

By Senator Grimsley

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1                   A bill to be entitled  
2           An act relating to the Nurse Licensure Compact;  
3           amending s. 456.073, F.S.; requiring the Department of  
4           Health to report certain investigative information to  
5           the coordinated licensure information system; amending  
6           s. 456.076, F.S.; requiring an impaired practitioner  
7           consultant to disclose certain information to the  
8           department upon request; requiring a nurse holding a  
9           multistate license to report participation in a  
10          treatment program to the department; amending s.  
11          464.003, F.S.; revising definitions to conform to  
12          changes made by the compact; amending s. 464.004,  
13          F.S.; requiring the executive director of the Board of  
14          Nursing or his or her designee to serve as state  
15          administrator of the Nurse Licensure Compact; amending  
16          s. 464.008, F.S.; providing eligibility criteria for a  
17          multistate license; requiring that multistate licenses  
18          be distinguished from single-state licenses; exempting  
19          certain persons from licensed practical nurse and  
20          registered nurse licensure requirements; amending s.  
21          464.009, F.S.; exempting certain persons from  
22          requirements for licensure by endorsement; creating s.  
23          464.0095, F.S.; creating the Nurse Licensure Compact;  
24          providing findings and purpose; providing definitions;  
25          providing for the recognition of nursing licenses in  
26          party states; requiring party states to perform  
27          criminal history checks of licensure applicants;  
28          providing requirements for obtaining and retaining a  
29          multistate license; authorizing party states to take  
30          adverse action against a nurse's multistate licensure  
31          privilege; requiring notification to the home  
32          licensing state of an adverse action against a

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33 licensee; requiring nurses practicing in party states  
34 to comply with state practice laws; providing  
35 limitations for licensees not residing in a party  
36 state; providing the effect of the act on a current  
37 licensee; providing application requirements for a  
38 multistate license; providing licensure requirements  
39 when a licensee moves between party states or to a  
40 nonparty state; providing certain authority to state  
41 licensing boards of party states; requiring  
42 deactivation of a nurse's multistate licensure  
43 privilege under certain circumstances; authorizing  
44 participation in an alternative program in lieu of  
45 adverse action against a license; requiring all party  
46 states to participate in a coordinated licensure  
47 information system; providing for the development of  
48 the system, reporting procedures, and the exchange of  
49 certain information between party states; establishing  
50 the Interstate Commission of Nurse Licensure Compact  
51 Administrators; providing for the jurisdiction and  
52 venue for court proceedings; providing membership and  
53 duties; authorizing the commission to adopt rules;  
54 providing rulemaking procedures; providing for state  
55 enforcement of the compact; providing for the  
56 termination of compact membership; providing  
57 procedures for the resolution of certain disputes;  
58 providing an effective date of the compact; providing  
59 a procedure for membership termination; providing  
60 compact amendment procedures; authorizing nonparty  
61 states to participate in commission activities before

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62 adoption of the compact; providing construction and  
63 severability; amending s. 464.012, F.S.; authorizing a  
64 multistate licensee under the compact to be certified  
65 as an advanced registered nurse practitioner if  
66 certain eligibility criteria are met; amending s.  
67 464.015, F.S.; authorizing registered nurses and  
68 licensed practical nurses holding a multistate license  
69 under the compact to use certain titles and  
70 abbreviations; amending s. 464.018, F.S.; revising the  
71 grounds for denial of a nursing license or  
72 disciplinary action against a nursing licensee;  
73 authorizing certain disciplinary action under the  
74 compact for certain prohibited acts; amending s.  
75 464.0195, F.S.; revising the information required to  
76 be included in the database on nursing supply and  
77 demand; requiring the Florida Center for Nursing to  
78 analyze and make future projections of the supply and  
79 demand for nurses; authorizing the center to request,  
80 and requiring the Board of Nursing to provide, certain  
81 information about licensed nurses; providing a  
82 contingent effective date.

83

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

85

86 Section 1. Subsection (10) of section 456.073, Florida  
87 Statutes, is amended to read:

88 456.073 Disciplinary proceedings.—Disciplinary proceedings  
89 for each board shall be within the jurisdiction of the  
90 department.

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91 (10) The complaint and all information obtained pursuant to  
92 the investigation by the department are confidential and exempt  
93 from s. 119.07(1) until 10 days after probable cause has been  
94 found to exist by the probable cause panel or by the department,  
95 or until the regulated professional or subject of the  
96 investigation waives his or her privilege of confidentiality,  
97 whichever occurs first. The department shall report any  
98 significant investigation information relating to a nurse  
99 holding a multistate license to the coordinated licensure  
100 information system pursuant to s. 464.0095. Upon completion of  
101 the investigation and a recommendation by the department to find  
102 probable cause, and pursuant to a written request by the subject  
103 or the subject's attorney, the department shall provide the  
104 subject an opportunity to inspect the investigative file or, at  
105 the subject's expense, forward to the subject a copy of the  
106 investigative file. Notwithstanding s. 456.057, the subject may  
107 inspect or receive a copy of any expert witness report or  
108 patient record connected with the investigation if the subject  
109 agrees in writing to maintain the confidentiality of any  
110 information received under this subsection until 10 days after  
111 probable cause is found and to maintain the confidentiality of  
112 patient records pursuant to s. 456.057. The subject may file a  
113 written response to the information contained in the  
114 investigative file. Such response must be filed within 20 days  
115 of mailing by the department, unless an extension of time has  
116 been granted by the department. This subsection does not  
117 prohibit the department from providing such information to any  
118 law enforcement agency or to any other regulatory agency.

119 Section 2. Subsection (9) of section 456.076, Florida

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120 Statutes, is amended to read:

121 456.076 Treatment programs for impaired practitioners.—

122 (9) An impaired practitioner consultant is the official  
123 custodian of records relating to the referral of an impaired  
124 licensee or applicant to that consultant and any other  
125 interaction between the licensee or applicant and the  
126 consultant. The consultant may disclose to the impaired licensee  
127 or applicant or his or her designee any information that is  
128 disclosed to or obtained by the consultant or that is  
129 confidential under paragraph (6) (a), but only to the extent that  
130 it is necessary to do so to carry out the consultant's duties  
131 under this section. The department, and any other entity that  
132 enters into a contract with the consultant to receive the  
133 services of the consultant, has direct administrative control  
134 over the consultant to the extent necessary to receive  
135 disclosures from the consultant as allowed by federal law. The  
136 consultant must disclose to the department, upon the  
137 department's request, whether an applicant for a multistate  
138 license under s. 464.0095 is participating in a treatment  
139 program and must report to the department when a nurse holding a  
140 multistate license under s. 464.0095 enters a treatment program.  
141 A nurse holding a multistate license pursuant to s. 464.0095  
142 must report to the department within 2 business days after  
143 entering a treatment program pursuant to this section. If a  
144 disciplinary proceeding is pending, an impaired licensee may  
145 obtain such information from the department under s. 456.073.

146 Section 3. Subsections (16) and (22) of section 464.003,  
147 Florida Statutes, are amended to read:

148 464.003 Definitions.—As used in this part, the term:

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149 (16) "Licensed practical nurse" means any person licensed  
150 in this state or holding an active multistate license under s.  
151 464.0095 to practice practical nursing.

