~(3) The department may adopt rules relating to records and~~
244 ~~recordkeeping for department-owned property referenced in~~
245 ~~subsections (1) and (2).~~



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246 Section 60. Section 381.77, Florida Statutes, is repealed.

247 Section 61. Section 381.795, Florida Statutes, is repealed.

248 Section 62. Subsections (2) through (5) of section 381.853,
249 Florida Statutes, are renumbered as subsections (1) through (4),
250 respectively, and present subsection (1) of that section is
251 amended to read:

252 381.853 Florida Center for Brain Tumor Research.—

253 ~~(1) The Legislature finds that each year an estimated~~
254 ~~190,000 citizens of the United States are diagnosed with~~
255 ~~cancerous and noncancerous brain tumors and that biomedical~~
256 ~~research is the key to finding cures for these tumors. The~~
257 ~~Legislature further finds that, although brain tumor research is~~
258 ~~being conducted throughout the state, there is a lack of~~
259 ~~coordinated efforts among researchers and health care providers.~~
260 ~~Therefore, the Legislature finds that there is a significant~~
261 ~~need for a coordinated effort to achieve the goal of curing~~
262 ~~brain tumors. The Legislature further finds that the biomedical~~
263 ~~technology sector meets the criteria of a high-impact sector,~~
264 ~~pursuant to s. 288.108(6), having a high importance to the~~
265 ~~state's economy with a significant potential for growth and~~
266 ~~contribution to our universities and quality of life.~~

267 Section 63. Section 381.855, Florida Statutes, is repealed.

268 Section 64. Section 381.87, Florida Statutes, is repealed.

269 Section 65. Section 381.90, Florida Statutes, is repealed.

270 Section 66. Subsection (1) of section 381.91, Florida
271 Statutes, is amended to read:

272 381.91 Jessie Trice Cancer Prevention Program.—

273 (1) It is the intent of the Legislature to+

274 ~~(a) Reduce the rates of illness and death from lung cancer~~



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275 ~~and other cancers and improve the quality of life among low-~~
276 ~~income African-American and Hispanic populations through~~
277 ~~increased access to early, effective screening and diagnosis,~~
278 ~~education, and treatment programs.~~

279 ~~(b)~~ create a community faith-based disease-prevention
280 program in conjunction with the Health Choice Network and other
281 community health centers to build upon the natural referral and
282 education networks in place within minority communities and to
283 increase access to health service delivery in Florida and-

284 ~~(e)~~ establish a funding source to build upon local private
285 participation to sustain the operation of the program.

286 Section 67. Subsection (5) of section 381.922, Florida
287 Statutes, is amended to read:

288 381.922 William G. "Bill" Bankhead, Jr., and David Coley
289 Cancer Research Program.—

290 (5) The William G. "Bill" Bankhead, Jr., and David Coley
291 Cancer Research Program is funded pursuant to s. 215.5602(12).
292 Funds appropriated for the William G. "Bill" Bankhead, Jr., and
293 David Coley Cancer Research Program shall be distributed
294 pursuant to this section to provide grants to researchers
295 seeking cures for cancer and cancer-related illnesses, with
296 emphasis given to the goals enumerated in this section. From the
297 total funds appropriated, an amount of up to 10 percent may be
298 used for administrative expenses. ~~From funds appropriated to~~
299 ~~accomplish the goals of this section, up to \$250,000 shall be~~
300 ~~available for the operating costs of the Florida Center for~~
301 ~~Universal Research to Eradicate Disease.~~

302 Section 68. Paragraph (g) of subsection (1) of section
303 383.011, Florida Statutes, is amended to read:



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304 383.011 Administration of maternal and child health
305 programs.—

306 (1) The Department of Health is designated as the state
307 agency for:

308 (g) Receiving the federal funds for the "Special
309 Supplemental Nutrition Program for Women, Infants, and
310 Children," or WIC, authorized by the Child Nutrition Act of
311 1966, as amended, and for providing clinical leadership for
312 administering the statewide WIC program.

313 1. The department shall establish an interagency agreement
314 with the Department of Children and Family Services for fiscal
315 management of the program. Responsibilities are delegated to
316 each department, as follows:

317 a. The department shall provide clinical leadership, manage
318 program eligibility, and distribute nutritional guidance and
319 information to participants.

320 b. The Department of Children and Family Services shall
321 develop and implement an electronic benefits transfer system.

322 c. The Department of Children and Family Services shall
323 develop a cost containment plan that provides timely and
324 accurate adjustments based on wholesale price fluctuations and
325 adjusts for the number of cash registers in calculating
326 statewide averages.

327 d. The department shall coordinate submission of
328 information to appropriate federal officials in order to obtain
329 approval of the electronic benefits system and cost containment
330 plan, which must include participation of WIC-only stores.

331 2. The department shall assist the Department of Children
332 and Family Services in the development of the electronic



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333 benefits system to ensure full implementation no later than July
334 1, 2013.

335 Section 69. Section 383.141, Florida Statutes, is created
336 to read:

337 383.141 Prenatally diagnosed conditions; patient to be
338 provided information; definitions; information clearinghouse;
339 advisory council.-

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

341 (a) "Down syndrome" means a chromosomal disorder caused by
342 an error in cell division which results in the presence of an
343 extra whole or partial copy of chromosome 21.

344 (b) "Developmental disability" includes Down syndrome and
345 other developmental disabilities defined by s. 393.063(9).

346 (c) "Health care provider" means a practitioner licensed
347 under chapter 458 or chapter 459.

348 (d) "Prenatally diagnosed condition" means an adverse fetal
349 health condition identified by prenatal testing.

350 (e) "Prenatal test" or "prenatal testing" means a
351 diagnostic procedure or screening procedure performed on a
352 pregnant woman or her unborn offspring to obtain information
353 about the offspring's health or development.

354 (2) When a developmental disability is diagnosed based on
355 the results of a prenatal test, the health care provider who
356 ordered the prenatal test, or his or her designee, shall provide
357 the patient with current information about the nature of the
358 developmental disability, the accuracy of the prenatal test, and
359 resources for obtaining relevant support services, including
360 hotlines, resource centers, and information clearinghouses
361 related to Down syndrome or other prenatally diagnosed



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362 developmental disabilities; support programs for parents and
363 families; and developmental evaluation and intervention services
364 under s. 391.303.

365 (3) The Department of Health shall establish on its
366 Internet website a clearinghouse of information related to
367 developmental disabilities concerning providers of supportive
368 services, information hotlines specific to Down syndrome and
369 other prenatally diagnosed developmental disabilities, resource
370 centers, educational programs, other support programs for
371 parents and families, and developmental evaluation and
372 intervention services under s. 391.303. Such information shall
373 be made available to health care providers for use in counseling
374 pregnant women whose unborn children have been prenatally
375 diagnosed with developmental disabilities.

376 (a) There is established an advisory council within the
377 Department of Health which consists of health care providers and
378 caregivers who perform health care services for persons who have
379 developmental disabilities, including Down syndrome and autism.
380 This group shall consist of nine members as follows:

- 381 1. Three members appointed by the Governor;
382 2. Three members appointed by the President of the Senate;
383 and
384 3. Three members appointed by the Speaker of the House of
385 Representatives.

386 (b) The advisory council shall provide technical assistance
387 to the Department of Health in the establishment of the
388 information clearinghouse and give the department the benefit of
389 the council members' knowledge and experience relating to the
390 needs of patients and families of patients with developmental



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391 disabilities and available support services.

392 (c) Members of the council shall elect a chairperson and a
393 vice chairperson. The elected chairperson and vice chairperson
394 shall serve in these roles until their terms of appointment on
395 the council expire.

396 (d) The advisory council shall meet quarterly to review
397 this clearinghouse of information, and may meet more often at
398 the call of the chairperson or as determined by a majority of
399 members.

400 (e) The council members shall be appointed to 4-year terms,
401 except that, to provide for staggered terms, one initial
402 appointee each from the Governor, the President of the Senate,
403 and the Speaker of the House of Representatives shall be
404 appointed to a 2-year term, one appointee each from these
405 officials shall be appointed to a 3-year term, and the remaining
406 initial appointees shall be appointed to 4-year terms. All
407 subsequent appointments shall be for 4-year terms. A vacancy
408 shall be filled for the remainder of the unexpired term in the
409 same manner as the original appointment.

410 (f) Members of the council shall serve without
411 compensation. Meetings of the council may be held in person,
412 without reimbursement for travel expenses, or by teleconference
413 or other electronic means.

414 (g) The Department of Health shall provide administrative
415 support for the advisory council.

416 Section 70. Effective July 1, 2012, section 385.210,
417 Florida Statutes, is repealed.

418 Section 71. Section 391.016, Florida Statutes, is amended
419 to read:



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420 391.016 Purposes and functions ~~Legislative intent.~~—The
421 ~~Legislature intends that the~~ Children's Medical Services program
422 is established for the following purposes and authorized to
423 perform the following functions:

424 (1) Provide to children with special health care needs a
425 family-centered, comprehensive, and coordinated statewide
426 managed system of care that links community-based health care
427 with multidisciplinary, regional, and tertiary pediatric
428 specialty care. The program shall coordinate and maintain a
429 consistent ~~may provide for the coordination and maintenance of~~
430 ~~consistency of the~~ medical home for participating children ~~in~~
431 ~~families with a Children's Medical Services program participant,~~
432 ~~in order to achieve family-centered care.~~

433 (2) Provide essential preventive, evaluative, and early
434 intervention services for children at risk for or having special
435 health care needs, in order to prevent or reduce long-term
436 disabilities.

437 ~~(3) Serve as a principal provider for children with special~~
438 ~~health care needs under Titles XIX and XXI of the Social~~
439 ~~Security Act.~~

440 ~~(4) Be complementary to children's health training programs~~
441 ~~essential for the maintenance of a skilled pediatric health care~~
442 ~~workforce for all Floridians.~~

443 Section 72. Section 391.021, Florida Statutes, is amended
444 to read:

445 391.021 Definitions.—When used in this act, the term ~~unless~~
446 ~~the context clearly indicates otherwise:~~

447 (1) "Children's Medical Services network" or "network"
448 means a statewide managed care service system that includes



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449 health care providers, as defined in this section.

450 (2) "Children with special health care needs" means those
451 children younger than 21 years of age who have chronic and
452 serious physical, developmental, behavioral, or emotional
453 conditions and who ~~also~~ require health care and related services
454 of a type or amount beyond that which is generally required by
455 children.

456 (3) "Department" means the Department of Health.

457 (4) "Eligible individual" means a child with a special
458 health care need or a female with a high-risk pregnancy, who
459 meets the financial and medical eligibility standards
460 established in s. 391.029.

461 (5) "Health care provider" means a health care
462 professional, health care facility, or entity licensed or
463 certified to provide health services in this state that meets
464 the criteria as established by the department.

465 (6) "Health services" includes the prevention, diagnosis,
466 and treatment of human disease, pain, injury, deformity, or
467 disabling conditions.

468 (7) "Participant" means an eligible individual who is
469 enrolled in the Children's Medical Services program.

470 (8) "Program" means the Children's Medical Services program
471 established in the department.

