

1 A bill to be entitled

2 An act relating to military and veteran support;  
3 amending s. 250.10, F.S.; revising participation  
4 requirements and authorizing certain courses for the  
5 Educational Dollars for Duty program; directing the  
6 Adjutant General to adopt certain rules; providing  
7 appropriations; amending s. 250.35, F.S.; updating  
8 references with respect to courts-martial; creating s.  
9 265.004, F.S.; establishing the Florida Veterans' Walk  
10 of Honor and the Florida Veterans' Memorial Garden;  
11 directing the Department of Management Services, in  
12 consultation with the direct-support organization of  
13 the Department of Veterans' Affairs, to make space  
14 available for such purpose; amending ss. 295.065,  
15 295.07, 295.08, and 295.085, F.S.; revising and  
16 providing governmental employment preference for  
17 certain persons; amending ss. 296.06 and 296.36, F.S.;  
18 revising the eligibility requirements for residency in  
19 the Florida State Veterans' Domiciliary Home and  
20 admittance to a state veterans' nursing home; amending  
21 s. 322.031, F.S.; providing conditions under which the  
22 spouses and dependents of servicemembers are exempt  
23 from obtaining or displaying a driver license or  
24 learner's permit; amending s. 322.121, F.S.; granting  
25 an automatic extension for the expiration of a driver  
26 license to the spouse and dependents of

27 servicemembers; amending s. 455.213, F.S.; extending  
 28 the application deadline for military veterans to have  
 29 certain fees waived by the Department of Business and  
 30 Professional Regulation and waiving such fees for the  
 31 spouses of veterans; amending ss. 458.315 and  
 32 459.0076, F.S.; revising application requirements and  
 33 procedures for physicians to obtain a temporary  
 34 certificate for practice in areas of critical need;  
 35 creating ss. 458.3151 and 459.00761, F.S.; providing  
 36 application requirements and procedures for active  
 37 duty military and veteran physicians to obtain a  
 38 certificate for practice in areas of critical need;  
 39 amending s. 499.012, F.S.; providing that specified  
 40 military service meets certain permitting  
 41 requirements; amending s. 1009.26, F.S.; directing  
 42 state universities and Florida College System  
 43 institutions to waive certain fees for veterans;  
 44 providing applicability; providing an effective date.

45  
 46 Be It Enacted by the Legislature of the State of Florida:  
 47

48 Section 1. Subsections (7) and (8) of section 250.10,  
 49 Florida Statutes, are amended, and subsection (9) is added to  
 50 that section, to read:

51 250.10 Appointment and duties of the Adjutant General.—  
 52 (7) The Adjutant General shall develop an education

53 assistance program for members in good standing of the Florida  
 54 National Guard who enroll in an authorized course of study at a  
 55 public or nonpublic institution of higher learning in the state  
 56 which has been accredited by an accrediting body recognized by  
 57 the United States Department of Education or licensed by the  
 58 Commission for Independent Education. This program shall be  
 59 known as the Educational Dollars for Duty program (EDD).

60 (a) The program shall set forth application requirements,  
 61 including, but not limited to, requirements that the applicant:

- 62 1. Be 17 years of age or older.
- 63 2. Be presently domiciled in the state.
- 64 3. Be an active drilling member and in good standing in  
 65 the Florida National Guard at the beginning of and throughout  
 66 the entire academic term for which benefits are received.
- 67 4. Maintain continuous satisfactory participation in the  
 68 Florida National Guard for the ~~any~~ school term for which  
 69 exemption benefits are received.
- 70 5. Upon enrollment in the program, complete a memorandum  
 71 of agreement to:
  - 72 a. Comply with the rules of the program. ~~and~~
  - 73 b. Serve in the Florida National Guard for the period  
 74 specified in the member's enlistment or reenlistment contract.
  - 75 c. Authorize the release of information by the institution  
 76 of higher learning to the Department of Military Affairs. An  
 77 institution of higher learning that accepts funding from the  
 78 program shall provide course enrollment, course withdrawal,

79 course cancellation, course completion or failure, and grade  
 80 verification for each student to the education service office of  
 81 the Department of Military Affairs.

82 (b) The program shall define those members of the Florida  
 83 National Guard who are ineligible to participate in the program  
 84 and those courses of study which are not authorized for the  
 85 program.

86 1. Ineligible members include, but are not limited to, a  
 87 ~~any~~ member, commissioned officer, warrant officer, or enlisted  
 88 person who has obtained a master's degree using the program.

89 2. Courses not authorized include noncredit courses,  
 90 courses that do not meet degree requirements, courses that do  
 91 not meet requirements for completion of career training, or  
 92 other courses as determined by program definitions.

93 3. Developmental education courses are authorized for the  
 94 program.

95 (c) The Adjutant General shall adopt rules for the overall  
 96 policy, guidance, administration, implementation, and proper use  
 97 of the program. Such rules must include, but not be limited to:7

98 1. Guidelines for certification by the Adjutant General of  
 99 a guard member's eligibility.7

100 2. Guidelines for approving courses of study that are  
 101 authorized for the program, including online courses, courses  
 102 that are part of the Complete Florida Degree Program under s.  
 103 1006.735, and courses leading to a degree offered by a Florida  
 104 College System institution as part of a program to offer

105 baccalaureate degrees which cost a student no more than \$10,000.

106 3. Procedures for notification to an institution of a  
 107 guard member's termination of eligibility.~~and~~

108 4. Procedures for restitution when a guard member fails to  
 109 comply with the penalties described in this section.

110 5. Procedures to facilitate the award of academic credit,  
 111 pursuant to s. 1004.096, for college-level training and  
 112 education acquired in the military.

113  
 114 In developing these rules, the Adjutant General may work with  
 115 the University of Florida Institute for Online Learning to  
 116 establish guidelines for eligibility for University of Florida  
 117 online baccalaureate degree programs.