152 (22) "Registered nurse" means any person licensed in this  
153 state or holding an active multistate license under s. 464.0095  
154 to practice professional nursing.

155 Section 4. Subsection (5) is added to section 464.004,  
156 Florida Statutes, to read:

157 464.004 Board of Nursing; membership; appointment; terms.—

158 (5) The executive director of the board appointed pursuant  
159 to s. 456.004(2) or his or her designee shall serve as the state  
160 administrator of the Nurse Licensure Compact as required under  
161 s. 464.0095.

162 Section 5. Subsection (2) of section 464.008, Florida  
163 Statutes, is amended, and subsection (5) is added to that  
164 section, to read:

165 464.008 Licensure by examination.—

166 (2) (a) Each applicant who passes the examination and  
167 provides proof of meeting the educational requirements specified  
168 in subsection (1) shall, unless denied pursuant to s. 464.018,  
169 be entitled to licensure as a registered professional nurse or a  
170 licensed practical nurse, whichever is applicable.

171 (b) An applicant who resides in this state, meets the  
172 licensure requirements of this section, and meets the criteria  
173 for multistate licensure under s. 464.0095 may request the  
174 issuance of a multistate license from the department.

175 (c) A nurse who holds a single-state license in this state  
176 and applies to the department for a multistate license must meet  
177 the eligibility criteria for a multistate license under s.

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178 464.0095 and must pay an application and licensure fee to change  
 179 the licensure status.

180 (d) The department shall conspicuously distinguish a  
 181 multistate license from a single-state license.

182 (5) A person holding an active multistate license in  
 183 another state pursuant to s. 464.0095 is exempt from the  
 184 licensure requirements of this section.

185 Section 6. Subsection (7) is added to section 464.009,  
 186 Florida Statutes, to read:

187 464.009 Licensure by endorsement.—

188 (7) A person holding an active multistate license in  
 189 another state pursuant to s. 464.0095 is exempt from the  
 190 requirements for licensure by endorsement in this section.

191 Section 7. Section 464.0095, Florida Statutes, is created  
 192 to read:

193 464.0095 Nurse Licensure Compact.—The Nurse Licensure  
 194 Compact is hereby enacted into law and entered into by this  
 195 state with all other jurisdictions legally joining therein in  
 196 the form substantially as follows:

197 ARTICLE I

198 FINDINGS AND DECLARATION OF PURPOSE

199 (1) The party states find that:

200 (a) The health and safety of the public are affected by the  
 201 degree of compliance with and the effectiveness of enforcement  
 202 activities related to state nurse licensure laws.

203 (b) Violations of nurse licensure and other laws regulating  
 204 the practice of nursing may result in injury or harm to the  
 205 public.

206 (c) The expanded mobility of nurses and the use of advanced

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207 communication technologies as part of the nation's health care  
208 delivery system require greater coordination and cooperation  
209 among states in the areas of nurse licensure and regulation.

210 (d) New practice modalities and technology make compliance  
211 with individual state nurse licensure laws difficult and  
212 complex.

213 (e) The current system of duplicative licensure for nurses  
214 practicing in multiple states is cumbersome and redundant for  
215 both nurses and states.

216 (f) Uniformity of nurse licensure requirements throughout  
217 the states promotes public safety and public health benefits.

218 (2) The general purposes of this compact are to:

219 (a) Facilitate the states' responsibility to protect the  
220 public's health and safety.

221 (b) Ensure and encourage the cooperation of party states in  
222 the areas of nurse licensure and regulation.

223 (c) Facilitate the exchange of information among party  
224 states in the areas of nurse regulation, investigation, and  
225 adverse actions.

226 (d) Promote compliance with the laws governing the practice  
227 of nursing in each jurisdiction.

228 (e) Invest all party states with the authority to hold a  
229 nurse accountable for meeting all state practice laws in the  
230 state in which the patient is located at the time care is  
231 rendered through the mutual recognition of party state licenses.

232 (f) Decrease redundancies in the consideration and issuance  
233 of nurse licenses.

234 (g) Provide opportunities for interstate practice by nurses  
235 who meet uniform licensure requirements.



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## ARTICLE II

DEFINITIONS

As used in this compact, the term:

(1) "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a nurse, including actions against an individual's license or multistate licensure privilege, such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a nurse's authorization to practice, including issuance of a cease and desist action.

(2) "Alternative program" means a nondisciplinary monitoring program approved by a licensing board.

(3) "Commission" means the Interstate Commission of Nurse Licensure Compact Administrators established by this compact.

(4) "Compact" means the Nurse Licensure Compact recognized, established, and entered into by the state under this compact.

(5) "Coordinated licensure information system" means an integrated process for collecting, storing, and sharing information on nurse licensure and enforcement activities related to nurse licensure laws which is administered by a nonprofit organization composed of and controlled by licensing boards.

(6) "Current significant investigative information" means:

(a) Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the nurse to respond, if required by state law, has reason to believe is not groundless and, if proved true,

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265 would indicate more than a minor infraction; or

266 (b) Investigative information that indicates that the nurse  
267 represents an immediate threat to public health and safety  
268 regardless of whether the nurse has been notified and had an  
269 opportunity to respond.

270 (7) "Encumbrance" means a revocation or suspension of, or  
271 any limitation on, the full and unrestricted practice of nursing  
272 imposed by a licensing board.

273 (8) "Home state" means the party state that is the nurse's  
274 primary state of residence.

275 (9) "Licensing board" means a party state's regulatory body  
276 responsible for issuing nurse licenses.

277 (10) "Multistate license" means a license to practice as a  
278 registered nurse (RN) or a licensed practical or vocational  
279 nurse (LPN/VN) issued by a home state licensing board which  
280 authorizes the licensed nurse to practice in all party states  
281 under a multistate licensure privilege.

282 (11) "Multistate licensure privilege" means a legal  
283 authorization associated with a multistate license permitting  
284 the practice of nursing as either an RN or an LPN/VN in a remote  
285 state.

286 (12) "Nurse" means an RN or LPN/VN, as those terms are  
287 defined by each party state's practice laws.

288 (13) "Party state" means any state that has adopted this  
289 compact.

290 (14) "Remote state" means a party state other than the home  
291 state.

292 (15) "Single-state license" means a nurse license issued by  
293 a party state which authorizes practice only within the issuing

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294 state and does not include a multistate licensure privilege to  
295 practice in any other party state.

296 (16) "State" means a state, territory, or possession of the  
297 United States, or the District of Columbia.

298 (17) "State practice laws" means a party state's laws,  
299 rules, and regulations that govern the practice of nursing,  
300 define the scope of nursing practice, and create the methods and  
301 grounds for imposing discipline. The term does not include  
302 requirements necessary to obtain and retain a license, except  
303 for qualifications or requirements of the home state.

### 304 ARTICLE III

#### 305 GENERAL PROVISIONS AND JURISDICTION

306 (1) A multistate license to practice registered or licensed  
307 practical or vocational nursing issued by a home state to a  
308 resident in that state is recognized by each party state as  
309 authorizing a nurse to practice as an RN or as an LPN/VN under a  
310 multistate licensure privilege in each party state.