472 Section 73. Section 391.025, Florida Statutes, is amended
473 to read:

474 391.025 Applicability and scope.—

475 (1) The Children's Medical Services program consists of the
476 following components:

477 (a) The newborn screening program established in s. 383.14.



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478 (b) The regional perinatal intensive care centers program
479 established in ss. 383.15-383.21.

480 ~~(c) A federal or state program authorized by the~~
481 ~~Legislature.~~

482 (c) ~~(d)~~ The developmental evaluation and intervention
483 program, including the Florida Infants and Toddlers Early
484 Intervention Program.

485 (d) ~~(e)~~ The Children's Medical Services network.

486 (2) The Children's Medical Services program shall not be
487 deemed an insurer and is not subject to the licensing
488 requirements of the Florida Insurance Code or the rules adopted
489 thereunder, ~~when providing services to children who receive~~
490 ~~Medicaid benefits, other Medicaid-eligible children with special~~
491 ~~health care needs, and children participating in the Florida~~
492 ~~Kidcare program.~~

493 Section 74. Section 391.026, Florida Statutes, is amended
494 to read:

495 391.026 Powers and duties of the department.—The department
496 shall have the following powers, duties, and responsibilities:

497 (1) To provide or contract for the provision of health
498 services to eligible individuals.

499 (2) To provide services to abused and neglected children
500 through child protective teams pursuant to s. 39.303.

501 (3) ~~(2)~~ ~~To determine the medical and financial eligibility~~
502 ~~standards for the program and to determine the medical and~~
503 ~~financial eligibility of individuals seeking health services~~
504 ~~from the program.~~

505 ~~(3) To recommend priorities for the implementation of~~
506 ~~comprehensive plans and budgets.~~



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507 (4) To coordinate a comprehensive delivery system for
508 eligible individuals to take maximum advantage of all available
509 funds.

510 (5) To ~~promote, establish, and coordinate~~ with programs
511 relating to children's medical services in cooperation with
512 other public and private agencies ~~and to coordinate funding of~~
513 ~~health care programs with federal, state, or local indigent~~
514 ~~health care funding mechanisms.~~

515 (6) To initiate ~~and,~~ coordinate, ~~and request review of~~
516 applications to federal agencies and private organizations ~~and~~
517 ~~state agencies~~ for funds, services, or commodities relating to
518 children's medical programs.

519 (7) To sponsor or promote grants for projects, programs,
520 education, or research in the field of ~~medical needs of~~ children
521 with special health needs, with an emphasis on early diagnosis
522 and treatment.

523 (8) To oversee and operate the Children's Medical Services
524 network.

525 (9) To establish reimbursement mechanisms for the
526 Children's Medical Services network.

527 (10) To establish Children's Medical Services network
528 standards and credentialing requirements for health care
529 providers and health care services.

530 (11) To serve as a provider and principal case manager for
531 children with special health care needs under Titles XIX and XXI
532 of the Social Security Act.

533 (12) To monitor the provision of health services in the
534 program, including the utilization and quality of health
535 services.



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536 (13) To administer the Children with Special Health Care
537 Needs program in accordance with Title V of the Social Security
538 Act.

539 (14) To establish and operate a grievance resolution
540 process for participants and health care providers.

541 (15) To maintain program integrity in the Children's
542 Medical Services program.

543 (16) To receive and manage health care premiums, capitation
544 payments, and funds from federal, state, local, and private
545 entities for the program. The department may contract with a
546 third-party administrator for processing claims, monitoring
547 medical expenses, and other related services necessary to the
548 efficient and cost-effective operation of the Children's Medical
549 Services network. The department is authorized to maintain a
550 minimum reserve for the Children's Medical Services network in
551 an amount that is the greater of:

552 (a) Ten percent of total projected expenditures for Title
553 XIX-funded and Title XXI-funded children; or

554 (b) Two percent of total annualized payments from the
555 Agency for Health Care Administration for Title XIX and Title
556 XXI of the Social Security Act.

557 (17) To provide or contract for ~~appoint health care~~
558 ~~consultants for the purpose of providing~~ peer review and other
559 quality-improvement activities ~~making recommendations to enhance~~
560 ~~the delivery and quality of services in the Children's Medical~~
561 ~~Services program.~~

562 (18) To adopt rules pursuant to ss. 120.536(1) and 120.54
563 to administer the Children's Medical Services Act. ~~The rules may~~
564 ~~include requirements for definitions of terms, program~~



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565 ~~organization, and program description; a process for selecting~~
566 ~~an area medical director; responsibilities of applicants and~~
567 ~~clients; requirements for service applications, including~~
568 ~~required medical and financial information; eligibility~~
569 ~~requirements for initial treatment and for continued~~
570 ~~eligibility, including financial and custody issues;~~
571 ~~methodologies for resource development and allocation, including~~
572 ~~medical and financial considerations; requirements for~~
573 ~~reimbursement services rendered to a client; billing and payment~~
574 ~~requirements for providers; requirements for qualification,~~
575 ~~appointments, verification, and emergency exceptions for health-~~
576 ~~professional consultants; general and diagnostic-specific~~
577 ~~standards for diagnostic and treatment facilities; and standards~~
578 ~~for the method of service delivery, including consultant~~
579 ~~services, respect-for-privacy considerations, examination~~
580 ~~requirements, family support plans, and clinic design.~~

581 Section 75. Section 391.028, Florida Statutes, is amended
582 to read:

583 391.028 Administration. ~~The Children's Medical Services~~
584 ~~program shall have a central office and area offices.~~

585 (1) The Director of Children's Medical Services must be a
586 physician licensed under chapter 458 or chapter 459 who has
587 specialized training and experience in the provision of health
588 care to children and who has recognized skills in leadership and
589 the promotion of children's health programs. The director shall
590 be the deputy secretary and the Deputy State Health Officer for
591 Children's Medical Services and is appointed by and reports to
592 the State Surgeon General. The director may appoint such other
593 staff as necessary for the operation of the program ~~division~~



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594 ~~directors~~ subject to the approval of the State Surgeon General.
595 (2) The director shall provide for operational system using
596 such department staff and contract providers as necessary. The
597 program shall implement the following program activities under
598 physician supervision on a statewide basis ~~designate Children's~~
599 ~~Medical Services area offices to perform operational activities,~~
600 ~~including, but not limited to:~~
601 (a) ~~Providing~~ Case management services for ~~the~~ network
602 participants;-
603 (b) Management and ~~Providing local~~ oversight of local the
604 program activities;-
605 (c) ~~Determining an individual's~~ Medical and financial
606 eligibility determination for the program in accordance with s.
607 391.029;-
608 (d) ~~Participating in the~~ Determination of a level of care
609 and medical complexity for long-term care services;-
610 (e) Authorizing services in the program and developing
611 spending plans;-
612 (f) ~~Participating in the~~ Development of treatment plans;
613 and-
614 (g) ~~Taking part in the~~ Resolution of complaints and
615 grievances from participants and health care providers.
616 (3) Each Children's Medical Services area office shall be
617 directed by a physician licensed under chapter 458 or chapter
618 459 who has specialized training and experience in the provision
619 of health care to children. The director of a Children's Medical
620 Services area office shall be appointed by the director from the
621 active panel of Children's Medical Services physician
622 consultants.



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623 Section 76. Section 391.029, Florida Statutes, is amended
624 to read:

625 391.029 Program eligibility.—

626 (1) Eligibility ~~The department shall establish the medical~~
627 ~~criteria to determine if an applicant~~ for the Children's Medical
628 Services program is based on the diagnosis of one or more
629 chronic and serious medical conditions and the family's need for
630 specialized services ~~an eligible individual.~~

631 (2) The following individuals are ~~financially~~ eligible to
632 receive services through the program:

633 (a) A high-risk pregnant female who is enrolled in eligible
634 ~~for~~ Medicaid.

635 (b) Children with serious special health care needs from
636 birth to 21 years of age who are enrolled in eligible for
637 Medicaid.

638 (c) Children with serious special health care needs from
639 birth to 19 years of age who are enrolled in eligible for a
640 program under Title XXI of the Social Security Act.

641 (3) Subject to the availability of funds, the following
642 individuals may receive services through the program:

643 (a) Children with serious special health care needs from
644 birth to 21 years of age who do not qualify for Medicaid or
645 ~~whose family income is above the requirements for financial~~
646 ~~eligibility under~~ Title XXI of the Social Security Act but who
647 are unable to access, due to lack of providers or lack of
648 financial resources, specialized services that are medically
649 necessary or essential family support services ~~and whose~~
650 ~~projected annual cost of care adjusts the family income to~~
651 ~~Medicaid financial criteria.~~ Families ~~In cases where the family~~



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652 ~~income is adjusted based on a projected annual cost of care, the~~
653 ~~family~~ shall participate financially in the cost of care based
654 on a sliding fee scale ~~criteria~~ established by the department.

655 (b) Children with special health care needs from birth to
656 21 years of age, as provided in Title V of the Social Security
657 Act.

658 (c) An infant who receives an award of compensation under
659 s. 766.31(1). The Florida Birth-Related Neurological Injury
660 Compensation Association shall reimburse the Children's Medical
661 Services Network the state's share of funding, which must
662 thereafter be used to obtain matching federal funds under Title
663 XXI of the Social Security Act.

664 ~~(4) The department shall determine the financial and~~
665 ~~medical eligibility of children for the program. The department~~
666 ~~shall also determine the financial ability of the parents, or~~
667 ~~persons or other agencies having legal custody over such~~
668 ~~individuals, to pay the costs of health services under the~~
669 ~~program. The department may pay reasonable travel expenses~~
670 ~~related to the determination of eligibility for or the provision~~
671 ~~of health services.~~

672 (4)-(5) Any child who has been provided with surgical or
673 medical care or treatment under this act prior to being adopted
674 and has serious and chronic special health needs shall continue
675 to be eligible to be provided with such care or treatment after
676 his or her adoption, regardless of the financial ability of the
677 persons adopting the child.