118 (8) Subject to appropriations, the Department of Military  
 119 Affairs may pay the full cost of tuition and fees for required  
 120 courses for current members of the Florida National Guard.  
 121 Members are eligible to use the program upon enlistment in the  
 122 Florida National Guard. If a member is enrolled in a nonpublic  
 123 postsecondary education institution or a nonpublic vocational-  
 124 technical program, the Department of Military Affairs shall pay  
 125 an amount equal to the amount that would be required to pay for  
 126 the average tuition and fees at a public postsecondary education  
 127 institution or public vocational-technical program.

128 (a) The Department of Military Affairs may, at the  
 129 discretion of the Adjutant General, reimburse student textbook  
 130 and instructional material costs and fees in accordance with

131 limits set each fiscal year based on funding availability.

132 (b)~~(a)~~ A member may participate in the program if he or  
 133 she maintains satisfactory participation in, and is an active  
 134 drilling member of, the Florida National Guard. Inactive members  
 135 of the Florida National Guard and members of the Individual  
 136 Ready Reserve (IRR) are not eligible to participate in the  
 137 program.

138 (c)~~(b)~~ Penalties for noncompliance with program  
 139 requirements include, but are not limited to, the following:

140 1. If a member of the Florida National Guard receives  
 141 payment of tuition and fees for an ~~any~~ academic term and fails  
 142 to maintain satisfactory participation in the Florida National  
 143 Guard during that academic term, the member shall reimburse the  
 144 Department of Military Affairs all tuition charges and student  
 145 fees for the academic term for which the member received  
 146 payment.

147 2. If a member of the Florida National Guard leaves the  
 148 Florida National Guard during the period specified in the  
 149 member's enlistment or reenlistment contract, the member shall  
 150 reimburse the Department of Military Affairs all tuition charges  
 151 and student fees for which the member received payments,  
 152 regardless of whether the obligation to reimburse the department  
 153 was incurred before, on, or after July 1, 2009, unless the  
 154 Adjutant General finds that there are justifiable extenuating  
 155 circumstances.

156 3. If the service of a member of the Florida National

157 Guard is terminated or the member is placed on scholastic  
158 probation while receiving payments, the member shall reimburse  
159 the Department of Military Affairs all tuition charges and  
160 student fees for the academic term for which the member received  
161 payment.

162 4. If a member defaults on any reimbursement made under  
163 this paragraph, the department may charge the member the maximum  
164 interest rate authorized by law.

165 (9) (a) Beginning in the 2014-2015 fiscal year, the sum of  
166 \$14.5 million in recurring funds is appropriated from the  
167 General Revenue Fund to the Department of Military Affairs to  
168 pay the full tuition and fees, not to exceed the in-state rate  
169 at the applicable institution, for all Florida National Guard  
170 members deployed on or after October 31, 2013. Funds  
171 appropriated in this paragraph may be used to reimburse student  
172 textbook and instructional material costs and fees, as provided  
173 in paragraph (8) (a), after tuition and fees for all eligible  
174 members are paid for that fiscal year.

175 (b) To be eligible for reimbursement under this  
176 subsection, a deployed Florida National Guard member must:

177 1. Enroll in a classroom-based or online baccalaureate  
178 degree program at a state university or Florida College System  
179 institution within 1 year after the end of his or her  
180 deployment.

181 2. Meet the eligibility criteria and application  
182 requirements for the Educational Dollars for Duty program.

183           Section 2. For the 2014-2015 fiscal year, the sum of \$1  
 184 million in nonrecurring funds is appropriated from the General  
 185 Revenue Fund to the Department of Military Affairs for the  
 186 purpose of information technology upgrades to accommodate  
 187 administering and auditing the Educational Dollars for Duty  
 188 program.

189           Section 3. Subsections (1) and (2) of section 250.35,  
 190 Florida Statutes, are amended to read:

191           250.35 Courts-martial.—

192           (1) The Uniform Code of Military Justice (UCMJ), 10 U.S.C.  
 193 ss. 801 et seq., and the Manual for Courts-Martial (2012 ~~2008~~  
 194 Edition) are adopted for use by the Florida National Guard,  
 195 except as otherwise provided by this chapter.

196           (2) Courts-martial may try a ~~any~~ member of the Florida  
 197 National Guard for any crime or offense made punishable by the  
 198 Uniform Code of Military Justice (2012 ~~2008~~ Edition), except  
 199 that a commissioned officer, warrant officer, or cadet may not  
 200 be tried by summary courts-martial.

201           Section 4. Section 265.004, Florida Statutes, is created  
 202 to read:

203           265.004 Florida Veterans' Walk of Honor and Florida  
 204 Veterans' Memorial Garden.—

205           (1) To recognize and honor those military veterans who  
 206 have made significant contributions to the state through their  
 207 service to the United States, the Florida Veterans' Walk of  
 208 Honor and the Florida Veterans' Memorial Garden are established.



209       (2) The Florida Veterans' Walk of Honor and the Florida  
210 Veterans' Memorial Garden shall be administered by the direct-  
211 support organization of the Department of Veterans' Affairs  
212 without funding from the state. However, donations made to the  
213 Florida Veterans' Walk of Honor and the Florida Veterans'  
214 Memorial Garden shall be credited to the direct-support  
215 organization of the Department of Veterans' Affairs and used  
216 solely to support the Florida Veterans' Walk of Honor, the  
217 Florida Veterans' Memorial Garden, and other efforts of the  
218 direct-support organization.

219       (3) The Department of Management Services, in consultation  
220 with the Department of Veterans' Affairs and the direct-support  
221 organization of the Department of Veterans' Affairs, shall make  
222 space available on the Capitol Complex grounds for the  
223 construction of the Florida Veterans' Walk of Honor and the  
224 Florida Veterans' Memorial Garden.