311 (2) Each party state must implement procedures for  
312 considering the criminal history records of applicants for  
313 initial multistate licensure or licensure by endorsement. Such  
314 procedures shall include the submission of fingerprints or other  
315 biometric-based information by applicants for the purpose of  
316 obtaining an applicant's criminal history record information  
317 from the Federal Bureau of Investigation and the agency  
318 responsible for retaining that state's criminal records.

319 (3) In order for an applicant to obtain or retain a  
320 multistate license in the home state, each party state must  
321 require that the applicant fulfills the following criteria:

322 (a) Has met the home state's qualifications for licensure

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323 or renewal of licensure, as well as all other applicable state  
324 laws.

325 (b)1. Has graduated or is eligible to graduate from a  
326 licensing board-approved RN or LPN/VN prelicensure education  
327 program; or

328 2. Has graduated from a foreign RN or LPN/VN prelicensure  
329 education program that has been approved by the authorized  
330 accrediting body in the applicable country and has been verified  
331 by a licensing board-approved independent credentials review  
332 agency to be comparable to a licensing board-approved  
333 prelicensure education program.

334 (c) If the applicant is a graduate of a foreign  
335 prelicensure education program not taught in English, or if  
336 English is not the applicant's native language, has successfully  
337 passed a licensing board-approved English proficiency  
338 examination that includes the components of reading, speaking,  
339 writing, and listening.

340 (d) Has successfully passed an NCLEX-RN or NCLEX-PN  
341 Examination or recognized predecessor, as applicable.

342 (e) Is eligible for or holds an active, unencumbered  
343 license.

344 (f) Has submitted, in connection with an application for  
345 initial licensure or licensure by endorsement, fingerprints or  
346 other biometric data for the purpose of obtaining criminal  
347 history record information from the Federal Bureau of  
348 Investigation and the agency responsible for retaining that  
349 state's criminal records.

350 (g) Has not been convicted or found guilty, or has entered  
351 into an agreed disposition other than a disposition that results

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352 in nolle prosequi, of a felony offense under applicable state or  
353 federal criminal law.

354 (h) Has not been convicted or found guilty, or has entered  
355 into an agreed disposition other than a disposition that results  
356 in nolle prosequi, of a misdemeanor offense related to the  
357 practice of nursing as determined on a case-by-case basis.

358 (i) Is not currently enrolled in an alternative program.

359 (j) Is subject to self-disclosure requirements regarding  
360 current participation in an alternative program.

361 (k) Has a valid social security number.

362 (4) All party states may, in accordance with existing state  
363 due process law, take adverse action against a nurse's  
364 multistate licensure privilege, such as revocation, suspension,  
365 probation, or any other action that affects the nurse's  
366 authorization to practice under a multistate licensure  
367 privilege, including cease and desist actions. If a party state  
368 takes such action, it shall promptly notify the administrator of  
369 the coordinated licensure information system. The administrator  
370 of the coordinated licensure information system shall promptly  
371 notify the home state of any such actions by remote states.

372 (5) A nurse practicing in a party state shall comply with  
373 the state practice laws of the state in which the patient is  
374 located at the time service is provided. The practice of nursing  
375 is not limited to patient care but includes all nursing practice  
376 as defined by the state practice laws of the party state in  
377 which the patient is located. The practice of nursing in a party  
378 state under a multistate licensure privilege subjects a nurse to  
379 the jurisdiction of the licensing board, the courts, and the  
380 laws of the party state in which the patient is located at the

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381 time service is provided.

382 (6) A person not residing in a party state shall continue  
383 to be able to apply for a party state's single-state license as  
384 provided under the laws of each party state. The single-state  
385 license granted to such a person does not grant the privilege to  
386 practice nursing in any other party state. This compact does not  
387 affect the requirements established by a party state for the  
388 issuance of a single-state license.

389 (7) A nurse holding a home state multistate license, on the  
390 effective date of this compact, may retain and renew the  
391 multistate license issued by the nurse's then-current home  
392 state, provided that the nurse who changes his or her primary  
393 state of residence after the effective date meets all applicable  
394 requirements under subsection (3) to obtain a multistate license  
395 from a new home state. A nurse who fails to satisfy the  
396 multistate licensure requirements under subsection (3) due to a  
397 disqualifying event occurring after the effective date is  
398 ineligible to retain or renew a multistate license, and the  
399 nurse's multistate license shall be revoked or deactivated in  
400 accordance with applicable rules adopted by the commission.

#### 401 ARTICLE IV

##### 402 APPLICATIONS FOR LICENSURE IN A PARTY STATE

403 (1) Upon application for a multistate license, the  
404 licensing board in the issuing party state shall ascertain,  
405 through the coordinated licensure information system, whether  
406 the applicant has ever held, or is the holder of, a license  
407 issued by any other state, whether there are any encumbrances on  
408 any license or multistate licensure privilege held by the  
409 applicant, whether any adverse action has been taken against any

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410 license or multistate licensure privilege held by the applicant,  
411 and whether the applicant is currently participating in an  
412 alternative program.

413 (2) A nurse may hold a multistate license, issued by the  
414 home state, in only one party state at a time.

415 (3) If a nurse changes his or her primary state of  
416 residence by moving from one party state to another party state,  
417 the nurse must apply for licensure in the new home state, and  
418 the multistate license issued by the prior home state must be  
419 deactivated in accordance with applicable rules adopted by the  
420 commission.

421 (a) The nurse may apply for licensure in advance of a  
422 change in his or her primary state of residence.

423 (b) A multistate license may not be issued by the new home  
424 state until the nurse provides satisfactory evidence of a change  
425 in his or her primary state of residence to the new home state  
426 and satisfies all applicable requirements to obtain a multistate  
427 license from the new home state.

428 (4) If a nurse changes his or her primary state of  
429 residence by moving from a party state to a nonparty state, the  
430 multistate license issued by the prior home state must convert  
431 to a single-state license valid only in the former home state.

#### 432 ARTICLE V

#### 433 ADDITIONAL AUTHORITY VESTED IN PARTY STATE LICENSING BOARDS

434 (1) In addition to the other powers conferred by state law,  
435 a licensing board or state agency may:

436 (a) Take adverse action against a nurse's multistate  
437 licensure privilege to practice within that party state.

438 1. Only the home state has the power to take adverse action

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439 against a nurse's license issued by the home state.

440 2. For purposes of taking adverse action, the home state  
441 licensing board or state agency shall give the same priority and  
442 effect to conduct reported by a remote state as it would if such  
443 conduct had occurred within the home state. In so doing, the  
444 home state shall apply its own state laws to determine  
445 appropriate action.

446 (b) Issue cease and desist orders or impose an encumbrance  
447 on a nurse's authority to practice within that party state.

448 (c) Complete any pending investigation of a nurse who  
449 changes his or her primary state of residence during the course  
450 of such investigation. The licensing board or state agency may  
451 also take appropriate action and shall promptly report the  
452 conclusions of such investigation to the administrator of the  
453 coordinated licensure information system. The administrator of  
454 the coordinated licensure information system shall promptly  
455 notify the new home state of any such action.