678 Section 77. Section 391.0315, Florida Statutes, is amended
679 to read:

680 391.0315 Benefits.—Benefits provided under the program for



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681 children with special health care needs shall be equivalent to
682 ~~the same~~ benefits provided to children as specified in ss.
683 409.905 and 409.906. The department may offer additional
684 benefits for early intervention services, respite services,
685 genetic testing, genetic and nutritional counseling, and parent
686 support services, if such services are determined to be
687 medically necessary. ~~No child or person determined eligible for~~
688 ~~the program who is eligible under Title XIX or Title XXI of the~~
689 ~~Social Security Act shall receive any service other than an~~
690 ~~initial health care screening or treatment of an emergency~~
691 ~~medical condition as defined in s. 395.002, until such child or~~
692 ~~person is enrolled in Medicaid or a Title XXI program.~~

693 Section 78. Effective January 1, 2013, section 392.51,
694 Florida Statutes, is amended to read:

695 392.51 Tuberculosis control Findings and intent. ~~A~~
696 statewide system is established to control tuberculosis
697 infection and mitigate its effects. The system consists ~~The~~
698 ~~Legislature finds and declares that active tuberculosis is a~~
699 ~~highly contagious infection that is sometimes fatal and~~
700 ~~constitutes a serious threat to the public health. The~~
701 ~~Legislature finds that there is a significant reservoir of~~
702 ~~tuberculosis infection in this state and that there is a need to~~
703 ~~develop community programs to identify tuberculosis and to~~
704 ~~respond quickly with appropriate measures. The Legislature finds~~
705 ~~that some patients who have active tuberculosis have complex~~
706 ~~medical, social, and economic problems that make outpatient~~
707 ~~control of the disease difficult, if not impossible, without~~
708 ~~posing a threat to the public health. The Legislature finds that~~
709 ~~in order to protect the citizenry from those few persons who~~



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710 ~~pose a threat to the public, it is necessary to establish a~~
711 ~~system~~ of mandatory contact identification, treatment to cure,
712 hospitalization, ~~and~~ isolation for contagious cases, ~~and to~~
713 ~~provide a system of~~ voluntary, community-oriented care and
714 surveillance in all other cases. ~~The Legislature finds that the~~
715 ~~delivery of~~ Tuberculosis control services shall be provided ~~is~~
716 ~~best accomplished~~ by the coordinated efforts of the respective
717 county health departments and contracted or other private health
718 care providers, ~~the A.G. Holley State Hospital, and the private~~
719 ~~health care delivery system.~~

720 Section 79. Effective January 1, 2013, subsection (4) of
721 section 392.61, Florida Statutes, is amended to read:

722 392.61 Community tuberculosis control programs.—

723 ~~(4) The department shall develop, by rule, a methodology~~
724 ~~for distributing funds appropriated for tuberculosis control~~
725 ~~programs. Criteria to be considered in this methodology include,~~
726 ~~but are not limited to, the basic infrastructure available for~~
727 ~~tuberculosis control, caseload requirements, laboratory support~~
728 ~~services needed, and epidemiologic factors.~~

729 Section 80. Effective January 1, 2013, section 392.62,
730 Florida Statutes, is amended to read:

731 392.62 Hospitalization and placement programs.—

732 (1) The department shall contract for operation of ~~operate~~
733 a program for the treatment hospitalization of persons who have
734 active tuberculosis in hospitals licensed under chapter 395 and
735 may provide for appropriate placement of persons who have active
736 tuberculosis in other health care facilities or residential
737 facilities. The department shall require the contractor to use
738 existing licensed community hospitals and other facilities for



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739 the care and treatment to cure of persons who have active
740 tuberculosis or a history of noncompliance with prescribed drug
741 regimens and require inpatient or other residential services.

742 ~~(2) The department may operate a licensed hospital for the~~
743 ~~care and treatment to cure of persons who have active~~
744 ~~tuberculosis. The hospital may have a forensic unit where, under~~
745 ~~medical protocol, a patient can be held in a secure or~~
746 ~~protective setting. The department shall also seek to maximize~~
747 ~~use of existing licensed community hospitals for the care and~~
748 ~~treatment to cure of persons who have active tuberculosis.~~

749 (2)(3) The program for control of tuberculosis shall
750 provide funding for participating facilities and require any
751 such facilities to meet the following conditions ~~Any licensed~~
752 ~~hospital operated by the department, any licensed hospital under~~
753 ~~contract with the department, and any other health care facility~~
754 ~~or residential facility operated by or under contract with the~~
755 ~~department for the care and treatment of patients who have~~
756 ~~active tuberculosis shall:~~

757 (a) Admit patients voluntarily and under court order as
758 appropriate for each particular facility;

759 (b) Require that each patient pay the actual cost of care
760 provided whether the patient is admitted voluntarily or by court
761 order;

762 (c) ~~Provide for a method of paying for the care of patients~~
763 in the program regardless of ability to pay ~~who cannot afford to~~
764 ~~do so;~~

765 (d) Require a primary clinical diagnosis of active
766 tuberculosis by a physician licensed under chapter 458 or
767 chapter 459 before admitting the patient; provided that there



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768 may be more than one primary diagnosis;

769 (e) Provide a method of notification to the county health
770 department and to the patient's family, if any, before
771 discharging the patient from the hospital or other facility;

772 (f) Provide for the necessary exchange of medical
773 information to assure adequate community treatment to cure and
774 followup of discharged patients, as appropriate; and

775 (g) Provide for a method of medical care and counseling and
776 for housing, social service, and employment referrals, if
777 appropriate, for ~~all~~ patients discharged from the hospital.

778 (3)~~(4)~~ A hospital may, pursuant to court order, place a
779 patient in temporary isolation for a period of no more than 72
780 continuous hours. The department shall obtain a court order in
781 the same manner as prescribed in s. 392.57. Nothing in this
782 subsection precludes a hospital from isolating an infectious
783 patient for medical reasons.

784 (4)~~(5)~~ Any person committed under s. 392.57 who leaves the
785 tuberculosis hospital or residential facility without having
786 been discharged by the designated medical authority, except as
787 provided in s. 392.63, shall be apprehended by the sheriff of
788 the county in which the person is found and immediately
789 delivered to the facility from which he or she left.

790 Section 81. Subsection (1) of section 395.1027, Florida
791 Statutes, is amended to read:

792 395.1027 Regional poison control centers.-

793 (1) There shall be created three certified regional poison
794 control centers, one each in the north, central, and southern
795 regions of the state. Each regional poison control center shall
796 be affiliated with and physically located in a certified Level I



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797 trauma center. Each regional poison control center shall be
798 affiliated with an accredited medical school or college of
799 pharmacy. The regional poison control centers shall be
800 coordinated under the aegis of the Division of Children's
801 Medical Services ~~Prevention and Intervention~~ in the department.

802 Section 82. The Department of Health shall develop and
803 implement a transition plan for the closure of A.G. Holley State
804 Hospital. The plan shall include specific steps to end voluntary
805 admissions; transfer patients to alternate facilities;
806 communicate with families, providers, other affected parties,
807 and the general public; enter into any necessary contracts with
808 providers; and coordinate with the Department of Management
809 Services regarding the disposition of equipment and supplies and
810 the closure of the facility; and the Agency for Health Care
811 Administration is directed to modify its reimbursement plans and
812 seek federal approval, if necessary, to continue Medicaid
813 funding throughout the treatment period in community hospitals
814 and other facilities. The plan shall be submitted to the
815 Governor, the Speaker of the House of Representatives, and the
816 President of the Senate by May 31, 2012. The department shall
817 fully implement the plan by January 1, 2013.

818 Section 83. Subsection (4) of section 401.243, Florida
819 Statutes, is amended to read:

820 401.243 Injury prevention.—The department shall establish
821 an injury-prevention program with responsibility for the
822 statewide coordination and expansion of injury-prevention
823 activities. The duties of the department under the program may
824 include, but are not limited to, data collection, surveillance,
825 education, and the promotion of interventions. In addition, the



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826 department may:

827 ~~(4) Adopt rules governing the implementation of grant~~
828 ~~programs. The rules may include, but need not be limited to,~~
829 ~~criteria regarding the application process, the selection of~~
830 ~~grantees, the implementation of injury-prevention activities,~~
831 ~~data collection, surveillance, education, and the promotion of~~
832 ~~interventions.~~

833 Section 84. Subsection (6) of section 401.245, Florida
834 Statutes, is renumbered as subsection (5), and present
835 subsection (5) of that section is amended to read:

836 401.245 Emergency Medical Services Advisory Council.—

837 ~~(5) The department shall adopt rules to implement this~~
838 ~~section, which rules shall serve as formal operating procedures~~
839 ~~for the Emergency Medical Services Advisory Council.~~

840 Section 85. Section 401.271, Florida Statutes, is amended
841 to read:

842 401.271 Certification of emergency medical technicians and
843 paramedics who are on active duty with the Armed Forces of the
844 United States; spouses of members of the Armed Forces.—

845 ~~(1)~~ Any member of the Armed Forces of the United States on
846 active duty who, at the time he or she became a member, was in
847 good standing with the department and was entitled to practice
848 as an emergency medical technician or paramedic in the state
849 remains in good standing without registering, paying dues or
850 fees, or performing any other act, as long as he or she is a
851 member of the Armed Forces of the United States on active duty
852 and for a period of 6 months after his or her discharge from
853 active duty as a member of the Armed Forces of the United
854 States.



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855 ~~(2) The department may adopt rules exempting the spouse of~~
856 ~~a member of the Armed Forces of the United States on active duty~~
857 ~~from certification renewal provisions while the spouse is absent~~
858 ~~from the state because of the member's active duty with the~~
859 ~~Armed Forces.~~

860 Section 86. Section 402.45, Florida Statutes is repealed.

861 Section 87. Subsections (3) and (4) of section 403.863,
862 Florida Statutes, are amended to read:

863 403.863 State public water supply laboratory certification
864 program.—

865 (3) The Department of Health shall have the responsibility
866 for the operation and implementation of the state laboratory
867 certification program. The Department of Health shall contract
868 for the evaluation and review of laboratory certification
869 applications, and laboratory inspections. ~~except that,~~ Upon
870 completion of the evaluation and review of the laboratory
871 certification application, the evaluation shall be forwarded,
872 along with recommendations, to the department for review and
873 comment, prior to final approval or disapproval by the
874 Department of Health.

875 (4) The following acts constitute grounds for which the
876 disciplinary actions specified in subsection (5) may be taken:

877 (a) Making false statements on an application or on any
878 document associated with certification.

879 (b) Making consistent errors in analyses or erroneous
880 reporting.

881 (c) Permitting personnel who are not qualified, as required
882 by rules of the Department of Health, to perform analyses.

883 (d) Falsifying the results of analyses.



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- 884 (e) Failing to employ approved laboratory methods in
885 performing analyses as outlined in rules of the Department of
886 Health.
- 887 (f) Failing to properly maintain facilities and equipment
888 according to the laboratory's quality assurance plan.
- 889 (g) Failing to report analytical test results or maintain
890 required records of test results as outlined in rules of the
891 Department of Health.
- 892 (h) Failing to participate successfully in a performance
893 evaluation program approved by the Department of Health.
- 894 (i) Violating any provision of this section or of the rules
895 adopted under this section.
- 896 (j) Falsely advertising services or credentials.
- 897 (k) Failing to pay fees for initial certification or
898 renewal certification or to pay inspection expenses incurred by
899 ~~the Department of Health.~~
- 900 (l) Failing to report any change of an item included in the
901 initial or renewal certification application.
- 902 (m) Refusing to allow representatives of the department or
903 the Department of Health to inspect a laboratory and its records
904 during normal business hours.
- 905 Section 88. Subsection (1) of section 400.914, Florida
906 Statutes, is amended to read:
- 907 400.914 Rules establishing standards.—
- 908 (1) Pursuant to the intention of the Legislature to provide
909 safe and sanitary facilities and healthful programs, the agency
910 in conjunction with the Division of Children's Medical Services
911 ~~Prevention and Intervention~~ of the Department of Health shall
912 adopt and publish rules to implement the provisions of this part



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913 and part II of chapter 408, which shall include reasonable and
914 fair standards. Any conflict between these standards and those
915 that may be set forth in local, county, or city ordinances shall
916 be resolved in favor of those having statewide effect. Such
917 standards shall relate to:

918 (a) The assurance that PPEC services are family centered
919 and provide individualized medical, developmental, and family
920 training services.

