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LEGISLATIVE ACTION

Senate

.

House

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Floor: NC/3R

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03/03/2016 05:23 PM

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Senator Bean moved the following:

Senate Amendment (with title amendment)

Between lines 72 and 73

insert:

Section 4. Subsection (12) of section 401.27, Florida Statutes, is amended to read:

401.27 Personnel; standards and certification.—

(12) An applicant for certification as an emergency medical technician or paramedic who is trained outside the state, or trained in the military, must provide proof of a current, nationally recognized emergency medical technician or paramedic



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12 certification or registration that is recognized by the
13 department and based upon successful completion of a training
14 program approved by the department as being equivalent to the
15 most recent EMT-Basic or EMT-Paramedic National Standard
16 Curriculum or the National EMS Education Standards of the United
17 States Department of Transportation and hold a current
18 certificate of successful course completion in cardiopulmonary
19 resuscitation (CPR) or advanced cardiac life support for
20 emergency medical technicians or paramedics, respectively, to be
21 eligible for ~~the certification examination. The applicant must~~
22 ~~successfully complete the certification examination within 2~~
23 ~~years after the date of the receipt of his or her application by~~
24 ~~the department. After 2 years, the applicant must submit a new~~
25 ~~application, meet all eligibility requirements, and submit all~~
26 ~~fees to reestablish eligibility to take the certification~~
27 ~~examination.~~

28 Section 5. Subsection (3) of section 456.024, Florida
29 Statutes, is amended to read:

30 456.024 Members of United States Armed Forces in good
31 standing with administrative boards or the department; spouses;
32 licensure.—

33 (3) (a) A person is eligible for licensure as a health care
34 practitioner in this state if he or she:

35 1. ~~who~~ Serves or has served as a health care practitioner
36 in the United States Armed Forces, the United States Reserve
37 Forces, or the National Guard;

38 2. ~~or a person who~~ Serves or has served on active duty with
39 the United States Armed Forces as a health care practitioner in
40 the United States Public Health Service; or



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41 3. Is a health care practitioner, other than a dentist, in
42 another state, the District of Columbia, or a possession or
43 territory of the United States and is the spouse of a person
44 serving on active duty with the United States Armed Forces, is
45 eligible for licensure in this state.

46
47 The department shall develop an application form, and each
48 board, or the department if there is no board, shall waive the
49 application fee, licensure fee, and unlicensed activity fee for
50 such applicants. For purposes of this subsection, "health care
51 practitioner" means a health care practitioner as defined in s.
52 456.001 and a person licensed under part III of chapter 401 or
53 part IV of chapter 468.

54 (b)-(a) The board, or the department if there is no board,
55 shall issue a license to practice in this state to a person who:

- 56 1. Submits a complete application.
- 57 2. If he or she is member of the United States Armed
58 Forces, the United States Reserve Forces, or the National Guard,
59 submits proof that he or she has received ~~Receives~~ an honorable
60 discharge within 6 months before, or will receive an honorable
61 discharge within 6 months after, the date of submission of the
62 application.

63 3.a. Holds an active, unencumbered license issued by
64 another state, the District of Columbia, or a possession or
65 territory of the United States and who has not had disciplinary
66 action taken against him or her in the 5 years preceding the
67 date of submission of the application;

68 b. Is a military health care practitioner in a profession
69 for which licensure in a state or jurisdiction is not required



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70 to practice in the United States Armed Forces, if he or she
71 submits to the department evidence of military training or
72 experience substantially equivalent to the requirements for
73 licensure in this state in that profession and evidence that he
74 or she has obtained a passing score on the appropriate
75 examination of a national or regional standards organization if
76 required for licensure in this state; or

77 c. Is the spouse of a person serving on active duty in the
78 United States Armed Forces and is a health care practitioner in
79 a profession, excluding dentistry, for which licensure in
80 another state or jurisdiction is not required, if he or she
81 submits to the department evidence of training or experience
82 substantially equivalent to the requirements for licensure in
83 this state in that profession and evidence that he or she has
84 obtained a passing score on the appropriate examination of a
85 national or regional standards organization if required for
86 licensure in this state.