456 (d) Issue subpoenas for both hearings and investigations  
457 that require the attendance and testimony of witnesses or the  
458 production of evidence. Subpoenas issued by a licensing board or  
459 state agency in a party state for the attendance and testimony  
460 of witnesses or the production of evidence from another party  
461 state shall be enforced in the latter state by any court of  
462 competent jurisdiction according to the practice and procedure  
463 of that court applicable to subpoenas issued in proceedings  
464 pending before it. The issuing authority shall pay any witness  
465 fees, travel expenses, and mileage and other fees required by  
466 the service statutes of the state in which the witnesses or  
467 evidence is located.



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468       (e) Obtain and submit, for each nurse licensure applicant,  
469 fingerprint or other biometric-based information to the Federal  
470 Bureau of Investigation for criminal background checks, receive  
471 the results of the Federal Bureau of Investigation record search  
472 on criminal background checks, and use the results in making  
473 licensure decisions.

474       (f) If otherwise permitted by state law, recover from the  
475 affected nurse the costs of investigations and disposition of  
476 cases resulting from any adverse action taken against that  
477 nurse.

478       (g) Take adverse action based on the factual findings of  
479 the remote state, provided that the licensing board or state  
480 agency follows its own procedures for taking such adverse  
481 action.

482       (2) If adverse action is taken by the home state against a  
483 nurse's multistate license, the nurse's multistate licensure  
484 privilege to practice in all other party states shall be  
485 deactivated until all encumbrances are removed from the  
486 multistate license. All home state disciplinary orders that  
487 impose adverse action against a nurse's multistate license shall  
488 include a statement that the nurse's multistate licensure  
489 privilege is deactivated in all party states during the pendency  
490 of the order.

491       (3) This compact does not override a party state's decision  
492 that participation in an alternative program may be used in lieu  
493 of adverse action. The home state licensing board shall  
494 deactivate the multistate licensure privilege under the  
495 multistate license of any nurse for the duration of the nurse's  
496 participation in an alternative program.

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## ARTICLE VI

COORDINATED LICENSURE INFORMATION SYSTEM AND EXCHANGE  
INFORMATION

(1) All party states shall participate in a coordinated licensure information system relating to all licensed RNs and LPNs/VNs. This system shall include information on the licensure and disciplinary history of each nurse, as submitted by party states, to assist in the coordination of nurse licensure and enforcement efforts.

(2) The commission, in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and proper procedures for the identification, collection, and exchange of information under this compact.

(3) All licensing boards shall promptly report to the coordinated licensure information system any adverse action, any current significant investigative information, denials of applications, the reasons for application denials, and nurse participation in alternative programs known to the licensing board regardless of whether such participation is deemed nonpublic or confidential under state law.

(4) Current significant investigative information and participation in nonpublic or confidential alternative programs shall be transmitted through the coordinated licensure information system only to party state licensing boards.

(5) Notwithstanding any other provision of law, all party state licensing boards contributing information to the coordinated licensure information system may designate information that may not be shared with nonparty states or disclosed to other entities or individuals without the express

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526 permission of the contributing state.

527 (6) Any personal identifying information obtained from the  
528 coordinated licensure information system by a party state  
529 licensing board may not be shared with nonparty states or  
530 disclosed to other entities or individuals except to the extent  
531 permitted by the laws of the party state contributing the  
532 information.

533 (7) Any information contributed to the coordinated  
534 licensure information system which is subsequently required to  
535 be expunged by the laws of the party state contributing that  
536 information is also expunged from the coordinated licensure  
537 information system.

538 (8) The compact administrator of each party state shall  
539 furnish a uniform data set to the compact administrator of each  
540 other party state, which shall include, at a minimum:

541 (a) Identifying information.

542 (b) Licensure data.

543 (c) Information related to alternative program  
544 participation.

545 (d) Other information that may facilitate the  
546 administration of this compact, as determined by commission  
547 rules.

548 (9) The compact administrator of a party state shall  
549 provide all investigative documents and information requested by  
550 another party state.

551 ARTICLE VII

552 ESTABLISHMENT OF THE INTERSTATE COMMISSION OF NURSE LICENSURE

553 COMPACT ADMINISTRATORS

554 (1) The party states hereby create and establish a joint

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555 public entity known as the Interstate Commission of Nurse  
556 Licensure Compact Administrators.

557 (a) The commission is an instrumentality of the party  
558 states.

559 (b) Venue is proper, and judicial proceedings by or against  
560 the commission shall be brought solely and exclusively, in a  
561 court of competent jurisdiction where the commission's principal  
562 office is located. The commission may waive venue and  
563 jurisdictional defenses to the extent it adopts or consents to  
564 participate in alternative dispute resolution proceedings.

565 (c) This compact does not waive sovereign immunity.

566 (2) (a) Each party state shall have and be limited to one  
567 administrator. The executive director of the state licensing  
568 board or his or her designee shall be the administrator of this  
569 compact for each party state. Any administrator may be removed  
570 or suspended from office as provided by the law of the state  
571 from which the administrator is appointed. Any vacancy occurring  
572 on the commission shall be filled in accordance with the laws of  
573 the party state in which the vacancy exists.

574 (b) Each administrator is entitled to one vote with regard  
575 to the adoption of rules and the creation of bylaws and shall  
576 otherwise have an opportunity to participate in the business and  
577 affairs of the commission. An administrator shall vote in person  
578 or by such other means as provided in the bylaws. The bylaws may  
579 provide for an administrator's participation in meetings by  
580 telephone or other means of communication.

581 (c) The commission shall meet at least once during each  
582 calendar year. Additional meetings shall be held as set forth in  
583 the commission's bylaws or rules.

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584 (d) All meetings shall be open to the public, and public  
585 notice of meetings shall be given in the same manner as required  
586 under Article VIII of this compact.

587 (e) The commission may convene in a closed, nonpublic  
588 meeting if the commission must discuss:

589 1. Failure of a party state to comply with its obligations  
590 under this compact;

591 2. The employment, compensation, discipline, or other  
592 personnel matters, practices, or procedures related to specific  
593 employees or other matters related to the commission's internal  
594 personnel practices and procedures;

595 3. Current, threatened, or reasonably anticipated  
596 litigation;

597 4. Negotiation of contracts for the purchase or sale of  
598 goods, services, or real estate;

599 5. Accusing any person of a crime or formally censuring any  
600 person;

601 6. Disclosure of trade secrets or commercial or financial  
602 information that is privileged or confidential;

603 7. Disclosure of information of a personal nature where  
604 disclosure would constitute a clearly unwarranted invasion of  
605 personal privacy;

606 8. Disclosure of investigatory records compiled for law  
607 enforcement purposes;

608 9. Disclosure of information related to any reports  
609 prepared by or on behalf of the commission for the purpose of  
610 investigation of compliance with this compact; or

611 10. Matters specifically exempted from disclosure by  
612 federal or state statute.