921 (b) The maintenance of PPEC centers, not in conflict with
922 the provisions of chapter 553 and based upon the size of the
923 structure and number of children, relating to plumbing, heating,
924 lighting, ventilation, and other building conditions, including
925 adequate space, which will ensure the health, safety, comfort,
926 and protection from fire of the children served.

927 (c) The appropriate provisions of the most recent edition
928 of the "Life Safety Code" (NFPA-101) shall be applied.

929 (d) The number and qualifications of all personnel who have
930 responsibility for the care of the children served.

931 (e) All sanitary conditions within the PPEC center and its
932 surroundings, including water supply, sewage disposal, food
933 handling, and general hygiene, and maintenance thereof, which
934 will ensure the health and comfort of children served.

935 (f) Programs and basic services promoting and maintaining
936 the health and development of the children served and meeting
937 the training needs of the children's legal guardians.

938 (g) Supportive, contracted, other operational, and
939 transportation services.

940 (h) Maintenance of appropriate medical records, data, and
941 information relative to the children and programs. Such records



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942 shall be maintained in the facility for inspection by the
943 agency.

944 Section 89. Paragraph (f) of subsection (8) of section
945 411.203, Florida Statutes, is amended to read:

946 411.203 Continuum of comprehensive services.—The Department
947 of Education and the Department of Health and Rehabilitative
948 Services shall utilize the continuum of prevention and early
949 assistance services for high-risk pregnant women and for high-
950 risk and handicapped children and their families, as outlined in
951 this section, as a basis for the intraagency and interagency
952 program coordination, monitoring, and analysis required in this
953 chapter. The continuum shall be the guide for the comprehensive
954 statewide approach for services for high-risk pregnant women and
955 for high-risk and handicapped children and their families, and
956 may be expanded or reduced as necessary for the enhancement of
957 those services. Expansion or reduction of the continuum shall be
958 determined by intraagency or interagency findings and agreement,
959 whichever is applicable. Implementation of the continuum shall
960 be based upon applicable eligibility criteria, availability of
961 resources, and interagency prioritization when programs impact
962 both agencies, or upon single agency prioritization when
963 programs impact only one agency. The continuum shall include,
964 but not be limited to:

965 (8) SUPPORT SERVICES FOR ALL EXPECTANT PARENTS AND PARENTS
966 OF HIGH-RISK CHILDREN.—

967 (f) Parent support groups, such as ~~the community resource~~
968 ~~mother or father program as established in s. 402.45,~~ or parents
969 as first teachers, to strengthen families and to enable families
970 of high-risk children to better meet their needs.



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971 Section 90. Paragraph (d) of subsection (11) of section
972 409.256, Florida Statutes, is amended to read:

973 409.256 Administrative proceeding to establish paternity or
974 paternity and child support; order to appear for genetic
975 testing.—

976 (11) FINAL ORDER ESTABLISHING PATERNITY OR PATERNITY AND
977 CHILD SUPPORT; CONSENT ORDER; NOTICE TO OFFICE OF VITAL
978 STATISTICS.—

979 (d) Upon rendering a final order of paternity or a final
980 order of paternity and child support, the department shall
981 notify the Office ~~Division~~ of Vital Statistics of the Department
982 of Health that the paternity of the child has been established.

983 Section 91. Section 458.346, Florida Statutes, is repealed.

984 Section 92. Subsection (3) of section 462.19, Florida
985 Statutes, is renumbered as subsection (2), and present
986 subsection (2) of that section is amended to read:

987 462.19 Renewal of license; inactive status.—

988 ~~(2) The department shall adopt rules establishing a
989 procedure for the biennial renewal of licenses.~~

990 Section 93. Subsection (6) of section 464.019, Florida
991 Statutes, is amended to read:

992 464.019 Approval of nursing education programs.—

993 (6) ACCOUNTABILITY.—

994 (a)1. An approved program must achieve a graduate passage
995 rate that is not lower than 10 percentage points less than the
996 average passage rate for graduates of comparable degree programs
997 who are United States educated first-time test takers on the
998 National Council of State Boards of Nursing Licensing
999 Examination during a calendar year, as calculated by the



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1000 contract testing service of the National Council of State Boards
1001 of Nursing. For purposes of this subparagraph, an approved
1002 program is comparable to all degree programs of the same program
1003 type from among the following program types:

1004 a. Professional nursing education programs that terminate
1005 in a bachelor's degree.

1006 b. Professional nursing education programs that terminate
1007 in an associate degree.

1008 c. Professional nursing education programs that terminate
1009 in a diploma.

1010 d. Practical nursing education programs.

1011 2. Beginning with graduate passage rates for calendar year
1012 2010, if an approved program's graduate passage rates do not
1013 equal or exceed the required passage rates for 2 consecutive
1014 calendar years, the board shall place the program on
1015 probationary status pursuant to chapter 120 and the program
1016 director must appear before the board to present a plan for
1017 remediation. The program shall remain on probationary status
1018 until it achieves a graduate passage rate that equals or exceeds
1019 the required passage rate for any 1 calendar year. The board
1020 shall deny a program application for a new prelicensure nursing
1021 education program submitted by an educational institution if the
1022 institution has an existing program that is already on
1023 probationary status.

1024 3. Upon the program's achievement of a graduate passage
1025 rate that equals or exceeds the required passage rate, the
1026 board, at its next regularly scheduled meeting following release
1027 of the program's graduate passage rate by the National Council
1028 of State Boards of Nursing, shall remove the program's



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1029 probationary status. However, if the program, during the 2
1030 calendar years following its placement on probationary status,
1031 does not achieve the required passage rate for any 1 calendar
1032 year, the board shall terminate the program pursuant to chapter
1033 120.

1034 (b) If an approved program fails to submit the annual
1035 report required in subsection (4), the board shall notify the
1036 program director and president or chief executive officer of the
1037 educational institution in writing within 15 days after the due
1038 date of the annual report. The program director must appear
1039 before the board at the board's next regularly scheduled meeting
1040 to explain the reason for the delay. The board shall terminate
1041 the program pursuant to chapter 120 if it does not submit the
1042 annual report within 6 months after the due date.

1043 (c) An approved program on probationary status shall
1044 disclose its probationary status in writing to the program's
1045 students and applicants.

1046 Section 94. Section 464.0197, Florida Statutes, is
1047 repealed.

1048 Section 95. Subsection (1) of section 464.203, Florida
1049 Statutes, is amended to read:

1050 464.203 Certified nursing assistants; certification
1051 requirement.—

1052 (1) The board shall issue a certificate to practice as a
1053 certified nursing assistant to any person who demonstrates a
1054 minimum competency to read and write and successfully passes the
1055 required background screening pursuant to s. 400.215 and meets
1056 one of the following requirements:

1057 (a) Has successfully completed an approved training program



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1058 and achieved a minimum score, established by rule of the board,
1059 on the nursing assistant competency examination, which consists
1060 of a written portion and skills-demonstration portion approved
1061 by the board and administered at a site and by personnel
1062 approved by the department.

1063 (b) Has achieved a minimum score, established by rule of
1064 the board, on the nursing assistant competency examination,
1065 which consists of a written portion and skills-demonstration
1066 portion, approved by the board and administered at a site and by
1067 personnel approved by the department and:

- 1068 1. Has a high school diploma, or its equivalent; or
1069 2. Is at least 18 years of age.

1070 (c) Is currently certified in another state; is listed on
1071 that state's certified nursing assistant registry; and has not
1072 been found to have committed abuse, neglect, or exploitation in
1073 that state.

1074 (d) Has completed the curriculum developed under the
1075 Enterprise Florida Jobs and Education Partnership Grant ~~by the~~
1076 ~~Department of Education~~ and achieved a minimum score,
1077 established by rule of the board, on the nursing assistant
1078 competency examination, which consists of a written portion and
1079 skills-demonstration portion, approved by the board and
1080 administered at a site and by personnel approved by the
1081 department.

1082 Section 96. Subsection (4) of section 464.208, Florida
1083 Statutes, is amended to read:

1084 464.208 Background screening information; rulemaking
1085 authority.—

1086 ~~(4) The board shall adopt rules to administer this part.~~



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1087 Section 97. Section 466.00775, Florida Statutes, is
1088 repealed.

1089 Section 98. Subsection (4) of section 514.011, Florida
1090 Statutes, is amended to read:

1091 514.011 Definitions.—As used in this chapter:

1092 (4) "Public bathing place" means a body of water, natural
1093 or modified by humans, for swimming, diving, and recreational
1094 bathing, ~~together with adjacent shoreline or land area,~~
1095 ~~buildings, equipment, and appurtenances pertaining thereto,~~ used
1096 by consent of the owner or owners and held out to the public by
1097 any person or public body, irrespective of whether a fee is
1098 charged for the use thereof. The bathing water areas of public
1099 bathing places include, but are not limited to, lakes, ponds,
1100 rivers, streams, artificial impoundments, and waters along the
1101 coastal and intracoastal beaches and shores of the state.

1102 Section 99. Section 514.021, Florida Statutes, is amended
1103 to read:

1104 514.021 Department authorization.—

1105 (1) The department may adopt and enforce rules, ~~which may~~
1106 ~~include definitions of terms,~~ to protect the health, safety, or
1107 welfare of persons by setting sanitation and safety standards
1108 for using public swimming pools and public bathing places. The
1109 department shall review and revise such rules as necessary, but
1110 not less than biennially. Sanitation and safety standards shall
1111 ~~include, but not be limited to,~~ matters relating to ~~structure,~~
1112 ~~appurtenances, operation,~~ source of water supply;
1113 microbiological ~~bacteriological~~, chemical, and physical quality
1114 of water in the pool or bathing area; method of water
1115 purification, treatment, and disinfection; lifesaving apparatus;



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1116 ~~and measures to ensure safety of bathers; and measures to ensure~~
1117 ~~the personal cleanliness of bathers.~~

1118 (2) The department may not establish by rule any regulation
1119 governing the design, alteration, modification, or repair of
1120 public swimming pools and bathing places which has no impact on
1121 sanitation and safety ~~the health, safety, and welfare~~ of persons
1122 using public swimming pools and bathing places. Further, the
1123 department may not adopt by rule any regulation governing the
1124 construction, erection, or demolition of public swimming pools
1125 and bathing places. It is the intent of the Legislature to
1126 preempt those functions to the Florida Building Commission
1127 through adoption and maintenance of the Florida Building Code.
1128 The department shall provide technical assistance to the
1129 commission in updating the construction standards of the Florida
1130 Building Code which govern public swimming pools ~~and bathing~~
1131 ~~places. Further, the department is authorized to conduct plan~~
1132 ~~reviews, to issue approvals, and to enforce the special-~~
1133 ~~occupancy provisions of the Florida Building Code which apply to~~
1134 ~~public swimming pools and bathing places in conducting any~~
1135 ~~inspections authorized by this chapter.~~ This subsection does not
1136 abrogate the authority of the department to adopt and enforce
1137 appropriate sanitary regulations and requirements as authorized
1138 in subsection (1).

1139 Section 100. Section 514.023, Florida Statutes, is amended
1140 to read:

1141 514.023 Sampling of beach waters and public bathing places;
1142 health advisories.—

1143 (1) As used in this section, the term "beach waters" means
1144 the waters along the coastal and intracoastal beaches and shores



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1145 of the state, and includes salt water and brackish water.