225       Section 5. Section 295.065, Florida Statutes, is amended  
226 to read:

227       295.065 Legislative intent.—It is the intent of the  
228 Legislature to provide preference and priority in the hiring  
229 practices of this state as set forth in this chapter. In all  
230 written job announcements and audio and video advertisements  
231 used by employing agencies of the state and its political  
232 subdivisions, there shall be a notation that certain veterans,  
233 ~~and~~ spouses and family members of veterans, and servicemembers  
234 receive preference and priority in employment by the state and

235 are encouraged to apply for the positions being filled.

236 Section 6. Subsections (1) and (3) of section 295.07,  
 237 Florida Statutes, are amended to read:

238 295.07 Preference in appointment and retention.—

239 (1) The state and political subdivisions in the state  
 240 shall give preference in appointment and retention in positions  
 241 of employment to:

242 (a) Those disabled veterans:

243 1. Who have served on active duty in any branch of the  
 244 United States Armed Forces ~~of the United States~~, have received  
 245 an ~~been separated therefrom under~~ honorable discharge  
 246 ~~conditions~~, and have established the present existence of a  
 247 service-connected disability that ~~which~~ is compensable under  
 248 public laws administered by the United States ~~U.S.~~ Department of  
 249 Veterans ~~Veterans'~~ Affairs;7 or

250 2. Who are receiving compensation, disability retirement  
 251 benefits, or pension by reason of public laws administered by  
 252 the United States ~~U.S.~~ Department of Veterans ~~Veterans'~~ Affairs  
 253 and the United States Department of Defense.

254 (b) The spouse of a ~~any~~ person who has a total disability,  
 255 permanent in nature, resulting from a service-connected  
 256 disability and who, because of this disability, cannot qualify  
 257 for employment, and the spouse of a ~~any~~ person missing in  
 258 action, captured in line of duty by a hostile force, or forcibly  
 259 detained or interned in line of duty by a foreign government or  
 260 power.

261 (c) A veteran of a any war as defined in s. 1.01(14), who  
262 has. ~~The veteran must have served at least 1 day during a~~  
263 ~~wartime period to be eligible for veterans' preference.~~ Active  
264 duty for training shall not be allowed for eligibility under  
265 this paragraph.

266 (d) The unremarried widow or widower of a veteran who died  
267 of a service-connected disability.

268 (e) The mother, father, legal guardian, or unremarried  
269 widow or widower of a servicemember who died as a result of  
270 military service, as verified by the United States Department of  
271 Defense.

272 (f) A veteran as defined in s. 1.01(14). Active duty for  
273 training shall not be allowed for eligibility under this  
274 paragraph.

275 (g) A current member of any reserve component of the  
276 United States Armed Forces or the Florida National Guard.

277 (2) The Department of Veterans' Affairs shall adopt rules  
278 to ensure that veterans are given special consideration in the  
279 employing agency's selection and retention processes. The rules  
280 must include the award of point values as articulated in s.  
281 295.08, if applicable, or, where point values are not relevant,  
282 must include procedures to ensure that veterans are given  
283 special consideration at each step of the employment selection  
284 process, unless the sponsoring governmental entity is a party to  
285 a collective bargaining agreement, in which case the collective  
286 bargaining agreement must comply within 90 days after following

287 ratification of a successor collective bargaining agreement or  
 288 extension of an ~~any~~ existing collective bargaining agreement.

289 (3) Preference in employment and retention may be given  
 290 only to eligible persons who are described in subsection (1) ~~and~~  
 291 ~~who are residents of this state.~~

292 Section 7. Section 295.08, Florida Statutes, is amended to  
 293 read:

294 295.08 Positions for which a numerically based selection  
 295 process is used.—For positions for which an examination is used  
 296 to determine the qualifications for entrance into employment  
 297 with the state or political subdivisions in the state, 15 points  
 298 shall be added to the earned ratings of a person included under  
 299 s. 295.07(1)(a), 10 points shall be added to the earned ratings  
 300 of a ~~any~~ person included under s. 295.07(1)(b)-(e) ~~295.07(1)(a)~~  
 301 ~~or (b),~~ and 5 points shall be added to the earned rating of a  
 302 ~~any~~ person included under s. 295.07(1)(f) and (g) ~~295.07(1)(e)~~  
 303 ~~and (d),~~ if the person has obtained a qualifying score on the  
 304 examination for the position. The names of persons eligible for  
 305 preference shall be entered on an appropriate register or list  
 306 in accordance with their respective augmented ratings. However,  
 307 except for classes of positions with Federal Government  
 308 designations of professional or technician, the names of all  
 309 persons qualified to receive a 10-point preference whose  
 310 service-connected disabilities have been rated by the United  
 311 States Department of Veterans Affairs or its predecessor or the  
 312 United States Department of Defense to be 30 percent or more

313 shall be placed at the top of the appropriate register or  
 314 employment list, in accordance with their respective augmented  
 315 ratings. The respective augmented rating is the examination  
 316 score or evaluated score in addition to the applicable veteran's  
 317 preference points.

318 Section 8. Section 295.085, Florida Statutes, is amended  
 319 to read:

320 295.085 Positions for which a numerically based selection  
 321 process is not used.—In all positions in which the appointment  
 322 or employment of persons is not subject to a written  
 323 examination, with the exception of positions that are exempt  
 324 under s. 295.07(4), first preference in appointment, employment,  
 325 and retention shall be given by the state and political  
 326 subdivisions in the state to persons included under s.  
 327 295.07(1)(a) ~~295.07(1)(a) and (b)~~, and second preference shall  
 328 be given to persons included under s. 295.07(1)(b)-(g)  
 329 ~~295.07(1)(c) and (d)~~ who possess the minimum qualifications  
 330 necessary to discharge the duties of the position involved.