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613 (f) If a meeting, or portion of a meeting, is closed  
614 pursuant to this subsection, the commission's legal counsel or  
615 designee shall certify that the meeting, or portion of the  
616 meeting, is closed and shall reference each relevant exempting  
617 provision. The commission shall keep minutes that fully and  
618 clearly describe all matters discussed in a meeting and shall  
619 provide a full and accurate summary of actions taken, and the  
620 reasons therefor, including a description of the views  
621 expressed. All documents considered in connection with an action  
622 shall be identified in such minutes. All minutes and documents  
623 of a closed meeting shall remain under seal, subject to release  
624 by a majority vote of the commission or order of a court of  
625 competent jurisdiction.

626 (3) The commission shall, by a majority vote of the  
627 administrators, prescribe bylaws or rules to govern its conduct  
628 as may be necessary or appropriate to carry out the purposes and  
629 exercise the powers of this compact, including, but not limited  
630 to:

631 (a) Establishing the commission's fiscal year.

632 (b) Providing reasonable standards and procedures:

633 1. For the establishment and meetings of other committees.

634 2. Governing any general or specific delegation of any  
635 authority or function of the commission.

636 (c) Providing reasonable procedures for calling and  
637 conducting meetings of the commission, ensuring reasonable  
638 advance notice of all meetings, and providing an opportunity for  
639 attendance of such meetings by interested parties, with  
640 enumerated exceptions designed to protect the public's interest,  
641 the privacy of individuals, and proprietary information,

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642 including trade secrets. The commission may meet in closed  
643 session only after a majority of the administrators vote to  
644 close a meeting in whole or in part. As soon as practicable, the  
645 commission must make public a copy of the vote to close the  
646 meeting revealing the vote of each administrator, with no proxy  
647 votes allowed.

648 (d) Establishing the titles, duties and authority, and  
649 reasonable procedures for the election of the commission's  
650 officers.

651 (e) Providing reasonable standards and procedures for the  
652 establishment of the commission's personnel policies and  
653 programs. Notwithstanding any civil service or other similar  
654 laws of any party state, the bylaws shall exclusively govern the  
655 commission's personnel policies and programs.

656 (f) Providing a mechanism for winding up the commission's  
657 operations and the equitable disposition of any surplus funds  
658 that may exist after the termination of this compact after the  
659 payment or reserving of all of its debts and obligations.

660 (4) The commission shall publish its bylaws and rules, and  
661 any amendments thereto, in a convenient form on the commission's  
662 website.

663 (5) The commission shall maintain its financial records in  
664 accordance with the bylaws.

665 (6) The commission shall meet and take such actions as are  
666 consistent with this compact and the bylaws.

667 (7) The commission may:

668 (a) Adopt uniform rules to facilitate and coordinate  
669 implementation and administration of this compact. The rules  
670 shall have the force and effect of law and are binding in all

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671 party states.

672 (b) Bring and prosecute legal proceedings or actions in the  
673 name of the commission, provided that the standing of any  
674 licensing board to sue or be sued under applicable law is not  
675 affected.

676 (c) Purchase and maintain insurance and bonds.

677 (d) Borrow, accept, or contract for services of personnel,  
678 including employees of a party state or nonprofit organizations.

679 (e) Cooperate with other organizations that administer  
680 state compacts related to the regulation of nursing, including  
681 sharing administrative or staff expenses, office space, or other  
682 resources.

683 (f) Hire employees, elect or appoint officers, fix  
684 compensation, define duties, grant such individuals appropriate  
685 authority to carry out the purposes of this compact, and  
686 establish the commission's personnel policies and programs  
687 relating to conflicts of interest, qualifications of personnel,  
688 and other related personnel matters.

689 (g) Accept any and all appropriate donations, grants, and  
690 gifts of money, equipment, supplies, materials, and services and  
691 receive, use, and dispose of the same, provided that, at all  
692 times, the commission avoids any appearance of impropriety or  
693 conflict of interest.

694 (h) Lease, purchase, accept appropriate gifts or donations  
695 of, or otherwise own, hold, improve, or use any property,  
696 whether real, personal, or mixed, provided that, at all times,  
697 the commission avoids any appearance of impropriety.

698 (i) Sell, convey, mortgage, pledge, lease, exchange,  
699 abandon, or otherwise dispose of any property, whether real,



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- 700 personal, or mixed.
- 701 (j) Establish a budget and make expenditures.
- 702 (k) Borrow money.
- 703 (l) Appoint committees, including advisory committees  
704 comprised of administrators, state nursing regulators, state  
705 legislators or their representatives, consumer representatives,  
706 and other interested persons.
- 707 (m) Provide information to, receive information from, and  
708 cooperate with law enforcement agencies.
- 709 (n) Adopt and use an official seal.
- 710 (o) Perform such other functions as may be necessary or  
711 appropriate to achieve the purposes of this compact consistent  
712 with the state regulation of nurse licensure and practice.
- 713 (8) Relating to the financing of the commission, the  
714 commission:
- 715 (a) Shall pay, or provide for the payment of, the  
716 reasonable expenses of its establishment, organization, and  
717 ongoing activities.
- 718 (b) May also levy and collect an annual assessment from  
719 each party state to cover the cost of its operations,  
720 activities, and staff in its annual budget as approved each  
721 year. The aggregate annual assessment amount, if any, shall be  
722 allocated based on a formula to be determined by the commission,  
723 which shall adopt a rule that is binding on all party states.
- 724 (c) May not incur obligations of any kind before securing  
725 the funds adequate to meet the same; and the commission may not  
726 pledge the credit of any of the party states, except by and with  
727 the authority of such party state.
- 728 (d) Shall keep accurate accounts of all receipts and

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729 disbursements. The commission's receipts and disbursements are  
730 subject to the audit and accounting procedures established under  
731 its bylaws. However, all receipts and disbursements of funds  
732 handled by the commission shall be audited yearly by a certified  
733 or licensed public accountant, and the report of the audit shall  
734 be included in, and become part of, the commission's annual  
735 report.

736 (9) Relating to the sovereign immunity, defense, and  
737 indemnification of the commission:

738 (a) The administrators, officers, executive director,  
739 employees, and representatives of the commission are immune from  
740 suit and liability, either personally or in their official  
741 capacity, for any claim for damage to or loss of property or  
742 personal injury or other civil liability caused by or arising  
743 out of any actual or alleged act, error, or omission that  
744 occurred, or that the person against whom the claim is made had  
745 a reasonable basis for believing occurred, within the scope of  
746 commission employment, duties, or responsibilities. This  
747 paragraph does not protect any such person from suit or  
748 liability for any damage, loss, injury, or liability caused by  
749 the intentional, willful, or wanton misconduct of that person.

750 (b) The commission shall defend any administrator, officer,  
751 executive director, employee, or representative of the  
752 commission in any civil action seeking to impose liability  
753 arising out of any actual or alleged act, error, or omission  
754 that occurred within the scope of commission employment, duties,  
755 or responsibilities or that the person against whom the claim is  
756 made had a reasonable basis for believing occurred within the  
757 scope of commission employment, duties, or responsibilities,

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758 provided that the actual or alleged act, error, or omission did  
759 not result from that person's intentional, willful, or wanton  
760 misconduct. This paragraph does not prohibit that person from  
761 retaining his or her own counsel.