1146 (2) The department may adopt and enforce rules to protect
1147 the health, safety, and welfare of persons using the beach
1148 waters and public bathing places of the state. The rules must
1149 establish health standards and prescribe procedures and
1150 timeframes for bacteriological sampling of beach waters and
1151 public bathing places.

1152 (3) The department may issue health advisories if the
1153 quality of beach waters or a public bathing place fails to meet
1154 standards established by the department. The issuance of health
1155 advisories related to the results of bacteriological sampling of
1156 beach waters is preempted to the state.

1157 (4) When the department issues a health advisory against
1158 swimming in beach waters or a public bathing place on the basis
1159 of finding elevated levels of fecal coliform, Escherichia coli,
1160 or enterococci bacteria in a water sample, the department shall
1161 concurrently notify the municipality or county in which the
1162 affected beach waters are located, whichever has jurisdiction,
1163 and the local office of the Department of Environmental
1164 Protection, of the advisory. The local office of the Department
1165 of Environmental Protection shall promptly investigate
1166 wastewater treatment facilities within 1 mile of the affected
1167 beach waters or public bathing place to determine if a facility
1168 experienced an incident that may have contributed to the
1169 contamination and provide the results of the investigation in
1170 writing or by electronic means to the municipality or county, as
1171 applicable.

1172 ~~(5) Contingent upon legislative appropriation to the~~
1173 ~~department in the amount of \$600,000 nonrecurring, the~~



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1174 ~~department will perform a 3-year study to determine the water~~
1175 ~~quality at beaches throughout the state. The study will be~~
1176 ~~performed in all counties that have public-access saltwater and~~
1177 ~~brackish water beaches.~~

1178 Section 101. Section 514.025, Florida Statutes, is amended
1179 to read:

1180 514.025 Assignment of authority to county health
1181 departments.—

1182 (1) The department shall assign to county health
1183 departments that are staffed with qualified engineering
1184 personnel shall perform the functions of reviewing applications
1185 and plans for the construction, development, or modification of
1186 public swimming pools or bathing places; of conducting
1187 inspections ~~for and issuance of initial operating permits;~~ and
1188 of issuing all permits. If the county health department
1189 determines that qualified staff are not available ~~is not~~
1190 ~~assigned the functions of application and plan review and the~~
1191 ~~issuance of initial operating permits,~~ the department shall be
1192 responsible for such functions. ~~The department shall make the~~
1193 ~~determination concerning the qualifications of county health~~
1194 ~~department personnel to perform these functions and may make and~~
1195 ~~enforce such rules pertaining thereto as it shall deem proper.~~

1196 (2) ~~After the initial operating permit is issued, the~~
1197 County health departments are responsible ~~shall assume full~~
1198 ~~responsibility~~ for routine surveillance of water quality in all
1199 public swimming pools and bathing places, including
1200 ~~responsibility for a minimum of two~~ routine inspections
1201 annually, complaint investigations, enforcement procedures, and
1202 ~~reissuance of operating permits, and renewal of operating~~



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1203 permits.

1204 (3) The department may assign the responsibilities and
1205 functions specified in this section to any multicounty
1206 independent special district created by the Legislature to
1207 perform multiple functions, to include municipal services and
1208 improvements, to the same extent and under the same conditions
1209 as provided in subsections (1) and (2), upon request of the
1210 special district.

1211 Section 102. Section 514.03, Florida Statutes, is amended
1212 to read:

1213 514.03 ~~Construction plans~~ Approval necessary to construct,
1214 develop, or modify public swimming pools or public bathing
1215 places. ~~It is unlawful for any person or public body to~~
1216 ~~construct, develop, or modify any public swimming pool or~~
1217 ~~bathing place, other than coastal or intracoastal beaches,~~
1218 ~~without a valid construction plans approval from the department.~~
1219 ~~This section does not preempt the authority of Local governments~~
1220 ~~or local enforcement districts may determine to conduct plan~~
1221 ~~reviews and inspections of public swimming pools and bathing~~
1222 ~~places for compliance with the general construction standards of~~
1223 ~~the Florida Building Code, pursuant to s. 553.80. Local~~
1224 ~~governments or local enforcement districts may conduct plan~~
1225 ~~reviews and inspections of public swimming pools and public~~
1226 ~~bathing places for this purpose.~~

1227 ~~(1) Any person or public body desiring to construct,~~
1228 ~~develop, or modify any public swimming pool or bathing place~~
1229 ~~shall file an application for a construction plans approval with~~
1230 ~~the department on application forms provided by the department~~
1231 ~~and shall accompany such application with:~~



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1232 ~~(a) Engineering drawings, specifications, descriptions, and~~
1233 ~~detailed maps of the structure, its appurtenances, and its~~
1234 ~~intended operation.~~

1235 ~~(b) A description of the source or sources of water supply~~
1236 ~~and amount and quality of water available and intended to be~~
1237 ~~used.~~

1238 ~~(c) A description of the method and manner of water~~
1239 ~~purification, treatment, disinfection, and heating.~~

1240 ~~(d) Other applicable information deemed necessary by the~~
1241 ~~department to fulfill the requirements of this chapter.~~

1242 ~~(2) If the proposed construction of, development of, or~~
1243 ~~modification of a public swimming pool or bathing place meets~~
1244 ~~standards of public health and safety as defined in this chapter~~
1245 ~~and rules adopted hereunder, the department shall grant the~~
1246 ~~application for the construction plans approval within 30 days~~
1247 ~~after receipt of a complete submittal. If engineering plans~~
1248 ~~submitted are in substantial compliance with the standards~~
1249 ~~aforementioned, the department may approve the plans with~~
1250 ~~provisions for corrective action to be completed prior to~~
1251 ~~issuance of the operating permit.~~

1252 ~~(3) If the proposed construction, development, or~~
1253 ~~modification of a public swimming pool or bathing place fails to~~
1254 ~~meet standards of public health and safety as defined in this~~
1255 ~~chapter and rules adopted hereunder, the department shall deny~~
1256 ~~the application for construction plans approval pursuant to the~~
1257 ~~provisions of chapter 120. Such denial shall be issued in~~
1258 ~~writing within 30 days and shall list the circumstances for~~
1259 ~~denial. Upon correction of such circumstances, an applicant~~
1260 ~~previously denied permission to construct, develop, or modify a~~



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1261 ~~public swimming pool or bathing place may reapply for~~
1262 ~~construction plans approval.~~

1263 ~~(4) An approval of construction plans issued by the~~
1264 ~~department under this section becomes void 1 year after the date~~
1265 ~~the approval was issued if the construction is not commenced~~
1266 ~~within 1 year after the date of issuance.~~

1267 Section 103. Section 514.031, Florida Statutes, is amended
1268 to read:

1269 514.031 Permit necessary to operate public swimming pool ~~or~~
1270 ~~bathing place.~~

1271 (1) It is unlawful for any person or public body to operate
1272 or continue to operate any public swimming pool ~~or bathing place~~
1273 without a valid permit from the department, such permit to be
1274 obtained in the following manner:

1275 (a) Any person or public body desiring to operate any
1276 public swimming pool ~~or bathing place~~ shall file an application
1277 for a permit with the department, on application forms provided
1278 by the department, and shall accompany such application with:

1279 ~~1. Descriptions of the structure, its appurtenances, and~~
1280 ~~its operation.~~

1281 ~~1.2.~~ Description of the source or sources of water supply,
1282 and the amount and quality of water available and intended to be
1283 used.

1284 ~~2.3.~~ Method and manner of water purification, treatment,
1285 disinfection, and heating.

1286 ~~3.4.~~ Safety equipment and standards to be used.

1287 ~~5. Measures to ensure personal cleanliness of bathers.~~

1288 ~~4.6.~~ Any other pertinent information deemed necessary by
1289 the department ~~to fulfill the requirements of this chapter.~~



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1290 (b) If the department determines that the public swimming
1291 pool ~~or bathing place~~ is or may reasonably be expected to be
1292 operated in compliance with this chapter and the rules adopted
1293 hereunder, the department shall grant the application for
1294 permit.

1295 (c) If the department determines that the public swimming
1296 pool ~~or bathing place~~ does not meet the provisions outlined in
1297 this chapter or the rules adopted hereunder, the department
1298 shall deny the application for a permit pursuant to the
1299 provisions of chapter 120. Such denial shall be in writing and
1300 shall list the circumstances for the denial. Upon correction of
1301 such circumstances, an applicant previously denied permission to
1302 operate a public swimming pool or bathing place may reapply for
1303 a permit.

1304 (2) Operating permits shall not be required for coastal or
1305 intracoastal beaches.

1306 (3) Operating permits may be transferred ~~shall not be~~
1307 ~~transferable~~ from one name or owner to another. When the
1308 ownership or name of an existing public swimming pool ~~or bathing~~
1309 ~~place~~ is changed and such establishment is operating at the time
1310 of the change with a valid permit from the department, the new
1311 owner of the establishment shall apply to the department, upon
1312 forms provided by the department, within 30 days after such a
1313 change, ~~for a reissuance of the existing permit.~~

1314 (4) Each such operating permit shall be renewed annually
1315 and the permit must be posted in a conspicuous place.

1316 (5) An owner or operator of a public swimming pool,
1317 including, but not limited to, a spa, wading, or special purpose
1318 pool, to which admittance is obtained by membership for a fee



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1319 shall post in a prominent location within the facility the most
1320 recent pool inspection report issued by the department
1321 pertaining to the health and safety conditions of such facility.
1322 The report shall be legible and readily accessible to members or
1323 potential members. The department shall adopt rules to enforce
1324 this subsection. A portable pool may not be used as a public
1325 pool.

1326 Section 104. Section 514.033, Florida Statutes, is amended
1327 to read:

1328 514.033 Creation of fee schedules authorized.—

1329 (1) The department is authorized to establish a schedule of
1330 fees to be charged by the department or by any authorized county
1331 health department as detailed in s. 514.025 ~~for the review of~~
1332 ~~applications and plans to construct, develop, or modify a public~~
1333 ~~swimming pool or bathing place, for the issuance of permits to~~
1334 ~~operate such establishments, and for the review of variance~~
1335 ~~applications for public swimming pools and bathing places.~~ Fees
1336 assessed under this chapter shall be in an amount sufficient to
1337 meet the cost of carrying out the provisions of this chapter.

1338 (2) The fee schedule shall be: for original construction or
1339 development plan approval, not less than \$275 and not more than
1340 \$500; for modification of original construction, not less than
1341 \$100 and not more than \$150; for an initial operating permit,
1342 not less than \$125 and not more than \$250; and for review of
1343 variance applications, not less than \$240 and not more than
1344 \$400. The department shall assess the minimum fees provided in
1345 this subsection until a fee schedule is promulgated by rule of
1346 the department.

1347 (3) Fees shall be ~~Any person or public body operating a~~



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1348 ~~public swimming pool or bathing place shall pay to the~~
1349 ~~department an annual operating permit fee based on pool or~~
1350 ~~bathing place aggregate gallonage, which shall be: up to and~~
1351 including 25,000 gallons, not less than \$75 and not more than
1352 \$125; and in excess of 25,000 gallons, not less than \$160 and
1353 not more than \$265, except for a pool inspected pursuant to s.
1354 514.0115(2) (b) for which the annual fee shall be \$50.