87 4. Attests that he or she is not, at the time of submission
88 of the application, the subject of a disciplinary proceeding in
89 a jurisdiction in which he or she holds a license or by the
90 United States Department of Defense for reasons related to the
91 practice of the profession for which he or she is applying.

92 5. Actively practiced the profession for which he or she is
93 applying for the 3 years preceding the date of submission of the
94 application.

95 6. Submits a set of fingerprints for a background screening
96 pursuant to s. 456.0135, if required for the profession for
97 which he or she is applying.

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99 The department shall verify information submitted by the
100 applicant under this subsection using the National Practitioner
101 Data Bank.

102 (c)~~(b)~~ Each applicant who meets the requirements of this
103 subsection shall be licensed with all rights and
104 responsibilities as defined by law. The applicable board, or the
105 department if there is no board, may deny an application if the
106 applicant has been convicted of or pled guilty or nolo
107 contendere to, regardless of adjudication, any felony or
108 misdemeanor related to the practice of a health care profession
109 regulated by this state.

110 (d)~~(e)~~ An applicant for initial licensure under this
111 subsection must submit the information required by ss.
112 456.039(1) and 456.0391(1) no later than 1 year after the
113 license is issued.

114 Section 6. Section 456.0241, Florida Statutes, is created
115 to read:

116 456.0241 Temporary certificate for active duty military
117 health care practitioners.-

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

119 (a) "Military health care practitioner" means:

120 1. A person practicing as a health care practitioner as
121 defined in s. 456.001, as a person licensed under part III of
122 chapter 401, or as a person licensed under part IV of chapter
123 468 who is serving on active duty in the United States Armed
124 Forces, the United States Reserve Forces, or the National Guard;
125 or

126 2. A person who is serving on active duty in the United
127 States Armed Forces and serving in the United States Public



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128 Health Service.

129 (b) "Military platform" means a military training agreement
130 with a nonmilitary health care provider which is designed to
131 develop and support medical, surgical, or other health care
132 treatment opportunities in a nonmilitary health care provider
133 setting to authorize a military health care practitioner to
134 develop and maintain the technical proficiency necessary to meet
135 the present and future health care needs of the United States
136 Armed Forces. Such agreements may include Training Affiliation
137 Agreements and External Resource Sharing Agreements.

138 (2) The department may issue a temporary certificate to a
139 military health care practitioner to practice in a regulated
140 profession in this state if the applicant:

141 (a) Submits proof that he or she will be practicing
142 pursuant to a military platform.

143 (b) Submits a complete application and a nonrefundable
144 application fee.

145 (c) Holds an active, unencumbered license to practice as a
146 health care professional issued by another state, the District
147 of Columbia, or a possession or territory of the United States,
148 or is a military health care practitioner in a profession for
149 which licensure in a state or jurisdiction is not required for
150 practice in the United States Armed Forces and provides evidence
151 of military training and experience substantially equivalent to
152 the requirements for licensure in this state in that profession.

153 (d) Attests that he or she is not, at the time of
154 submission of the application, the subject of a disciplinary
155 proceeding in a jurisdiction in which he or she holds a license
156 or by the United States Department of Defense for reasons



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157 related to the practice of the profession for which he or she is
158 applying.

159 (e) Has been determined to be competent in the profession
160 for which he or she is applying.

161 (f) Submits a set of fingerprints for a background
162 screening pursuant to s. 456.0135, if required for the
163 profession for which he or she is applying.

164
165 The department shall verify information submitted by the
166 applicant under this subsection using the National Practitioner
167 Data Bank.

168 (3) A temporary certificate issued under this section
169 expires 6 months after issuance but may be renewed upon proof of
170 continuing military orders for active duty assignment in this
171 state and evidence that the military health care practitioner
172 continues to be a military platform participant.