762 (c) The commission shall indemnify and hold harmless any  
763 administrator, officer, executive director, employee, or  
764 representative of the commission for the amount of any  
765 settlement or judgment obtained against that person arising out  
766 of any actual or alleged act, error, or omission that occurred  
767 within the scope of commission employment, duties, or  
768 responsibilities or that such person had a reasonable basis for  
769 believing occurred within the scope of commission employment,  
770 duties, or responsibilities, provided that the actual or alleged  
771 act, error, or omission did not result from the intentional,  
772 willful, or wanton misconduct of that person.

#### 773 ARTICLE VIII

#### 774 RULEMAKING

775 (1) The commission shall exercise its rulemaking powers  
776 pursuant to the criteria set forth in this article and the rules  
777 adopted thereunder. Rules and amendments become binding as of  
778 the date specified in each rule or amendment and have the same  
779 force and effect as provisions of this compact.

780 (2) Rules or amendments to the rules shall be adopted at a  
781 regular or special meeting of the commission.

782 (3) Before adoption of a final rule or final rules by the  
783 commission, and at least 60 days before the meeting at which the  
784 rule will be considered and voted upon, the commission shall  
785 file a notice of proposed rulemaking:

786 (a) On the commission's website.

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787 (b) On the website of each licensing board or the  
788 publication in which each state would otherwise publish proposed  
789 rules.

790 (4) The notice of proposed rulemaking shall include:

791 (a) The proposed time, date, and location of the meeting in  
792 which the rule will be considered and voted upon.

793 (b) The text of the proposed rule or amendment and the  
794 reason for the proposed rule.

795 (c) A request for comments on the proposed rule from any  
796 interested person.

797 (d) The manner in which an interested person may submit  
798 notice to the commission of his or her intention to attend the  
799 public hearing and any written comments.

800 (5) Before adoption of a proposed rule, the commission  
801 shall allow persons to submit written data, facts, opinions, and  
802 arguments, which shall be made available to the public.

803 (6) The commission shall grant an opportunity for a public  
804 hearing before it adopts a rule or amendment.

805 (7) The commission shall publish the place, time, and date  
806 of the scheduled public hearing.

807 (a) Hearings shall be conducted in a manner providing each  
808 person who wishes to comment a fair and reasonable opportunity  
809 to comment orally or in writing. All hearings will be recorded,  
810 and a copy will be made available upon request.

811 (b) This article does not require a separate hearing on  
812 each rule. Rules may be grouped for the convenience of the  
813 commission at hearings required by this article.

814 (8) If no interested person appears at the public hearing,  
815 the commission may proceed with adoption of the proposed rule.

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816 (9) Following the scheduled hearing date, or by the close  
817 of business on the scheduled hearing date if the hearing is not  
818 held, the commission shall consider all written and oral  
819 comments received.

820 (10) The commission shall, by majority vote of all  
821 administrators, take final action on the proposed rule and shall  
822 determine the effective date of the rule, if any, based on the  
823 rulemaking record and the full text of the rule.

824 (11) Upon determination that an emergency exists, the  
825 commission may consider and adopt an emergency rule without  
826 prior notice, opportunity for comment, or hearing, provided that  
827 the usual rulemaking procedures provided in this compact and in  
828 this article are applied retroactively to the rule as soon as  
829 reasonably possible within 90 days after the effective date of  
830 the rule. For the purposes of this subsection, an emergency rule  
831 is one that must be adopted immediately in order to:

832 (a) Meet an imminent threat to public health, safety, or  
833 welfare;

834 (b) Prevent a loss of commission or party state funds; or

835 (c) Meet a deadline for the adoption of an administrative  
836 rule that is required by federal law or rule.

837 (12) The commission may direct revisions to a previously  
838 adopted rule or amendment for purposes of correcting  
839 typographical errors, errors in format, errors in consistency,  
840 or grammatical errors. Public notice of any revisions shall be  
841 posted on the commission's website. The revision is subject to  
842 challenge by any person for 30 days after posting. The revision  
843 may be challenged only on grounds that the revision results in a  
844 material change to a rule. A challenge must be made in writing

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845 and delivered to the commission before the end of the notice  
846 period. If no challenge is made, the revision shall take effect  
847 without further action. If the revision is challenged, the  
848 revision may not take effect without the commission's approval.

849 ARTICLE IX

850 OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

851 (1) Oversight of this compact shall be accomplished by:

852 (a) Each party state, which shall enforce this compact and  
853 take all actions necessary and appropriate to effectuate this  
854 compact's purposes and intent.

855 (b) The commission, which is entitled to receive service of  
856 process in any proceeding that may affect the powers,  
857 responsibilities, or actions of the commission and has standing  
858 to intervene in such a proceeding for all purposes. Failure to  
859 provide service of process in such proceeding to the commission  
860 renders a judgment or order void as to the commission, this  
861 compact, or adopted rules.

862 (2) When the commission determines that a party state has  
863 defaulted in the performance of its obligations or  
864 responsibilities under this compact or the adopted rules, the  
865 commission shall:

866 (a) Provide written notice to the defaulting state and  
867 other party states of the nature of the default, the proposed  
868 means of curing the default, or any other action to be taken by  
869 the commission.

870 (b) Provide remedial training and specific technical  
871 assistance regarding the default.

872 (3) If a state in default fails to cure the default, the  
873 defaulting state's membership in this compact may be terminated

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874 upon an affirmative vote of a majority of the administrators,  
875 and all rights, privileges, and benefits conferred by this  
876 compact may be terminated on the effective date of termination.  
877 A cure of the default does not relieve the offending state of  
878 obligations or liabilities incurred during the period of  
879 default.

880 (4) Termination of membership in this compact shall be  
881 imposed only after all other means of securing compliance have  
882 been exhausted. Notice of intent to suspend or terminate shall  
883 be given by the commission to the governor of the defaulting  
884 state, to the executive officer of the defaulting state's  
885 licensing board, and each of the party states.

886 (5) A state whose membership in this compact is terminated  
887 is responsible for all assessments, obligations, and liabilities  
888 incurred through the effective date of termination, including  
889 obligations that extend beyond the effective date of  
890 termination.

891 (6) The commission shall not bear any costs related to a  
892 state that is found to be in default or whose membership in this  
893 compact is terminated unless agreed upon in writing between the  
894 commission and the defaulting state.

895 (7) The defaulting state may appeal the action of the  
896 commission by petitioning the United States District Court for  
897 the District of Columbia or the federal district in which the  
898 commission has its principal offices. The prevailing party shall  
899 be awarded all costs of such litigation, including reasonable  
900 attorney fees.

901 (8) Dispute resolution may be used by the commission in the  
902 following manner:

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903 (a) Upon request by a party state, the commission shall  
904 attempt to resolve disputes related to the compact that arise  
905 among party states and between party and nonparty states.

906 (b) The commission shall adopt a rule providing for both  
907 mediation and binding dispute resolution for disputes, as  
908 appropriate.

909 (c) In the event the commission cannot resolve disputes  
910 among party states arising under this compact:

911 1. The party states may submit the issues in dispute to an  
912 arbitration panel, which will be comprised of individuals  
913 appointed by the compact administrator in each of the affected  
914 party states and an individual mutually agreed upon by the  
915 compact administrators of all the party states involved in the  
916 dispute.