1355 (4) Fees collected by the department in accordance with
1356 this chapter shall be deposited into the Grants and Donations
1357 Trust Fund or Public Swimming Pool and Bathing Place Trust Fund
1358 ~~for the payment of costs incurred in the administration of this~~
1359 ~~chapter. Fees collected by county health departments performing~~
1360 ~~functions pursuant to s. 514.025 shall be deposited into the~~
1361 County Health Department Trust Fund. Any fee collected under
1362 this chapter is nonrefundable.

1363 (5) The department may not charge any fees for services
1364 provided under this chapter other than those fees authorized in
1365 this section. However, the department shall prorate the initial
1366 annual fee for an operating permit on a half-year basis.

1367 Section 105. Subsections (4) and (5) of section 514.05,
1368 Florida Statutes, are amended to read:

1369 514.05 Denial, suspension, or revocation of permit;
1370 administrative fines.—

1371 (4) All amounts collected pursuant to this section shall be
1372 deposited into the Grants and Donations Trust Fund ~~Public~~
1373 ~~Swimming Pool and Bathing Place Trust Fund~~ or into the County
1374 Health Department Trust Fund, whichever is applicable.

1375 (5) Under conditions specified by rule, the department may
1376 close a public pool that is not in compliance with this chapter



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1377 or the rules adopted under this chapter.

1378 Section 106. Section 514.06, Florida Statutes, is amended
1379 to read:

1380 514.06 Injunction to restrain violations.—Any public
1381 swimming pool or public bathing place presenting a significant
1382 risk to public health by failing to meet the water quality and
1383 safety standards established pursuant to ~~constructed, developed,~~
1384 ~~operated, or maintained contrary to the provisions of this~~
1385 chapter is declared to be a public nuisance, dangerous to health
1386 or safety. Such nuisances may be abated or enjoined in an action
1387 brought by the county health department or the department.

1388 Section 107. Subsections (1) and (2) of section 633.115,
1389 Florida Statutes, are amended to read:

1390 633.115 Fire and Emergency Incident Information Reporting
1391 Program; duties; fire reports.—

1392 (1) (a) The Fire and Emergency Incident Information
1393 Reporting Program is created within the Division of State Fire
1394 Marshal. The program shall:

1395 1. Establish and maintain an electronic communication
1396 system capable of transmitting fire and emergency incident
1397 information to and between fire protection agencies.

1398 2. Initiate a Fire and Emergency Incident Information
1399 Reporting System that shall be responsible for:

1400 a. Receiving fire and emergency incident information from
1401 fire protection agencies.

1402 b. Preparing and disseminating annual reports to the
1403 Governor, the President of the Senate, the Speaker of the House
1404 of Representatives, fire protection agencies, and, upon request,
1405 the public. Each report shall include, but not be limited to,



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1406 the information listed in the National Fire Incident Reporting
1407 System.

1408 c. Upon request, providing other states and federal
1409 agencies with fire and emergency incident data of this state.

1410 3. Adopt rules to effectively and efficiently implement,
1411 administer, manage, maintain, and use the Fire and Emergency
1412 Incident Information Reporting Program. The rules shall be
1413 considered minimum requirements and shall not preclude a fire
1414 protection agency from implementing its own requirements which
1415 shall not conflict with the rules of the Division of State Fire
1416 Marshal.

1417 4. By rule, establish procedures and a format for each fire
1418 protection agency to voluntarily monitor its records and submit
1419 reports to the program.

1420 5. Establish an electronic information database which is
1421 accessible and searchable by fire protection agencies.

1422 (b) The Division of State Fire Marshal shall consult with
1423 the Division of Forestry of the Department of Agriculture and
1424 Consumer Services and the Division Bureau of Emergency
1425 Preparedness and Community Support ~~Medical Services~~ of the
1426 Department of Health to coordinate data, ensure accuracy of the
1427 data, and limit duplication of efforts in data collection,
1428 analysis, and reporting.

1429 (2) The Fire and Emergency Incident Information System
1430 Technical Advisory Panel is created within the Division of State
1431 Fire Marshal. The panel shall advise, review, and recommend to
1432 the State Fire Marshal with respect to the requirements of this
1433 section. The membership of the panel shall consist of the
1434 following 15 members:



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1435 (a) The current 13 members of the Firefighters Employment,
1436 Standards, and Training Council as established in s. 633.31.

1437 (b) One member from the Division of Forestry of the
1438 Department of Agriculture and Consumer Services, appointed by
1439 the division director.

1440 (c) One member from the Division Bureau of Emergency
1441 Preparedness and Community Support Medical Services of the
1442 Department of Health, appointed by the division director bureau
1443 chief.

1444 Section 108. Subsections (4), (5), (6), (8), (9), (10),
1445 (11), and (12) of section 1009.66, Florida Statutes, are amended
1446 to read:

1447 1009.66 Nursing Student Loan Forgiveness Program.—

1448 (4) From the funds available, the Department of Education
1449 ~~Health~~ may make loan principal repayments of up to \$4,000 a year
1450 for up to 4 years on behalf of selected graduates of an
1451 accredited or approved nursing program. All repayments shall be
1452 contingent upon continued proof of employment in the designated
1453 facilities in this state and shall be made directly to the
1454 holder of the loan. The state shall bear no responsibility for
1455 the collection of any interest charges or other remaining
1456 balance. In the event that the designated facilities are
1457 changed, a nurse shall continue to be eligible for loan
1458 forgiveness as long as he or she continues to work in the
1459 facility for which the original loan repayment was made and
1460 otherwise meets all conditions of eligibility.

1461 (5) There is created the Nursing Student Loan Forgiveness
1462 Trust Fund to be administered by the Department of Education
1463 ~~Health~~ pursuant to this section and s. 1009.67 and department



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1464 rules. The Chief Financial Officer shall authorize expenditures
1465 from the trust fund upon receipt of vouchers approved by the
1466 Department of Education ~~Health~~. All moneys collected from the
1467 private health care industry and other private sources for the
1468 purposes of this section shall be deposited into the Nursing
1469 Student Loan Forgiveness Trust Fund. Any balance in the trust
1470 fund at the end of any fiscal year shall remain therein and
1471 shall be available for carrying out the purposes of this section
1472 and s. 1009.67.

1473 (6) In addition to licensing fees imposed under part I of
1474 chapter 464, there is hereby levied and imposed an additional
1475 fee of \$5, which fee shall be paid upon licensure or renewal of
1476 nursing licensure. Revenues collected from the fee imposed in
1477 this subsection shall be deposited in the Nursing Student Loan
1478 Forgiveness Trust Fund of the Department of Education ~~Health~~ and
1479 will be used solely for the purpose of carrying out the
1480 provisions of this section and s. 1009.67. Up to 50 percent of
1481 the revenues appropriated to implement this subsection may be
1482 used for the nursing scholarship program established pursuant to
1483 s. 1009.67.

1484 ~~(8) The Department of Health may solicit technical~~
1485 ~~assistance relating to the conduct of this program from the~~
1486 ~~Department of Education.~~

1487 ~~(8)~~⁽⁹⁾ The Department of Education ~~Health~~ is authorized to
1488 recover from the Nursing Student Loan Forgiveness Trust Fund its
1489 costs for administering the Nursing Student Loan Forgiveness
1490 Program.

1491 ~~(9)~~⁽¹⁰⁾ The Department of Education ~~Health~~ may adopt rules
1492 necessary to administer this program.



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1493 ~~(10)-(11)~~ This section shall be implemented only as
1494 specifically funded.

1495 ~~(11)-(12)~~ Students receiving a nursing scholarship pursuant
1496 to s. 1009.67 are not eligible to participate in the Nursing
1497 Student Loan Forgiveness Program.

1498 Section 109. Section 1009.67, Florida Statutes, is amended
1499 to read:

1500 1009.67 Nursing scholarship program.—

1501 (1) There is established within the Department of Education
1502 ~~Health~~ a scholarship program for the purpose of attracting
1503 capable and promising students to the nursing profession.

1504 (2) A scholarship applicant shall be enrolled in an
1505 approved nursing program leading to the award of an associate
1506 degree, a baccalaureate degree, or a graduate degree in nursing.

1507 (3) A scholarship may be awarded for no more than 2 years,
1508 in an amount not to exceed \$8,000 per year. However, registered
1509 nurses pursuing a graduate degree for a faculty position or to
1510 practice as an advanced registered nurse practitioner may
1511 receive up to \$12,000 per year. These amounts shall be adjusted
1512 by the amount of increase or decrease in the consumer price
1513 index for urban consumers published by the United States
1514 Department of Commerce.

1515 (4) Credit for repayment of a scholarship shall be as
1516 follows:

1517 (a) For each full year of scholarship assistance, the
1518 recipient agrees to work for 12 months in a faculty position in
1519 a college of nursing or Florida College System institution
1520 nursing program in this state or at a health care facility in a
1521 medically underserved area as designated ~~approved~~ by the



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1522 Department of Health. Scholarship recipients who attend school
1523 on a part-time basis shall have their employment service
1524 obligation prorated in proportion to the amount of scholarship
1525 payments received.

1526 (b) Eligible health care facilities include nursing homes
1527 and hospitals in this state, state-operated medical or health
1528 care facilities, public schools, county health departments,
1529 federally sponsored community health centers, colleges of
1530 nursing in universities in this state, and Florida College
1531 System institution nursing programs in this state, family
1532 practice teaching hospitals as defined in s. 395.805, or
1533 specialty children's hospitals as described in s. 409.9119. The
1534 recipient shall be encouraged to complete the service obligation
1535 at a single employment site. If continuous employment at the
1536 same site is not feasible, the recipient may apply to the
1537 department for a transfer to another approved health care
1538 facility.

1539 (c) Any recipient who does not complete an appropriate
1540 program of studies, who does not become licensed, who does not
1541 accept employment as a nurse at an approved health care
1542 facility, or who does not complete 12 months of approved
1543 employment for each year of scholarship assistance received
1544 shall repay to the Department of Education Health, on a schedule
1545 to be determined by the department, the entire amount of the
1546 scholarship plus 18 percent interest accruing from the date of
1547 the scholarship payment. Moneys repaid shall be deposited into
1548 the Nursing Student Loan Forgiveness Trust Fund established in
1549 s. 1009.66. However, the department may provide additional time
1550 for repayment if the department finds that circumstances beyond



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1551 the control of the recipient caused or contributed to the
1552 default.

1553 (5) Scholarship payments shall be transmitted to the
1554 recipient upon receipt of documentation that the recipient is
1555 enrolled in an approved nursing program. The Department of
1556 Education Health shall develop a formula to prorate payments to
1557 scholarship recipients so as not to exceed the maximum amount
1558 per academic year.

1559 (6) The Department of Education Health shall adopt rules,
1560 including rules to address extraordinary circumstances that may
1561 cause a recipient to default on either the school enrollment or
1562 employment contractual agreement, to implement this section.