331 Section 9. Paragraph (b) of subsection (2) of section  
 332 296.06, Florida Statutes, is amended to read:

333 296.06 State policy; eligibility requirements.—

334 (2) To be eligible for residency in the home, a veteran  
 335 must:

336 (b) ~~Have been a resident of the state for 1 year~~  
 337 ~~immediately preceding application and~~ Be a resident of the state  
 338 at the time of application.

339 Section 10. Paragraph (b) of subsection (1) of section  
 340 296.36, Florida Statutes, is amended to read:

341 296.36 Eligibility and priority of admittance.—

342 (1) To be eligible for admittance to the home, the person  
 343 must be a veteran as provided in s. 1.01(14) or have eligible  
 344 peacetime service as defined in s. 296.02 and must:

345 (b) Be ~~Have been~~ a resident of the state ~~for 1 year~~  
 346 ~~immediately preceding,~~ and at the time of application for,  
 347 admission to the home.

348 Section 11. Section 322.031, Florida Statutes, is amended  
 349 to read:

350 322.031 Nonresident; when license required.—

351 (1) In each ~~every~~ case in which a nonresident, except a  
 352 nonresident migrant or seasonal farm worker as defined in s.  
 353 316.003(61), accepts employment or engages in a ~~any~~ trade,  
 354 profession, or occupation in this state or enters his or her  
 355 children to be educated in the public schools of this state,  
 356 such nonresident shall, within 30 days after beginning ~~the~~  
 357 ~~commencement~~ of such employment or education, be required to  
 358 obtain a Florida driver ~~driver's~~ license if such nonresident  
 359 operates a motor vehicle on the highways of this state. The  
 360 spouse or dependent child of such nonresident shall also be  
 361 required to obtain a Florida driver ~~driver's~~ license within that  
 362 30-day period before ~~prior to~~ operating a motor vehicle on the  
 363 highways of this state.

364 (2) A member of the United States Armed Forces on active

365 duty in this state, his or her spouse, or a dependent residing  
 366 with him or her, is shall not be required to obtain or display a  
 367 Florida driver driver's license if he or she is in possession of  
 368 a valid military identification card and either a valid driver  
 369 license or learner's permit issued by another state, or a valid  
 370 military driving permit. Such a person is not required to obtain  
 371 or display a Florida driver license under this section solely  
 372 because he or she enters his or her children to be educated in  
 373 the public schools of this state or because he or she accepts  
 374 employment or engages in a trade, profession, or occupation in  
 375 this state if he or she has a valid military driving permit or a  
 376 valid driver's license issued by another state.

377 (3) A nonresident who is domiciled in another state and  
 378 who commutes into this state in order to work is shall not be  
 379 required to obtain a Florida driver driver's license under this  
 380 section solely because he or she has accepted employment or  
 381 engages in a any trade, profession, or occupation in this state  
 382 if he or she has a valid driver driver's license issued by  
 383 another state. A Further, any person who is enrolled as a  
 384 student in a college or university and who is a nonresident but  
 385 is in this state for a period of up to 6 months engaged in a  
 386 work-study program for which academic credits are earned from a  
 387 college whose credits or degrees are accepted for credit by at  
 388 least three accredited institutions of higher learning, as  
 389 defined in s. 1005.02, is shall not be required to obtain a  
 390 Florida driver driver's license for the duration of the work-

391 study program if such person has a valid driver ~~driver's~~ license  
 392 issued by another state. A ~~Any~~ nonresident who is enrolled as a  
 393 full-time student in ~~any~~ such institution of higher learning is  
 394 also exempt from the requirement of obtaining a Florida driver  
 395 ~~driver's~~ license for the duration of such enrollment.

396 (4) A nonresident who is at least 21 years of age and who  
 397 has in his or her immediate possession a valid commercial driver  
 398 ~~driver's~~ license issued in substantial compliance with the  
 399 Commercial Motor Vehicle Safety Act of 1986 may operate a motor  
 400 vehicle of the type permitted by his or her license to be  
 401 operated in this state.

402 Section 12. Subsection (5) of section 322.121, Florida  
 403 Statutes, is amended to read:

404 322.121 Periodic reexamination of all drivers.—

405 (5) A member ~~Members~~ of the United States Armed Forces,  
 406 his or her spouse, or a dependent ~~their dependents~~ residing with  
 407 him or her ~~them~~, shall be granted an automatic extension for the  
 408 expiration of his or her ~~their~~ Class E license ~~licenses~~ without  
 409 reexamination while the member of the United States Armed Forces  
 410 is serving on active duty outside this state. This extension is  
 411 valid for 90 days after the member of the United States Armed  
 412 Forces is either discharged or returns to this state to live.

413 Section 13. Subsection (12) of section 455.213, Florida  
 414 Statutes, is amended to read:

415 455.213 General licensing provisions.—

416 (12) The department shall waive the initial licensing fee,



417 the initial application fee, and the initial unlicensed activity  
 418 fee for a military veteran or the spouse of a military veteran  
 419 who applies to the department for a license, in a format  
 420 prescribed by the department, within 60 ~~24~~ months after the  
 421 veteran is discharged ~~discharge~~ from any branch of the United  
 422 States Armed Forces. To qualify for this waiver, the veteran  
 423 must have been honorably discharged.