917 2. The decision of a majority of the arbitrators is final  
918 and binding.

919 (9) (a) The commission shall, in the reasonable exercise of  
920 its discretion, enforce the provisions and rules of this  
921 compact.

922 (b) By majority vote, the commission may initiate legal  
923 action in the United States District Court for the District of  
924 Columbia or the federal district in which the commission has its  
925 principal offices against a party state that is in default to  
926 enforce compliance with this compact and its adopted rules and  
927 bylaws. The relief sought may include both injunctive relief and  
928 damages. In the event judicial enforcement is necessary, the  
929 prevailing party shall be awarded all costs of such litigation,  
930 including reasonable attorney fees.

931 (c) The remedies provided in this subsection are not the



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932 exclusive remedies of the commission. The commission may pursue  
933 any other remedies available under federal or state law.

934 ARTICLE X

935 EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT

936 (1) This compact becomes effective and binding on the date  
937 of legislative enactment of this compact into law by no fewer  
938 than 26 states or on December 31, 2018, whichever occurs first.  
939 All party states to this compact which were also parties to the  
940 prior Nurse Licensure Compact ("prior compact"), superseded by  
941 this compact, are deemed to have withdrawn from the prior  
942 compact within 6 months after the effective date of this  
943 compact.

944 (2) Each party state to this compact shall continue to  
945 recognize a nurse's multistate licensure privilege to practice  
946 in that party state issued under the prior compact until such  
947 party state is withdrawn from the prior compact.

948 (3) Any party state may withdraw from this compact by  
949 enacting a statute repealing the compact. A party state's  
950 withdrawal does not take effect until 6 months after enactment  
951 of the repealing statute.

952 (4) A party state's withdrawal or termination does not  
953 affect the continuing requirement of the withdrawing or  
954 terminated state's licensing board to report adverse actions and  
955 significant investigations occurring before the effective date  
956 of such withdrawal or termination.

957 (5) This compact does not invalidate or prevent any nurse  
958 licensure agreement or other cooperative arrangement between a  
959 party state and a nonparty state that is made in accordance with  
960 the other provisions of this compact.

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961       (6) This compact may be amended by the party states. An  
962 amendment to this compact does not become effective and binding  
963 upon the party states unless and until it is enacted into the  
964 laws of all party states.

965       (7) Representatives of nonparty states to this compact  
966 shall be invited to participate in the activities of the  
967 commission, on a nonvoting basis, before the adoption of this  
968 compact by all party states.

969                               ARTICLE XI

970                               CONSTRUCTION AND SEVERABILITY

971       This compact shall be liberally construed so as to  
972 effectuate the purposes thereof. The provisions of this compact  
973 are severable, and if any phrase, clause, sentence, or provision  
974 of this compact is declared to be contrary to the constitution  
975 of any party state or of the United States, or if the  
976 applicability thereof to any government, agency, person, or  
977 circumstance is held invalid, the validity of the remainder of  
978 this compact and the applicability thereof to any government,  
979 agency, person, or circumstance is not affected thereby. If this  
980 compact is declared to be contrary to the constitution of any  
981 party state, the compact shall remain in full force and effect  
982 as to the remaining party states and in full force and effect as  
983 to the party state affected as to all severable matters.

984       Section 8. Subsection (1) of section 464.012, Florida  
985 Statutes, is amended to read:

986       464.012 Certification of advanced registered nurse  
987 practitioners; fees.—

988       (1) Any nurse desiring to be certified as an advanced  
989 registered nurse practitioner shall apply to the department and

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990 submit proof that he or she holds a current license to practice  
991 professional nursing or holds an active multistate license to  
992 practice professional nursing pursuant to s. 464.0095 and that  
993 he or she meets one or more of the following requirements as  
994 determined by the board:

995 (a) Satisfactory completion of a formal postbasic  
996 educational program of at least one academic year, the primary  
997 purpose of which is to prepare nurses for advanced or  
998 specialized practice.

999 (b) Certification by an appropriate specialty board. Such  
1000 certification shall be required for initial state certification  
1001 and any recertification as a registered nurse anesthetist or  
1002 nurse midwife. The board may by rule provide for provisional  
1003 state certification of graduate nurse anesthetists and nurse  
1004 midwives for a period of time determined to be appropriate for  
1005 preparing for and passing the national certification  
1006 examination.

1007 (c) Graduation from a program leading to a master's degree  
1008 in a nursing clinical specialty area with preparation in  
1009 specialized practitioner skills. For applicants graduating on or  
1010 after October 1, 1998, graduation from a master's degree program  
1011 shall be required for initial certification as a nurse  
1012 practitioner under paragraph (4) (c). For applicants graduating  
1013 on or after October 1, 2001, graduation from a master's degree  
1014 program shall be required for initial certification as a  
1015 registered nurse anesthetist under paragraph (4) (a).

1016 Section 9. Subsections (1), (2), and (9) of section  
1017 464.015, Florida Statutes, are amended to read:

1018 464.015 Titles and abbreviations; restrictions; penalty.-

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1019 (1) Only a person ~~persons~~ who holds a license in this state  
 1020 or a multistate license pursuant to s. 464.0095 ~~hold licenses~~ to  
 1021 practice professional nursing ~~in this state~~ or who performs ~~are~~  
 1022 ~~performing~~ nursing services pursuant to the exception set forth  
 1023 in s. 464.022(8) may ~~shall have the right to~~ use the title  
 1024 "Registered Nurse" and the abbreviation "R.N."

1025 (2) Only a person ~~persons~~ who holds a license in this state  
 1026 or a multistate license pursuant to s. 464.0095 ~~hold licenses~~ to  
 1027 practice as a licensed practical nurse ~~nurses in this state~~ or  
 1028 who performs ~~are performing~~ practical nursing services pursuant  
 1029 to the exception set forth in s. 464.022(8) may ~~shall have the~~  
 1030 ~~right to~~ use the title "Licensed Practical Nurse" and the  
 1031 abbreviation "L.P.N."

1032 (9) A person may not practice or advertise as, or assume  
 1033 the title of, registered nurse, licensed practical nurse,  
 1034 clinical nurse specialist, certified registered nurse  
 1035 anesthetist, certified nurse midwife, or advanced registered  
 1036 nurse practitioner or use the abbreviation "R.N.," "L.P.N.,"  
 1037 "C.N.S.," "C.R.N.A.," "C.N.M.," or "A.R.N.P." or take any other  
 1038 action that would lead the public to believe that person was  
 1039 authorized by law to practice ~~certified~~ as such or is performing  
 1040 nursing services pursuant to the exception set forth in s.  
 1041 464.022(8) ~~unless that person is licensed,~~ or ~~certified,~~ or  
 1042 authorized pursuant to s. 464.0095 to practice as such.

1043 Section 10. Subsections (1) and (2) of section 464.018,  
 1044 Florida Statutes, are amended to read:

1045 464.018 Disciplinary actions.—

1046 (1) The following acts constitute grounds for denial of a  
 1047 license or disciplinary action, as specified in ss. ~~s.~~

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1048 456.072(2) and 464.0095:

1049 (a) Procuring, attempting to procure, or renewing a license  
1050 to practice nursing or the authority to practice practical or  
1051 professional nursing pursuant to s. 464.0095 by bribery, by  
1052 knowing misrepresentations, or through an error of the  
1053 department or the board.