1563 (7) The Department of Education Health may recover from the
1564 Nursing Student Loan Forgiveness Trust Fund its costs for
1565 administering the nursing scholarship program.

1566 Section 110. Department of Health; type two transfer.-

1567 (1) All powers, duties, functions, records, offices,
1568 personnel, associated administrative support positions,
1569 property, pending issues, existing contracts, administrative
1570 authority, administrative rules, and unexpended balances of
1571 appropriations, allocations, and other funds relating to the
1572 Nursing Student Loan Forgiveness Program and the nursing
1573 scholarship program in the Department of Health are transferred
1574 by a type two transfer, as defined in s. 20.06(2), Florida
1575 Statutes, to the Department of Education.

1576 (2) The Nursing Student Loan Forgiveness Trust Fund is
1577 transferred from the Department of Health to the Department of
1578 Education.

1579 (3) Any binding contract or interagency agreement related



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1580 to the Nursing Student Loan Forgiveness Program existing before
1581 July 1, 2012, between the Department of Health, or an entity or
1582 agent of the agency, and any other agency, entity, or person
1583 shall continue as a binding contract or agreement for the
1584 remainder of the term of such contract or agreement on the
1585 successor department, agency, or entity responsible for the
1586 program, activity, or functions relative to the contract or
1587 agreement.

1588 (4) Notwithstanding s. 216.292 and pursuant to s. 216.351,
1589 Florida Statutes, upon approval by the Legislative Budget
1590 Commission, the Executive Office of the Governor may transfer
1591 funds and positions between agencies to implement this act.

1592 (5) The transfer of any program, activity, duty, or
1593 function under this act includes the transfer of any records and
1594 unexpended balances of appropriations, allocations, or other
1595 funds related to such program, activity, duty, or function.
1596 Unless otherwise provided, the successor organization to any
1597 program, activity, duty, or function transferred under this act
1598 shall become the custodian of any property of the organization
1599 that was responsible for the program, activity, duty, or
1600 function immediately before the transfer.

1601 Section 111. The Division of Medical Quality Assurance
1602 shall develop a plan to improve the efficiency of its functions.
1603 Specifically, the plan shall delineate methods to: reduce the
1604 average length of time for a qualified applicant to receive
1605 initial and renewal licensure, certification, or registration,
1606 by one-third; improve the agenda process for board meetings to
1607 increase transparency, timeliness, and usefulness for board
1608 decisionmaking; and improve the cost-effectiveness and



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1609 efficiency of the joint functions of the division and the
1610 regulatory boards. In developing the plan, the division shall
1611 identify and analyze best practices found within the division
1612 and other state agencies with similar functions, options for
1613 information technology improvements, options for contracting
1614 with outside entities, and any other option the division deems
1615 useful. The division shall consult with and solicit
1616 recommendations from the regulatory boards in developing the
1617 plan. The division shall submit the plan to the Governor, the
1618 Speaker of the House of Representatives, and the President of
1619 the Senate by November 1, 2012. All executive branch agencies
1620 are instructed, and all other state agencies are requested, to
1621 assist the division in accomplishing its purposes under this
1622 section.

1623 Section 112. Paragraph (e) of subsection (2) of section
1624 154.503, Florida Statutes, is amended to read:

1625 154.503 Primary Care for Children and Families Challenge
1626 Grant Program; creation; administration.—

1627 (2) The department shall:

1628 (e) Coordinate with the primary care program developed
1629 pursuant to s. 154.011, the Florida Healthy Kids Corporation
1630 program created in s. 624.91, the school health services program
1631 created in ss. 381.0056 and 381.0057, ~~the Healthy Communities,~~
1632 ~~Healthy People Program created in s. 381.734,~~ and the volunteer
1633 health care provider program developed pursuant to s. 766.1115.

1634 Section 113. Subsection (1), paragraph (c) of subsection
1635 (3), and subsection (9) of section 381.0041, Florida Statutes,
1636 are amended to read:

1637 381.0041 Donation and transfer of human tissue; testing



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1638 requirements.-

1639 (1) Every donation of blood, plasma, organs, skin, or other
1640 human tissue for transfusion or transplantation to another shall
1641 be tested prior to transfusion or other use for human
1642 immunodeficiency virus infection and other communicable diseases
1643 specified by rule of the Department of Health. Tests for the
1644 human immunodeficiency virus infection shall be performed only
1645 after obtaining written, informed consent from the potential
1646 donor or the donor's legal representative. Such consent may be
1647 given by a minor pursuant to s. 743.06. Obtaining consent shall
1648 include a fair explanation of the procedures to be followed and
1649 the meaning and use of the test results. Such explanation shall
1650 include a description of the confidential nature of the test as
1651 described in s. 381.004(2) ~~381.004(3)~~. If consent for testing is
1652 not given, then the person shall not be accepted as a donor
1653 except as otherwise provided in subsection (3).

1654 (3) No person shall collect any blood, organ, skin, or
1655 other human tissue from one human being and hold it for, or
1656 actually perform, any implantation, transplantation,
1657 transfusion, grafting, or any other method of transfer to
1658 another human being without first testing such tissue for the
1659 human immunodeficiency virus and other communicable diseases
1660 specified by rule of the Department of Health, or without
1661 performing another process approved by rule of the Department of
1662 Health capable of killing the causative agent of those diseases
1663 specified by rule. Such testing shall not be required:

1664 (c) When there is insufficient time to obtain the results
1665 of a confirmatory test for any tissue or organ which is to be
1666 transplanted, notwithstanding the provisions of s. 381.004(2)(d)



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1667 ~~381.004(3)(d)~~. In such circumstances, the results of preliminary
1668 screening tests may be released to the potential recipient's
1669 treating physician for use in determining organ or tissue
1670 suitability.

1671 (9) All blood banks shall be governed by the
1672 confidentiality provisions of s. 381.004(2) ~~381.004(3)~~.

1673 Section 114. Paragraph (b) of subsection (3) of section
1674 384.25, Florida Statutes, is amended to read:

1675 384.25 Reporting required.—

1676 (3) To ensure the confidentiality of persons infected with
1677 the human immunodeficiency virus (HIV), reporting of HIV
1678 infection and AIDS must be conducted using a system developed by
1679 the Centers for Disease Control and Prevention of the United
1680 States Public Health Service or an equivalent system.

1681 (b) The reporting may not affect or relate to anonymous HIV
1682 testing programs conducted pursuant to s. 381.004(3) ~~381.004(4)~~.

1683 Section 115. Subsection (5) of section 392.56, Florida
1684 Statutes, is amended to read:

1685 392.56 Hospitalization, placement, and residential
1686 isolation.—

1687 (5) If the department petitions the circuit court to order
1688 that a person who has active tuberculosis be hospitalized in a
1689 facility operated under s. 392.62~~(2)~~, the department shall
1690 notify the facility of the potential court order.

1691 Section 116. Subsection (2) of section 456.032, Florida
1692 Statutes, is amended to read:

1693 456.032 Hepatitis B or HIV carriers.—

1694 (2) Any person licensed by the department and any other
1695 person employed by a health care facility who contracts a blood-



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1696 borne infection shall have a rebuttable presumption that the
1697 illness was contracted in the course and scope of his or her
1698 employment, provided that the person, as soon as practicable,
1699 reports to the person's supervisor or the facility's risk
1700 manager any significant exposure, as that term is defined in s.
1701 381.004(1)(c) ~~381.004(2)(e)~~, to blood or body fluids. The
1702 employer may test the blood or body fluid to determine if it is
1703 infected with the same disease contracted by the employee. The
1704 employer may rebut the presumption by the preponderance of the
1705 evidence. Except as expressly provided in this subsection, there
1706 shall be no presumption that a blood-borne infection is a job-
1707 related injury or illness.

1708 Section 117. Subsection (15) of section 499.003, Florida
1709 Statutes, is amended to read:

1710 499.003 Definitions of terms used in this part.—As used in
1711 this part, the term:

1712 (15) "Department" means the Department of Business and
1713 Professional Regulation ~~Department of Health~~.

1714 Section 118. Subsection (2) of section 499.601, Florida
1715 Statutes, is amended to read:

1716 499.601 Legislative intent; construction.—

1717 (2) The provisions of this part are cumulative and shall
1718 not be construed as repealing or affecting any powers, duties,
1719 or authority of the department ~~of Health~~ under any other law of
1720 this state; except that, with respect to the regulation of ether
1721 as herein provided, in instances in which the provisions of this
1722 part may conflict with any other such law, the provisions of
1723 this part shall control.

1724 Section 119. Subsection (2) of section 499.61, Florida



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1725 Statutes, is amended to read:

1726 499.61 Definitions.—As used in this part:

1727 (2) "Department" means the Department of Business and
1728 Professional Regulation ~~Department of Health~~.

1729 Section 120. Subsection (2) of section 513.10, Florida
1730 Statutes, is amended to read:

1731 513.10 Operating without permit; enforcement of chapter;
1732 penalties.—

1733 (2) This chapter or rules adopted under this chapter may be
1734 enforced in the manner provided in s. 381.0012 and as provided
1735 in this chapter. Violations of this chapter and the rules
1736 adopted under this chapter are subject to the penalties provided
1737 in this chapter and in s. ss. 381.0025 and 381.0061.

1738
1739 ===== T I T L E A M E N D M E N T =====

1740 And the title is amended as follows:

1741 Delete lines 160 - 427

1742 and insert:

1743 management of public health; amending s. 381.0303,
1744 F.S.; eliminating the requirement that the Special
1745 Needs Shelter Interagency Committee submit
1746 recommendations to the Legislature; repealing s.
1747 381.04015, F.S.; eliminating the Women's Health
1748 Strategy Office and Officer of Women's Health
1749 Strategy; amending s. 381.0403, F.S., relating to the
1750 "Community Hospital Education Act"; deleting
1751 legislative findings and intent; revising the mission
1752 of the program; requiring minimum funding for graduate
1753 education in family practice; deleting reference to an



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1754 intent to establish a statewide graduate medical
1755 education program; amending s. 381.0405, F.S.;

1756 deleting an appropriation to the Office of Rural
1757 Health; amending s. 381.0406, F.S.; deleting
1758 unnecessary introductory language in provisions
1759 relating to rural health networks; repealing s.
1760 381.0407, F.S., to eliminate the mandatory payment of
1761 claims from public health care providers and county
1762 health departments by managed care plans; repealing s.
1763 381.045, F.S.; eliminating department authority to
1764 provide services to certain health care providers
1765 infected with Hepatitis B or HIV; amending s.
1766 381.06015, F.S.; deleting an obsolete provision that
1767 requires the department, the Agency for Health Care
1768 Administration, and private consortium members seeking
1769 private or federal funds to initiate certain program
1770 actions relating to the Public Cord Blood Tissue Bank;
1771 repealing s. 381.0605, F.S., relating to designating
1772 the Agency for Health Care Administration as the state
1773 agency to administer the Federal Hospital and Medical
1774 Facilities Amendments of 1964; eliminating authority
1775 of the Governor to provide for administration of the
1776 amendments; repealing ss. 381.1001-381.103, F.S., the
1777 Florida Community Health Protection Act; repealing s.
1778 381.4018(2), F.S., relating to legislative findings
1779 and intent with respect to physician workforce
1780 assessment and development; repealing s. 381.60225,
1781 F.S., to eliminate background screening requirements
1782 for health care professionals and owners, operators,



