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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/25/2014	.	
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The Committee on Health Policy (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 157 - 373

and insert:

Section 3. Subsection (2) of section 456.013, Florida Statutes, is amended to read:

456.013 Department; general licensing provisions.—

(2) Before the issuance of a ~~any~~ license, the department shall charge an initial license fee as determined by the applicable board or, if there is no board, by rule of the



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11 department. Upon receipt of the appropriate license fee, the
12 department shall issue a license to a any person certified by
13 the appropriate board, or its designee, as having met the
14 licensure requirements imposed by law or rule. ~~The license shall~~
15 ~~consist of a wallet-size identification card and a wall card~~
16 ~~measuring 6 1/2 inches by 5 inches.~~ The licensee shall surrender
17 the license to the department ~~the wallet-size identification~~
18 ~~card and the wall card~~ if the licensee's license was ~~is~~ issued
19 in error or is revoked.

20 Section 4. Present subsections (5) through (11) of section
21 456.025, Florida Statutes, are redesignated as subsections (4)
22 through (10), respectively, and present subsections (4) and (6)
23 are amended to read:

24 456.025 Fees; receipts; disposition.-

25 ~~(4) Each board, or the department if there is no board, may~~
26 ~~charge a fee not to exceed \$25, as determined by rule, for the~~
27 ~~issuance of a wall certificate pursuant to s. 456.013(2)~~
28 ~~requested by a licensee who was licensed prior to July 1, 1998,~~
29 ~~or for the issuance of a duplicate wall certificate requested by~~
30 ~~any licensee.~~

31 ~~(5)(6)~~ If the cash balance of the trust fund at the end of
32 any fiscal year exceeds the total appropriation provided for the
33 regulation of the health care professions in the prior fiscal
34 year, the boards, in consultation with the department, may lower
35 the license renewal fees. When the department determines, based
36 on long-range estimates of revenue, that a profession's trust
37 fund balance exceeds the amount required to cover necessary
38 functions, each board, or the department when there is no board,
39 may adopt rules to implement the waiver of initial application



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40 fees, initial licensure fees, unlicensed activity fees, or
41 renewal fees for that profession. The waiver of renewal fees may
42 not exceed 2 years.

43 Section 5. Subsections (2) through (4) of section 458.319,
44 Florida Statutes, are redesignated as subsections (3) through
45 (5), respectively, and a new subsection (2) is added to that
46 section, to read:

47 458.319 Renewal of license.—

48 (2) Each licensee shall demonstrate his or her professional
49 competency by completing at least 40 hours of continuing medical
50 education every 2 years. The board, by rule, may:

51 (a) Provide that continuing medical education approved by
52 the American Medical Association satisfies some or all of the
53 continuing medical education requirements.

54 (b) Mandate specific continuing medical education
55 requirements.

56 (c) Approve alternative methods for obtaining continuing
57 medical education credits, including, but not limited to:

58 1. Attendance at a board meeting at which another licensee
59 is disciplined;

60 2. Service as a volunteer expert witness for the department
61 in a disciplinary proceeding; or

62 3. Service as a member of a probable cause panel following
63 expiration of a board member's term.

64 (d) Provide that up to 25 percent of the required
65 continuing medical education hours may be fulfilled through pro
66 bono services to the indigent, underserved populations, or
67 patients in critical need areas in the state where the licensee
68 practices.



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69 1. The board shall require that any pro bono service be
70 approved in advance to receive credit for continuing medical
71 education under this paragraph.

72 2. The standard for determining indigency is that
73 recognized by the federal poverty guidelines and must be less
74 than 150 percent of the federal poverty level.

75 (e) Provide that a portion of the continuing medical
76 education hours may be fulfilled by performing research in
77 critical need areas or by training for advanced professional
78 certification.

79 (f) Adopt rules to define underserved and critical need
80 areas.

81 Section 6. Subsection (3) of section 458.3485, Florida
82 Statutes, is amended to read:

83 458.3485 Medical assistant.—

84 ~~(3) CERTIFICATION. Medical assistants may be certified by~~
85 ~~the American Association of Medical Assistants or as a~~
86 ~~Registered Medical Assistant by the American Medical~~
87 ~~Technologists.~~

88 Section 7. Subsection (7) of section 464.203, Florida
89 Statutes, is amended to read:

90 464.203 Certified nursing assistants; certification
91 requirement.—

92 (7) A certified nursing assistant shall complete 24 ~~12~~
93 ~~hours of inservice training during each biennium calendar year.~~
94 The certified nursing assistant shall maintain ~~be responsible~~
95 ~~for maintaining~~ documentation demonstrating compliance with
96 these provisions. ~~The Council on Certified Nursing Assistants,~~
97 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~



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98 ~~implement this subsection.~~

99 Section 8. Section 464.2085, Florida Statutes, is repealed.

100 Section 9. Subsection (2) of section 466.032, Florida
101 Statutes, is amended to read:

102 466.032 Registration.—

103 ~~(2) Upon the failure of any dental laboratory operator to~~
104 ~~comply with subsection (1), the department shall notify her or~~
105 ~~him by registered mail, within 1 month after the registration~~
106 ~~renewal date, return receipt requested, at her or his last known~~
107 ~~address, of such failure and inform her or him of the provisions~~
108 ~~of subsections (3) and (4).~~

109 Section 10. Subsection (8) of section 467.009, Florida
110 Statutes, is amended to read:

111 467.009 Midwifery programs; education and training
112 requirements.—

113 (8) Nonpublic educational institutions that conduct
114 approved midwifery programs shall be accredited by a member of
115 the Council for Higher Education Commission on Recognition of
116 ~~Postsecondary~~ Accreditation and shall be licensed by the
117 Commission for Independent Education.

118 Section 11. Subsection (2) of section 468.1665, Florida
119 Statutes, is amended to read:

120 468.1665 Board of Nursing Home Administrators; membership;
121 appointment; terms.—

122 (2) Four ~~Three~~ members of the board must be licensed
123 nursing home administrators. One member ~~Two members~~ of the board
124 must be a health care practitioner ~~practitioners~~. The remaining
125 two members of the board must be laypersons who are not, and
126 have never been, nursing home administrators or members of any



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127 health care profession or occupation. At

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129 ===== T I T L E A M E N D M E N T =====

130 And the title is amended as follows:

131 Delete lines 16 - 45

132 and insert:

133 amending s. 456.025, F.S.; deleting a fee provision
134 for the issuance of wall certificates for various
135 health profession licenses; authorizing the boards or
136 the department to adopt rules waiving certain fees for
137 a specified period in certain circumstances; amending
138 s. 458.319, F.S.; providing continuing medical
139 education requirements for Board of Medicine
140 licensees; authorizing the board to adopt rules;
141 amending s. 458.3485, F.S.; deleting language relating
142 to the certification and registration of medical
143 assistants; amending s. 464.203, F.S.; revising
144 certified nursing assistant inservice training
145 requirements; repealing s. 464.2085, F.S., relating to
146 the creation, membership, and duties of the Council on
147 Certified Nursing Assistants; amending s. 466.032,
148 F.S.; deleting a requirement that the department
149 provide certain notice to a dental laboratory operator
150 who fails to renew her or his registration; amending
151 s. 467.009, F.S.; updating the name of the
152 organization that accredits certain midwifery
153 programs; amending s. 468.1665, F.S.; increasing the
154 number of members of the Board of Nursing Home
155 Administrators who must be licensed nursing home



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administrators and decreasing the number of members
who must be health care practitioners; amending