1054 (b) Having a license to practice nursing revoked,  
1055 suspended, or otherwise acted against, including the denial of  
1056 licensure, by the licensing authority of another state,  
1057 territory, or country.

1058 (c) Being convicted or found guilty of, or entering a plea  
1059 of guilty or nolo contendere to, regardless of adjudication, a  
1060 crime in any jurisdiction which directly relates to the practice  
1061 of nursing or to the ability to practice nursing.

1062 (d) Being convicted or found guilty of, or entering a plea  
1063 of guilty or nolo contendere to, regardless of adjudication, ~~of~~  
1064 any of the following offenses:

1065 1. A forcible felony as defined in chapter 776.

1066 2. A violation of chapter 812, relating to theft, robbery,  
1067 and related crimes.

1068 3. A violation of chapter 817, relating to fraudulent  
1069 practices.

1070 4. A violation of chapter 800, relating to lewdness and  
1071 indecent exposure.

1072 5. A violation of chapter 784, relating to assault,  
1073 battery, and culpable negligence.

1074 6. A violation of chapter 827, relating to child abuse.

1075 7. A violation of chapter 415, relating to protection from  
1076 abuse, neglect, and exploitation.

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1077 8. A violation of chapter 39, relating to child abuse,  
1078 abandonment, and neglect.

1079 9. For an applicant for a multistate license or for a  
1080 multistate licenseholder under s. 464.0095, a felony offense  
1081 under Florida law or federal criminal law.

1082 (e) Having been found guilty of, regardless of  
1083 adjudication, or entered a plea of nolo contendere or guilty to,  
1084 any offense prohibited under s. 435.04 or similar statute of  
1085 another jurisdiction; or having committed an act which  
1086 constitutes domestic violence as defined in s. 741.28.

1087 (f) Making or filing a false report or record, which the  
1088 nurse licensee knows to be false, intentionally or negligently  
1089 failing to file a report or record required by state or federal  
1090 law, willfully impeding or obstructing such filing or inducing  
1091 another person to do so. Such reports or records shall include  
1092 only those which are signed in the nurse's capacity as a  
1093 licensed nurse.

1094 (g) False, misleading, or deceptive advertising.

1095 (h) Unprofessional conduct, as defined by board rule.

1096 (i) Engaging or attempting to engage in the possession,  
1097 sale, or distribution of controlled substances as set forth in  
1098 chapter 893, for any other than legitimate purposes authorized  
1099 by this part.

1100 (j) Being unable to practice nursing with reasonable skill  
1101 and safety to patients by reason of illness or use of alcohol,  
1102 drugs, narcotics, or chemicals or any other type of material or  
1103 as a result of any mental or physical condition. In enforcing  
1104 this paragraph, the department shall have, upon a finding of the  
1105 State Surgeon General or the State Surgeon General's designee

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1106 that probable cause exists to believe that the nurse licensee is  
1107 unable to practice nursing because of the reasons stated in this  
1108 paragraph, the authority to issue an order to compel a nurse  
1109 ~~licensee~~ to submit to a mental or physical examination by  
1110 physicians designated by the department. If the nurse licensee  
1111 refuses to comply with such order, the department's order  
1112 directing such examination may be enforced by filing a petition  
1113 for enforcement in the circuit court where the nurse licensee  
1114 resides or does business. The nurse licensee against whom the  
1115 petition is filed shall not be named or identified by initials  
1116 in any public court records or documents, and the proceedings  
1117 shall be closed to the public. The department shall be entitled  
1118 to the summary procedure provided in s. 51.011. A nurse affected  
1119 by ~~the provisions of~~ this paragraph shall at reasonable  
1120 intervals be afforded an opportunity to demonstrate that she or  
1121 he can resume the competent practice of nursing with reasonable  
1122 skill and safety to patients.

1123 (k) Failing to report to the department any person who the  
1124 nurse licensee knows is in violation of this part or of the  
1125 rules of the department or the board; however, if the nurse  
1126 ~~licensee~~ verifies that such person is actively participating in  
1127 a board-approved program for the treatment of a physical or  
1128 mental condition, the nurse licensee is required to report such  
1129 person only to an impaired professionals consultant.

1130 (l) Knowingly violating any provision of this part, a rule  
1131 of the board or the department, or a lawful order of the board  
1132 or department previously entered in a disciplinary proceeding or  
1133 failing to comply with a lawfully issued subpoena of the  
1134 department.

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1135 (m) Failing to report to the department any licensee under  
1136 chapter 458 or under chapter 459 who the nurse knows has  
1137 violated the grounds for disciplinary action set out in the law  
1138 under which that person is licensed and who provides health care  
1139 services in a facility licensed under chapter 395, or a health  
1140 maintenance organization certificated under part I of chapter  
1141 641, in which the nurse also provides services.

1142 (n) Failing to meet minimal standards of acceptable and  
1143 prevailing nursing practice, including engaging in acts for  
1144 which the nurse licensee is not qualified by training or  
1145 experience.

1146 (o) Violating any provision of this chapter or chapter 456,  
1147 or any rules adopted pursuant thereto.

1148 (2) (a) The board may enter an order denying licensure or  
1149 imposing any of the penalties in s. 456.072(2) against any  
1150 applicant for licensure or nurse licensee who is found guilty of  
1151 ~~violating any provision of subsection (1) of this section or who~~  
1152 ~~is found guilty of violating any provision of s. 456.072(1).~~

1153 (b) The board may take adverse action against a nurse's  
1154 multistate licensure privilege and impose any of the penalties  
1155 in s. 456.072(2) when the nurse is found guilty of violating  
1156 subsection (1) or s. 456.072(1).

1157 Section 11. Paragraph (a) of subsection (2) of section  
1158 464.0195, Florida Statutes, is amended, and subsection (4) is  
1159 added to that section, to read:

1160 464.0195 Florida Center for Nursing; goals.—

1161 (2) The primary goals for the center shall be to:

1162 (a) Develop a strategic statewide plan for nursing manpower  
1163 in this state by:



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1164 1. Establishing and maintaining a database on nursing  
1165 supply and demand in the state, to include current supply and  
1166 demand, ~~and future projections; and~~

1167 2. Analyzing the current nursing supply and demand in the  
1168 state and making future projections of such, including assessing  
1169 the impact of this state's participation in the Nurse Licensure  
1170 Compact under s. 464.0095; and

1171 ~~3.2.~~ Selecting from the plan priorities to be addressed.

1172 (4) The center may request from the board, and the board  
1173 must provide to the center upon its request, any information  
1174 held by the board regarding nurses licensed in this state or  
1175 holding a multistate license pursuant to s. 464.0095 or  
1176 information reported to the board by employers of such nurses,  
1177 other than personal identifying information.

1178 Section 12. This act shall take effect December 31, 2018,  
1179 or upon enactment of the Nurse Licensure Compact into law by 26  
1180 states, whichever occurs first.