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1783 and employees of certain health care providers,
1784 services, and programs; repealing ss. 381.732-381.734,
1785 F.S., the "Healthy People, Healthy Communities Act";
1786 amending s. 381.7352, F.S.; deleting legislative
1787 findings relating to the "Reducing Racial and Ethnic
1788 Health Disparities: Closing the Gap Act"; amending s.
1789 381.7353, F.S.; removing the authority of the State
1790 Surgeon General to appoint an ad hoc committee to
1791 study certain aspects of racial and ethnic health
1792 outcome disparities and make recommendations; amending
1793 s. 381.7356, F.S.; deleting a provision requiring
1794 dissemination of Closing the Gap grant awards to begin
1795 on a date certain; amending s. 381.765, F.S.;
1796 repealing unused rulemaking authority relating to
1797 records and recordkeeping for department-owned
1798 property; repealing s. 381.77, F.S., to eliminate the
1799 annual survey of nursing home residents age 55 and
1800 under; repealing s. 381.795, F.S., to eliminate the
1801 requirement that the department establish a program of
1802 long-term community-based supports and services for
1803 individuals with traumatic brain or spinal cord
1804 injuries; amending s. 381.853, F.S.; deleting
1805 legislative findings relating to brain tumor research;
1806 repealing s. 381.855, F.S., which established the
1807 Florida Center for Universal Research to Eradicate
1808 Disease; repealing s. 381.87, F.S., to eliminate the
1809 osteoporosis prevention and education program;
1810 repealing s. 381.90, F.S., to eliminate the Health
1811 Information Systems Council; amending s. 381.91, F.S.,



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1812 relating to the Jesse Trice Cancer Program; revising
1813 legislative intent; amending 381.922, F.S.; conforming
1814 a reference; amending s. 383.011, F.S.; requiring the
1815 Department of Health to establish an interagency
1816 agreement with the Department of Children and Family
1817 Services for management of the Special Supplemental
1818 Nutrition program for Women, Infants, and Children;
1819 specifying responsibilities of each department;
1820 creating s. 383.141, F.S.; providing legislative
1821 findings; providing definitions; requiring that health
1822 care providers provide pregnant women with current
1823 information about the nature of the developmental
1824 disabilities tested for in certain prenatal tests, the
1825 accuracy of such tests, and resources for obtaining
1826 support services for Down syndrome and other
1827 prenatally diagnosed developmental disabilities;
1828 providing duties for the Department of Health
1829 concerning establishment of an information
1830 clearinghouse; creating an advocacy council within the
1831 Department of Health to provide technical assistance
1832 in forming the clearinghouse; providing membership for
1833 the council; providing duties of the council;
1834 providing terms for members of the council; providing
1835 for election of a chairperson and vice chairperson;
1836 providing meeting times for the council; requiring the
1837 members to serve without compensation or reimbursement
1838 for travel expenses; authorizing meetings by
1839 teleconference or other electronic means; requiring
1840 the Department of Health to provide administrative



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1841 support; repealing s. 385.210, F.S., the Arthritis
1842 Prevention and Education Act by a specific date;
1843 amending s. 391.016, F.S.; clarifying the purposes and
1844 functions of the Children's Medical Services program;
1845 requiring the coordination and maintenance of a
1846 medical home for participating children; amending s.
1847 391.021, F.S.; revising definitions; amending s.
1848 391.025, F.S.; revising the components of the
1849 Children's Medical Services program; amending s.
1850 391.026, F.S.; revising the powers and duties of the
1851 department in administering the Children's Medical
1852 Services network; amending s. 391.028, F.S.;
1853 eliminating the central office and area offices of the
1854 Children's Medical Services program; authorizing the
1855 Director of Children's Medical Services to appoint
1856 necessary staff and contract with providers to
1857 establish a system to provide certain program
1858 activities on a statewide basis; amending s. 391.029,
1859 F.S.; specifying eligibility for services provided
1860 under the Children's Medical Services program;
1861 clarifying who may receive services under the program;
1862 deleting the requirement that the department determine
1863 financial and medical eligibility for program;
1864 deleting the requirement that the department determine
1865 the financial ability of parents to pay for services;
1866 eliminating discretion of the department to pay
1867 reasonable travel expenses; amending s. 391.0315,
1868 F.S.; deleting a prohibition against a child eligible
1869 under Title XIX or XXI of the Social Security Act from



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1870 receiving services under the program until the child
1871 is enrolled in Medicaid or a Title XXI program;
1872 amending s. 392.51, F.S., relating to tuberculosis
1873 control; removing legislative findings and intent;
1874 amending s. 392.61, F.S.; eliminating the requirement
1875 that the department develop a methodology for
1876 distributing funds appropriated for community
1877 tuberculosis control programs; amending s. 392.62,
1878 F.S.; requiring a contractor to use licensed community
1879 hospitals and other facilities for the care and
1880 treatment of persons who have active tuberculosis or a
1881 history of noncompliance with prescribed drug regimens
1882 and require inpatient or other residential services;
1883 removing authority of the department to operate a
1884 licensed hospital to treat tuberculosis patients;
1885 requiring the tuberculosis control program to fund
1886 participating facilities; requiring facilities to meet
1887 specific conditions; requiring the department to
1888 develop a transition plan for the closure of A.G.
1889 Holley State Hospital; specifying content of
1890 transition plan; requiring submission of the plan to
1891 the Governor and Legislature; requiring full
1892 implementation of the transition plan by a certain
1893 date; amending s. 401.243, F.S.; repealing unused
1894 rulemaking authority governing the implementation of
1895 injury-prevention grant programs; amending s. 401.245,
1896 F.S.; repealing unused rulemaking authority relating
1897 to operating procedures for the Emergency Medical
1898 Services Advisory Council; amending s. 401.271, F.S.;



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1899 repealing unused rulemaking authority relating to an
1900 exemption for the spouse of a member of the Armed
1901 Forces of the United States on active duty from
1902 certification renewal provisions while the spouse is
1903 absent from the state because of the member's active
1904 duty with the Armed Forces; repealing s. 402.45, F.S.;
1905 repealing unused rulemaking authority relating to the
1906 community resource mother or father program; amending
1907 s. 403.863, F.S.; directing the department to contract
1908 to perform state public water supply laboratory
1909 certification application review and evaluation and
1910 laboratory inspections; adding certain actions to the
1911 list of acts constituting grounds for which
1912 disciplinary actions may be taken under the section;
1913 amending ss. 400.914 and 409.256, F.S.; conforming
1914 references; repealing s. 458.346, F.S., which created
1915 the Public Sector Physician Advisory Committee and
1916 established its responsibilities; amending s. 462.19,
1917 F.S., relating to the renewal of licenses for
1918 practitioners of naturopathy; repealing unused
1919 rulemaking authority; amending s. 464.019, F.S.,
1920 requiring the Board of Nursing to deny a program
1921 application for new prelicensure nursing education
1922 program while the existing program is on probationary
1923 status; repealing s. 464.0197, F.S., relating to state
1924 budget support for the Florida Center for Nursing;
1925 amending s. 464.203, F.S.; revising the certification
1926 requirements for certified nursing assistants;
1927 amending s. 464.208, F.S.; repealing unused rulemaking



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1928 authority relating to background screening information
1929 of certified nursing assistants; repealing s.
1930 466.00775, F.S., relating to unused rulemaking
1931 authority relating to dental health access and dental
1932 laboratory registration provisions; amending ss.
1933 212.08, 499.003, 499.601, and 499.61, F.S.; updating
1934 departmental designation; amending s. 514.011, F.S.;
1935 revising the definition of "public bathing place";
1936 amending s. 514.021, F.S.; restricting rulemaking
1937 authority of the department; limiting scope of
1938 standards for public pools and public bathing places;
1939 prohibiting the department from adopting by rule any
1940 regulation regarding the design, alteration, or repair
1941 of a public pool or public bathing; eliminating
1942 authority of the department to review plans, issue
1943 approvals, and enforce occupancy provisions of the
1944 Florida Building Code; amending s. 514.023, F.S.;
1945 adding public bathing places to the provisions
1946 allowing sampling of beach waters to determine
1947 sanitation and allowing health advisories to be issued
1948 for elevated levels of bacteria in such waters;
1949 deleting an obsolete provision; amending s. 514.025,
1950 F.S.; requiring the department to review applications
1951 and plans for the construction or placement of public
1952 pools or bathing places; providing for the department
1953 to review applications and plans if no qualified staff
1954 are employed at the county health department;
1955 establishing that the department is responsible to
1956 monitor water quality in public pools and bathing



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1957 places; amending s. 514.03, F.S.; permitting local
1958 governments or local enforcement districts to
1959 determine compliance with general construction
1960 provisions of the Florida Building Code; permitting
1961 local governments or local enforcement districts to
1962 conduct plan reviews and inspections of public pools
1963 and bathing places to determine compliance;
1964 eliminating an application process for review of
1965 building plans for a public pool or bathing place by
1966 the department; amending s. 514.031, F.S.; requiring a
1967 valid permit from the department to operate a public
1968 pool; revising the list of documents that must
1969 accompany an application for a permit to operate a
1970 public pool; providing the department with authority
1971 to review, approve, and deny an application for a
1972 permit to operate a public pool; amending s. 514.033,
1973 F.S.; deleting authority of the department to
1974 establish a fee schedule; requiring fees collected by
1975 the department or county health department to be
1976 deposited into the Grants and Donations Trust Fund or
1977 the County Health Department Trust Fund; amending s.
1978 514.05, F.S.; requiring all amounts collected to be
1979 deposited in the Grants and Donations Trust Fund or
1980 the County Health Department Trust Fund; granting the
1981 county health department the authority to close a
1982 public pool that is not in compliance with ch. 514,
1983 F.S., or applicable rules; amending s. 514.06, F.S.;
1984 deeming a public pool or bathing place to present a
1985 significant risk to public health by failing to meet



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1986 water quality and safety to be a public nuisance;
1987 allowing for a public nuisance to be abated or
1988 enjoined; amending s. 633.115, F.S.; making conforming
1989 changes; amending s. 1009.66, F.S.; reassigning
1990 responsibility for the Nursing Student Loan
1991 Forgiveness Program from the Department of Health to
1992 the Department of Education; amending s. 1009.67,
1993 F.S.; reassigning responsibility for the nursing
1994 scholarship program from the Department of Health to
1995 the Department of Education; providing type two
1996 transfers of the programs; providing for transfer of a
1997 trust fund; providing applicability to contracts;
1998 authorizing transfer of funds and positions between
1999 departments; requiring the Division of Medical Quality
2000 and Assurance to create a plan to improve efficiency
2001 of the function of the division; directing the
2002 division to take certain actions in creating the plan;
2003 directing the division to address particular topics in
2004 the plan; requiring all executive branch agencies to
2005 assist the department in creating the plan; requesting
2006 all other state agencies to assist the department in
2007 creating the plan; amending ss. 154.503, 381.0041,
2008 384.25, 392.56, 395.1027, 411.203, 456.032, 513.10,
2009 and 775.0877, F.S.; conforming cross-