424 Section 14. Section 458.315, Florida Statutes, is amended  
 425 to read:

426 458.315 Temporary certificate for practice in areas of  
 427 critical need.—

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

431 ~~(2) Any physician who:~~

432 ~~(a) Is licensed to practice in any jurisdiction in the~~  
 433 ~~United States and whose license is currently valid; or~~

434 ~~(b) Has served as a physician in the United States Armed~~  
 435 ~~Forces for at least 10 years and received an honorable discharge~~  
 436 ~~from the military;~~

437  
 438 ~~and who pays an application fee of \$300 may be issued a~~  
 439 ~~temporary certificate for practice in areas of critical need.~~

440 (1)-(3) The board may issue a temporary certificate for  
 441 practice in areas of critical need ~~A certificate may be issued~~  
 442 to a physician who holds an active and valid license to practice

443 in any jurisdiction in the United States, who pays an  
 444 application fee of \$300, and who will:

- 445 (a) ~~Will~~ Practice in an area of critical need;
- 446 (b) ~~Will~~ Be employed by or practice in a county health  
 447 department; correctional facility; Department of Veterans'  
 448 Affairs clinic; community health center funded by s. 329, s.  
 449 330, or s. 340 of the United States Public Health Services Act;  
 450 or other agency or institution that is approved by the State  
 451 Surgeon General and provides health care to meet the needs of  
 452 underserved populations in this state; or
- 453 (c) ~~Will~~ Practice for a limited time to address critical  
 454 physician-specialty, demographic, or geographic needs for this  
 455 state's physician workforce as determined by the State Surgeon  
 456 General.

457 (2)-(4) The board ~~of Medicine~~ may issue a ~~this~~ temporary  
 458 certificate with the following restrictions:

- 459 (a) The State Surgeon General shall determine the areas of  
 460 critical need. Such areas include, but are not limited to,  
 461 health professional shortage areas designated by the United  
 462 States Department of Health and Human Services.

463 1. A recipient of a temporary certificate for practice in  
 464 areas of critical need may use the certificate to work for any  
 465 approved entity in any area of critical need or as authorized by  
 466 the State Surgeon General.

467 2. The recipient of a temporary certificate for practice  
 468 in areas of critical need shall, within 30 days after accepting

469 employment, notify the board of all approved institutions in  
470 which the licensee practices and of all approved institutions  
471 where practice privileges have been denied.

472 (b) ~~The board may administer an abbreviated oral~~  
473 ~~examination to determine the physician's competency, but a~~  
474 ~~written regular examination is not required.~~ Within 10 ~~60~~ days  
475 after receipt of a complete ~~an~~ application for a temporary  
476 certificate, the board shall review the application and:

- 477 1. Issue the temporary certificate;  
478 2. Deny the temporary certificate; ~~notify the applicant of~~  
479 ~~denial,~~ or  
480 3. Require ~~notify~~ the applicant ~~that the board recommends~~  
481 to complete additional assessment, training, education, or other  
482 requirements as a condition of certification.

483 (c) If the applicant has not actively practiced during the  
484 prior 3 years and the board determines that the applicant may  
485 lack clinical competency, possess diminished or inadequate  
486 skills, lack necessary medical knowledge, or exhibit patterns of  
487 deficits in clinical decisionmaking, the board may, within 10  
488 days after receipt of a complete application:

- 489 1. Deny the application;  
490 2. Issue a temporary certificate having reasonable  
491 restrictions that may include, but are not limited to, a  
492 requirement for the applicant to practice under the supervision  
493 of a physician approved by the board; or  
494 3. Issue a temporary certificate upon receipt of

495 documentation confirming that the applicant has met any  
496 reasonable conditions of the board which may include, but are  
497 not limited to, completing continuing education or undergoing an  
498 assessment of skills and training.

499 (d)~~(e)~~ A temporary ~~Any~~ certificate issued under this  
500 section is valid only so long as the State Surgeon General  
501 determines that the reason for which it was issued remains a  
502 critical need to the state. The board ~~of Medicine~~ shall review  
503 each temporary certificateholder at least ~~not less than~~ annually  
504 to ascertain compliance with ~~that~~ the minimum requirements of  
505 the Medical Practice Act and its adopted rules ~~are being~~  
506 ~~complied with~~. If it is determined that such minimum  
507 requirements are not being met, the board shall revoke such  
508 certificate or shall impose restrictions or conditions, or both,  
509 as a condition of continued practice under the certificate.

510 (e)~~(d)~~ The board may not issue a temporary certificate for  
511 practice in areas ~~an area~~ of critical need to a ~~any~~ physician  
512 who is under investigation in any jurisdiction in the United  
513 States for an act that would constitute a violation of this  
514 chapter until such time as the investigation is complete, at  
515 which time the provisions of s. 458.331 apply.

516 (3)~~(5)~~ The application fee and all licensure fees,  
517 including neurological injury compensation assessments, shall be  
518 waived for an applicant ~~those persons~~ obtaining a temporary  
519 certificate to practice in areas of critical need for the  
520 purpose of providing volunteer, uncompensated care for low-

521 income residents. The applicant must submit an affidavit from  
 522 the employing agency or institution stating that the physician  
 523 will not receive any compensation for any service involving the  
 524 practice of medicine.

525 (4) The board shall create a simplified application for a  
 526 temporary certificate for practice in areas of critical need to  
 527 reduce administrative impediments and maximize participation.  
 528 The application may not request redundant information, including  
 529 information:

530 (a) Accessible through the department's licensing  
 531 database.

532 (b) Regarding qualifications, including education or  
 533 training, required for the applicant's current license in  
 534 another jurisdiction.

535 Section 15. Section 458.3151, Florida Statutes, is created  
 536 to read:

537 458.3151 Temporary certificate for active duty military  
 538 and veterans practicing in areas of critical need.—

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

542 (2) The board may issue a temporary certificate to a  
 543 physician who complies with subsection (3) and who will:

544 (a) Practice in an area of critical need;

545 (b) Be employed by or practice in a county health  
 546 department; correctional facility; Department of Veterans'

547 Affairs clinic; community health center funded by s. 329, s.  
548 330, or s. 340 of the United States Public Health Services Act;  
549 or other agency or institution that is approved by the State  
550 Surgeon General and provides health care to meet the needs of  
551 underserved populations in this state; or

552 (c) Practice for a limited time to address critical  
553 physician-specialty, demographic, or geographic needs for this  
554 state's physician workforce as determined by the State Surgeon  
555 General.