173 (4) A military health care practitioner applying for a
174 temporary certificate under this section is exempt from ss.
175 456.039-456.046. All other provisions of this chapter apply to
176 such military health care practitioner.

177 (5) An applicant for a temporary certificate under this
178 section is deemed ineligible if he or she:

179 (a) Has been convicted of or pled guilty or nolo contendere
180 to, regardless of adjudication, any felony or misdemeanor
181 related to the practice of a health care profession;

182 (b) Has had a health care provider license revoked or
183 suspended in another state, the District of Columbia, or a
184 possession or territory of the United States;

185 (c) Has failed to obtain a passing score on an examination



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186 in this state required to receive a license to practice the
187 profession for which he or she is applying; or

188 (d) Is under investigation in another jurisdiction for an
189 act that would constitute a violation of the applicable
190 licensing chapter or this chapter until the investigation is
191 complete and all charges against him or her are disposed of by
192 dismissal, nolle prosequi, or acquittal.

193 (6) The department shall, by rule, set an application fee
194 not to exceed \$50 and a renewal fee not to exceed \$50.

195 (7) Application shall be made on a form prescribed and
196 furnished by the department.

197 (8) The department shall adopt rules to administer this
198 section.

199 Section 7. Section 489.1131, Florida Statutes, is created
200 to read:

201 489.1131 Credit for relevant military training and
202 education.-

203 (1) The department shall provide a method by which
204 honorably discharged veterans may apply for licensure. The
205 method must include a veteran-specific application and provide:

206 (a) To the fullest extent possible, credit toward the
207 requirements for licensure for military experience, training,
208 and education received and completed during service in the
209 United States Armed Forces if the military experience, training,
210 or education is substantially similar to the experience,
211 training, or education required for licensure.

212 (b) Acceptance of up to 3 years of active duty service in
213 the United States Armed Forces, regardless of duty or training,
214 to meet the experience requirements of s. 489.111(2)(c). At



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215 least 1 additional year of active experience as a foreman in the
216 trade, either civilian or military, is required to fulfill the
217 experience requirement of s. 489.111(2) (c).

218
219 The board may adopt rules pursuant to ss. 120.536(1) and 120.54
220 to administer this subsection.

221 (2) Notwithstanding any other law, beginning October 1,
222 2017, and annually thereafter, the department, in conjunction
223 with the board, is directed to prepare and submit a report
224 titled "Construction and Electrical Contracting Veteran
225 Applicant Statistics" to the Governor, the President of the
226 Senate, and the Speaker of the House of Representatives. The
227 report must include statistics and information relating to this
228 section and s. 489.5161 which detail:

229 (a) The number of applicants who identified themselves as
230 veterans.

231 (b) The number of veterans whose application for a license
232 was approved.

233 (c) The number of veterans whose application for a license
234 was denied, including the reasons for denial.

235 (d) Data on the application processing times for veterans.

236 (e) Recommendations on ways to improve the department's
237 ability to meet the needs of veterans which would effectively
238 address the challenges that veterans face when separating from
239 military service and seeking a license regulated by the
240 department pursuant to part I of this chapter.

241 Section 8. Paragraph (b) of subsection (1) of section
242 489.511, Florida Statutes, is amended to read:

243 489.511 Certification; application; examinations;



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244 endorsement.-

245 (1)

246 (b) Any person desiring to be certified as a contractor
247 shall apply to the department in writing and must meet the
248 following criteria:

249 1. Be of good moral character;

250 2. Pass the certification examination, achieving a passing
251 grade as established by board rule; and

252 3. Meet eligibility requirements according to one of the
253 following criteria:

254 a. Has, within the 6 years immediately preceding the filing
255 of the application, at least 3 years of ~~years'~~ proven management
256 experience in the trade or education equivalent thereto, or a
257 combination thereof, but not more than one-half of such
258 experience may be educational equivalent;

259 b. Has, within the 8 years immediately preceding the filing
260 of the application, at least 4 years of ~~years'~~ experience as a
261 supervisor or contractor in the trade for which he or she is
262 making application, or at least 4 years of experience as a
263 supervisor in electrical or alarm system work with the United
264 States Armed Forces;

265 c. Has, within the 12 years immediately preceding the
266 filing of the application, at least 6 years of comprehensive
267 training, technical education, or supervisory experience
268 associated with an electrical or alarm system contracting
269 business, or at least 6 years of technical experience,
270 education, or training in electrical or alarm system work with
271 the United States Armed Forces or a governmental entity;

272 d. Has, within the 12 years immediately preceding the



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273 filing of the application, been licensed for 3 years as a
274 professional engineer who is qualified by education, training,
275 or experience to practice electrical engineering; or

276 e. Has any combination of qualifications under sub-
277 subparagraphs a.-c. totaling 6 years of experience.

278 Section 9. Section 489.5161, Florida Statutes, is created
279 to read:

280 489.5161 Credit for relevant military training and
281 education.—

282 (1) The department shall provide a method by which
283 honorably discharged veterans may apply for licensure. The
284 method must include a veteran-specific application and provide,
285 to the fullest extent possible, credit toward the requirements
286 for licensure for military experience, training, and education
287 received and completed during service in the United States Armed
288 Forces if the military experience, training, or education is
289 substantially similar to the experience, training, or education
290 required for licensure. The board may adopt rules pursuant to
291 ss. 120.536(1) and 120.54 to administer this subsection.

292 (2) Notwithstanding any other law, beginning October 1,
293 2017, and annually thereafter, the department, in conjunction
294 with the board, is directed to prepare and submit a report
295 titled "Construction and Electrical Contracting Veteran
296 Applicant Statistics" to the Governor, the President of the
297 Senate, and the Speaker of the House of Representatives. The
298 report must include statistics and information relating to this
299 section and s. 489.1131 which detail:

300 (a) The number of applicants who identified themselves as
301 veterans.



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302 (b) The number of veterans whose application for a license
303 was approved.

304 (c) The number of veterans whose application for a license
305 was denied, including data on the reasons for denial.

306 (d) Data on the application processing times for veterans.

307 (e) Recommendations on ways to improve the department's
308 ability to meet the needs of veterans which would effectively
309 address the challenges that veterans face when separating from
310 military service and seeking a license regulated by the
311 department pursuant to part II of this chapter.

312 Section 10. Section 493.61035, Florida Statutes, is created
313 to read:

314 493.61035 Credit for relevant military training and
315 education.—

316 (1) The department shall provide a method by which
317 honorably discharged veterans may apply for licensure. The
318 method must include:

319 (a) To the fullest extent possible, credit toward the
320 requirements for licensure for military training and education
321 received and completed during service in the United States Armed
322 Forces if the military training or education is substantially
323 similar to the training or education required for licensure.

324 (b) Identification of overlaps and gaps between the
325 requirements for licensure and the military training or
326 education received and completed by the veteran, and subsequent
327 notification to the veteran of the overlaps and gaps.

328 (c) Assistance in identifying programs that offer training
329 and education needed to meet the requirements for licensure.

330 (2) Notwithstanding any other law, beginning October 1,



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331 2017, and annually thereafter, the department is directed to
332 prepare and submit a report to the Governor, the President of
333 the Senate, and the Speaker of the House of Representatives. In
334 addition to any other information that the Legislature may
335 require, the report must include statistics and relevant
336 information that detail:

337 (a) The number of applicants who identified themselves as
338 veterans.

339 (b) The number of veterans whose application for a license
340 was approved.

341 (c) The number of veterans whose application for a license
342 was denied, including the reasons for denial.

343 (d) Data on the application processing times for veterans.

344 (e) The department's efforts to assist veterans in
345 identifying programs that offer training and education needed to
346 meet the requirements for licensure.

347 (f) The department's identification of the most common
348 overlaps and gaps between the requirements for licensure and the
349 military training and education received and completed by the
350 veterans.

351 (g) Recommendations on ways to improve the department's
352 ability to meet the needs of veterans which would effectively
353 address the challenges that veterans face when separating from
354 military service and seeking a license for a profession or an
355 occupation regulated by the department pursuant to this chapter.