556 (3) To be eligible for a temporary certificate, a  
557 physician must submit to the board:

558 (a) A complete application.

559 (b) Proof of an active and valid license to practice in a  
560 jurisdiction in the United States.

561 (c) An affidavit from the employing agency or institution  
562 stating that the physician will not receive any compensation for  
563 any service involving the practice of medicine.

564 (d) If on active duty, a letter from the physician's  
565 military command authorizing the physician to practice medicine  
566 at an approved entity in an area of critical need.

567 (e) Documentation demonstrating the physician is serving  
568 on active duty in the United States Armed Forces as a  
569 commissioned medical officer or has served as a commissioned  
570 medical officer in the United States Armed Forces for at least  
571 10 years and received an honorable discharge from the military.

572 (4) The board shall use a simplified application for a

573 temporary certificate for practice in areas of critical need to  
574 reduce administrative impediments and maximize participation.

575 The board may not request redundant information, including  
576 information:

577 (a) Available in the department's licensing database.

578 (b) Regarding qualifications, including education or  
579 training, required for the applicant's current license in  
580 another jurisdiction.

581 (c) Contained in the supporting documentation provided by  
582 the applicant pursuant to paragraphs (3) (a)-(d).

583 (5) The application fee and all licensure fees shall be  
584 waived for a physician obtaining a temporary certificate to  
585 practice in areas of critical need under this section.

586 (6) (a) Within 10 days after receipt of a complete  
587 application for a temporary certificate, the board shall review  
588 the application and associated documentation and:

589 1. Issue the temporary certificate;

590 2. Deny the temporary certificate; or

591 3. Require the applicant to complete additional  
592 assessment, training, education, or other requirements as a  
593 condition of certification. The board shall issue a temporary  
594 certificate upon receipt of documentation demonstrating that the  
595 requirements of the board have been met.

596 (b) If an applicant has not actively practiced medicine  
597 during the prior 3 years and the board determines the applicant  
598 may lack clinical competency, possess diminished or inadequate

599 skills, lack necessary medical knowledge, or exhibit patterns of  
600 deficits in clinical decisionmaking, the board may, within 10  
601 days after receipt of a complete application:

602 1. Deny the application;

603 2. Issue a temporary certificate having reasonable  
604 restrictions, including, but not limited to, a requirement that  
605 the applicant practice under the supervision of a physician  
606 approved by the board; or

607 3. Issue a temporary certificate upon receipt of  
608 documentation confirming that the applicant has met any  
609 reasonable conditions of the board, including, but not limited  
610 to, completing continuing education or undergoing an assessment  
611 of skills and training.

612 (c) The board may not issue a temporary certificate for  
613 practice in areas of critical need to a physician who is under  
614 investigation in any jurisdiction in the United States for an  
615 act that would constitute a violation of this chapter until such  
616 time as the investigation is complete, at which time the  
617 provisions of s. 458.331 apply.

618 (7) The recipient of a temporary certificate for practice  
619 in areas of critical need shall, within 30 days after accepting  
620 employment, notify the board of all approved institutions in  
621 which the licensee practices and of all approved institutions  
622 where practice privileges have been denied. A physician holding  
623 a temporary certificate for practice in areas of critical need  
624 may enter into a contract to provide volunteer health care



625 services pursuant to s. 766.1115.

626 (8) A temporary certificate issued under this section is  
 627 valid only so long as the State Surgeon General determines that  
 628 the reason for which it was issued remains a critical need to  
 629 the state. The board shall review each temporary  
 630 certificateholder at least annually to ascertain compliance with  
 631 the minimum requirements of this section and the Medical  
 632 Practice Act and its adopted rules. If it is determined that  
 633 such minimum requirements are not being met, the board shall  
 634 revoke such certificate or shall impose restrictions or  
 635 conditions, or both, as a condition of continued practice under  
 636 the certificate.

637 Section 16. Section 459.0076, Florida Statutes, is amended  
 638 to read:

639 459.0076 Temporary certificate for practice in areas of  
 640 critical need.—

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

644 ~~(2) Any physician who:~~

645 ~~(a) Is licensed to practice in any jurisdiction in the~~  
 646 ~~United States and whose license is currently valid; or~~

647 ~~(b) Has served as a physician in the United States Armed~~  
 648 ~~Forces for at least 10 years and received an honorable discharge~~  
 649 ~~from the military;~~

650

651 ~~and who pays an application fee of \$300 may be issued a~~  
 652 ~~temporary certificate for practice in areas of critical need.~~

653 (1)-(3) The board may issue a temporary certificate for  
 654 practice in areas of critical need ~~A certificate may be issued~~  
 655 ~~to a physician who holds an active and valid license to practice~~  
 656 in any jurisdiction in the United States, who pays an  
 657 application fee of \$300, and who will:

- 658 (a) ~~Will~~ Practice in an area of critical need;
- 659 (b) ~~Will~~ Be employed by or practice in a county health  
 660 department; correctional facility; Department of Veterans'  
 661 Affairs clinic; community health center funded by s. 329, s.  
 662 330, or s. 340 of the United States Public Health Services Act;  
 663 or other agency or institution that is approved by the State  
 664 Surgeon General and provides health care to meet the needs of  
 665 underserved populations in this state; or
- 666 (c) ~~Will~~ Practice for a limited time to address critical  
 667 physician-specialty, demographic, or geographic needs for this  
 668 state's physician workforce as determined by the State Surgeon  
 669 General.

670 (2)-(4) The board of Osteopathic Medicine may issue a this  
 671 temporary certificate with the following restrictions:

- 672 (a) The State Surgeon General shall determine the areas of  
 673 critical need. Such areas include, but are not limited to,  
 674 health professional shortage areas designated by the United  
 675 States Department of Health and Human Services.

676 1. A recipient of a temporary certificate for practice in

677 areas of critical need may use the certificate to work for any  
 678 approved entity in any area of critical need or as authorized by  
 679 the State Surgeon General.

680 2. The recipient of a temporary certificate for practice  
 681 in areas of critical need shall, within 30 days after accepting  
 682 employment, notify the board of all approved institutions in  
 683 which the licensee practices and of all approved institutions  
 684 where practice privileges have been denied.

685 (b) ~~The board may administer an abbreviated oral~~  
 686 ~~examination to determine the physician's competency, but a~~  
 687 ~~written regular examination is not required.~~ Within 10 ~~60~~ days  
 688 after receipt of a complete ~~an~~ application for a temporary  
 689 certificate, the board shall review the application and:

- 690 1. Issue the temporary certificate;~~r~~
- 691 2. Deny the temporary certificate; ~~notify the applicant of~~  
 692 ~~denial,~~ or
- 693 3. Require ~~notify~~ the applicant ~~that the board recommends~~  
 694 to complete additional assessment, training, education, or other  
 695 requirements as a condition of certification.

696 (c) If the applicant has not actively practiced during the  
 697 prior 3 years and the board determines that the applicant may  
 698 lack clinical competency, possess diminished or inadequate  
 699 skills, lack necessary medical knowledge, or exhibit patterns of  
 700 deficits in clinical decisionmaking, the board may, within 10  
 701 days after receipt of a complete application:

- 702 1. Deny the application;

703           2. Issue a temporary certificate having reasonable  
 704 restrictions that may include, but are not limited to, a  
 705 requirement for the applicant to practice under the supervision  
 706 of a physician approved by the board; or

707           3. Issue a temporary certificate upon receipt of  
 708 documentation confirming that the applicant has met any  
 709 reasonable conditions of the board which may include, but are  
 710 not limited to, completing continuing education or undergoing an  
 711 assessment of skills and training.

712           ~~(d)-(e)~~ A temporary ~~Any~~ certificate issued under this  
 713 section is valid only so long as the State Surgeon General  
 714 determines that the reason for which it was issued remains a  
 715 critical need to the state. The board ~~of Osteopathic Medicine~~  
 716 shall review each temporary certificateholder at least ~~not less~~  
 717 ~~than~~ annually to ascertain compliance with ~~that~~ the minimum  
 718 requirements of the Osteopathic Medical Practice Act and its  
 719 adopted rules ~~are being complied with~~. If it is determined that  
 720 such minimum requirements are not being met, the board shall  
 721 revoke such certificate or shall impose restrictions or  
 722 conditions, or both, as a condition of continued practice under  
 723 the certificate.

724           ~~(e)-(d)~~ The board may not issue a temporary certificate for  
 725 practice in areas ~~an area~~ of critical need to a ~~any~~ physician  
 726 who is under investigation in any jurisdiction in the United  
 727 States for an act that would constitute a violation of this  
 728 chapter until such time as the investigation is complete, at

729 which time the provisions of s. 459.015 apply.

730 (3)~~(5)~~ The application fee and all licensure fees,  
731 including neurological injury compensation assessments, shall be  
732 waived for an applicant ~~those persons~~ obtaining a temporary  
733 certificate to practice in areas of critical need for the  
734 purpose of providing volunteer, uncompensated care for low-  
735 income residents. The applicant must submit an affidavit from  
736 the employing agency or institution stating that the physician  
737 will not receive any compensation for any service involving the  
738 practice of medicine.

739 (4) The board shall create a simplified application for a  
740 temporary certificate for practice in areas of critical need to  
741 reduce administrative impediments and maximize participation.  
742 The application may not request redundant information, including  
743 information:

744 (a) Accessible through the department's licensing  
745 database.

746 (b) Regarding qualifications, including education or  
747 training, required for the applicant's current license in  
748 another jurisdiction.

749 Section 17. Section 459.00761, Florida Statutes, is  
750 created to read:

751 459.00761 Temporary certificate for active duty military  
752 and veterans practicing in areas of critical need.—

753 (1) A certificate issued pursuant to this section may be  
754 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary

755 Certificate for Practice in Areas of Critical Need."

756 (2) The board may issue a temporary certificate to a

757 physician who complies with subsection (3) and who will:

758 (a) Practice in an area of critical need;

759 (b) Be employed by or practice in a county health

760 department; correctional facility; Department of Veterans'

761 Affairs clinic; community health center funded by s. 329, s.

762 330, or s. 340 of the United States Public Health Services Act;

763 or other agency or institution that is approved by the State

764 Surgeon General and provides health care to meet the needs of

765 underserved populations in this state; or

766 (c) Practice for a limited time to address critical

767 physician-specialty, demographic, or geographic needs for this

768 state's physician workforce as determined by the State Surgeon

769 General.

770 (3) To be eligible for a temporary certificate, a

771 physician must submit to the board:

772 (a) A complete application.

773 (b) Proof of an active and valid license to practice in

774 any jurisdiction in the United States.

775 (c) An affidavit from the employing agency or institution

776 stating that the physician will not receive any compensation for

777 any service involving the practice of medicine.

778 (d) If on active duty, a letter from the physician's

779 military command authorizing the physician to practice medicine

780 at an approved entity in an area of critical need.

781 (e) Documentation demonstrating the physician is serving  
782 on active duty in the United States Armed Forces as a  
783 commissioned medical officer or has served as a commissioned  
784 medical officer in the United States Armed Forces for at least  
785 10 years and received an honorable discharge from the military.