356 Section 11. (1) The Department of Highway Safety and Motor
357 Vehicles and the Department of Military Affairs shall jointly
358 conduct a pilot program to provide onsite commercial motor
359 vehicle driver license testing opportunities to qualified



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360 members of the Florida National Guard pursuant to the Department
361 of Highway Safety and Motor Vehicles commercial motor vehicle
362 driver license skills test waiver under s. 322.12, Florida
363 Statutes. Testing must be held at a Florida National Guard
364 armory, a Florida United States Armed Forces Reserve Center, or
365 the Camp Blanding Joint Training Center. The pilot program shall
366 be accomplished using existing funds appropriated to each
367 department.

368 (2) By June 30, 2017, the Department of Highway Safety and
369 Motor Vehicles and the Department of Military Affairs shall
370 jointly submit a report on the results of the pilot program to
371 the President of the Senate and the Speaker of the House of
372 Representatives.

373 (3) This section is repealed October 1, 2017, and shall not
374 be codified in the Florida Statutes.

375
376 ===== T I T L E A M E N D M E N T =====

377 And the title is amended as follows:

378 Delete lines 2 - 11

379 and insert:

380 An act relating to military and veterans affairs;
381 amending s. 295.07, F.S.; requiring each state agency
382 and authorizing other political subdivisions of the
383 state to develop and implement a veterans recruitment
384 plan; requiring specified goals for veterans
385 recruitment plans; requiring the Department of
386 Management Services to collect specified data and to
387 include the data in its annual workforce report and on
388 its website; amending ss. 295.085 and 295.09, F.S.;



389 conforming cross-references; amending s. 401.27, F.S.;
390 revising the application requirements for emergency
391 medical technician or paramedic certification;
392 amending s. 456.024, F.S.; directing the Department of
393 Health, or the applicable board pursuant to chapter
394 456, F.S., to issue health care practitioner licenses
395 to eligible military health care practitioners and
396 eligible health care practitioners who are spouses of
397 active duty servicemembers; creating s. 456.0241,
398 F.S.; defining terms; directing the Department of
399 Health to issue temporary certificates to eligible
400 active duty military health care practitioners;
401 providing requirements for temporary certification;
402 providing for expiration of such certification;
403 providing exemptions; directing the department to set
404 application and renewal fees, develop and furnish an
405 application form, and adopt rules; creating s.
406 489.1131, F.S.; directing the Department of Business
407 and Professional Regulation to provide a method by
408 which honorably discharged veterans may apply for
409 construction contracting licensure; authorizing the
410 Construction Industry Licensing Board to adopt rules;
411 directing the department, in conjunction with the
412 board, to annually prepare and submit a specified
413 report to the Governor and the Legislature; amending
414 s. 489.511, F.S.; revising eligibility criteria for
415 taking the electrical or alarm system contractor
416 certification examination; creating s. 489.5161, F.S.;
417 directing the Department of Business and Professional



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418 Regulation to provide a method by which honorably
419 discharged veterans may apply for electrical or alarm
420 system contracting licensure; authorizing the
421 Electrical Contractors' Licensing Board to adopt
422 rules; directing the department, in conjunction with
423 the board, to annually prepare and submit a specified
424 report to the Governor and the Legislature; creating
425 s. 493.61035, F.S.; directing the Department of
426 Agriculture and Consumer Services to provide a method
427 by which honorably discharged veterans may apply for
428 private investigative, private security, and
429 repossession services licensure; authorizing the
430 department to adopt rules; directing the department to
431 annually prepare and submit a specified report to the
432 Governor and the Legislature; directing the Department
433 of Highway Safety and Motor Vehicles and the
434 Department of Military Affairs to conduct a commercial
435 motor vehicle driver license testing pilot program;
436 specifying testing locations and funding; requiring
437 the departments to submit a report to the Legislature
438 by a specified date; providing for repeal of the
439 program; providing an effective date.