786 (4) The board shall use a simplified application for a  
787 temporary certificate for practice in areas of critical need to  
788 reduce administrative impediments and maximize participation.  
789 The board may not request redundant information, including  
790 information:

791 (a) Available in the department's licensing database.

792 (b) Regarding qualifications, including education or  
793 training, required for the applicant's current license in  
794 another jurisdiction.

795 (c) Contained in the supporting documentation provided by  
796 the applicant pursuant to paragraphs (3) (a)-(d).

797 (5) The application fee and all licensure fees shall be  
798 waived for a physician obtaining a temporary certificate to  
799 practice in areas of critical need under this section.

800 (6) (a) Within 10 days after receipt of a complete  
801 application for a temporary certificate, the board shall review  
802 the application and associated documentation and:

803 1. Issue the temporary certificate;

804 2. Deny the temporary certificate; or

805 3. Require the applicant to complete additional

806 assessment, training, education, or other requirements as a

807 condition of certification. The board shall issue a temporary  
808 certificate upon receipt of documentation demonstrating that the  
809 requirements of the board have been met.

810 (b) If an applicant has not actively practiced medicine  
811 during the prior 3 years and the board determines the applicant  
812 may lack clinical competency, possess diminished or inadequate  
813 skills, lack necessary medical knowledge, or exhibit patterns of  
814 deficits in clinical decisionmaking, the board may, within 10  
815 days after receipt of a complete application:

816 1. Deny the application;

817 2. Issue a temporary certificate having reasonable  
818 restrictions, including, but not limited to, a requirement that  
819 the applicant practice under the supervision of a physician  
820 approved by the board; or

821 3. Issue a temporary certificate upon receipt of  
822 documentation confirming that the applicant has met any  
823 reasonable conditions of the board, including, but not limited  
824 to, completing continuing education or undergoing an assessment  
825 of skills and training.

826 (c) The board may not issue a temporary certificate for  
827 practice in areas of critical need to a physician who is under  
828 investigation in any jurisdiction in the United States for an  
829 act that would constitute a violation of this chapter until such  
830 time as the investigation is complete, at which time the  
831 provisions of s. 459.015 apply.

832 (7) The recipient of a temporary certificate for practice



833 in areas of critical need shall, within 30 days after accepting  
834 employment, notify the board of all approved institutions in  
835 which the licensee practices and of all approved institutions  
836 where practice privileges have been denied. A physician holding  
837 a temporary certificate for practice in areas of critical need  
838 may enter into a contract to provide volunteer health care  
839 services pursuant to s. 766.1115.

840 (8) A temporary certificate issued under this section is  
841 valid as long as the State Surgeon General determines that the  
842 reason for which it was issued remains a critical need to the  
843 state. The board shall review each temporary certificateholder  
844 at least annually to ascertain compliance with the minimum  
845 requirements of this section and the Osteopathic Practice Act  
846 and its adopted rules. If it is determined that such minimum  
847 requirements are not being met, the board shall revoke such  
848 certificate or shall impose restrictions or conditions, or both,  
849 as a condition of continued practice under the certificate.

850 Section 18. Paragraph (b) of subsection (16) of section  
851 499.012, Florida Statutes, is amended to read:

852 499.012 Permit application requirements.—

853 (16)

854 (b) To be certified as a designated representative, a  
855 natural person must:

856 1. Submit an application on a form furnished by the  
857 department and pay the appropriate fees.~~†~~

858 2. Be at least 18 years of age.~~†~~

859 3. Have at least ~~not less than~~ 2 years of verifiable full-  
 860 time:

861 a. Work experience in a pharmacy licensed in this state or  
 862 another state, where the person's responsibilities included, but  
 863 were not limited to, recordkeeping for prescription drugs; ~~or~~  
 864 ~~have not less than 2 years of verifiable full-time~~

865 b. Managerial experience with a prescription drug  
 866 wholesale distributor licensed in this state or in another  
 867 state; or

868 c. Managerial experience with the United States military,  
 869 where the person's responsibilities included, but were not  
 870 limited to, recordkeeping, warehousing, distributing, or other  
 871 logistics services pertaining to prescription drugs.

872 4. Receive a passing score of at least 75 percent on an  
 873 examination given by the department regarding federal laws  
 874 governing distribution of prescription drugs and this part and  
 875 the rules adopted by the department governing the wholesale  
 876 distribution of prescription drugs. This requirement shall be  
 877 effective 1 year after the results of the initial examination  
 878 are mailed to the persons that took the examination. The  
 879 department shall offer such examinations at least four times  
 880 each calendar year. ~~and~~

881 5. Provide the department with a personal information  
 882 statement and fingerprints pursuant to subsection (9).

883 Section 19. Subsection (12) is added to section 1009.26,  
 884 Florida Statutes, to read:

HB 7015

CORRECTED COPY

2014

885 1009.26 Fee waivers.—

886 (12) (a) There is established the Congressman C. W. Bill  
887 Young Veteran Tuition Waiver Program. A state university or  
888 Florida College System institution shall waive out-of-state fees  
889 for an honorably discharged veteran of the United States Armed  
890 Forces, the United States Reserve Forces, or the National Guard  
891 who physically resides in this state while enrolled in the  
892 institution. Tuition and fees charged to a veteran who qualifies  
893 for the out-of-state fee waiver under this subsection may not  
894 exceed the tuition and fees charged to a resident student. The  
895 waiver is applicable for 110 percent of the required credit  
896 hours of the degree or certificate program for which the student  
897 is enrolled. Each state university and Florida College System  
898 institution shall report to the Board of Governors and the State  
899 Board of Education, respectively, the number and value of all  
900 fee waivers granted annually under this subsection.

901 (b) This subsection may be cited as the "Congressman C.W.  
902 Bill Young Tuition Waiver Act."

903 Section 20. This act shall take effect July 1, 2014.