

By Senator Richter

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1                   A bill to be entitled  
2       An act relating to licensure of health care  
3       professionals; amending s. 381.0034, F.S.; deleting  
4       the requirement that applicants making initial  
5       application for certain licensure complete certain  
6       courses; amending s. 456.013, F.S.; revising course  
7       requirements for renewing a certain license; amending  
8       s. 456.024, F.S.; providing for the issuance of a  
9       license to practice under certain conditions to a  
10      military health care practitioner in a profession for  
11      which licensure in a state or jurisdiction is not  
12      required to practice in the military; providing for  
13      the issuance of a temporary professional license under  
14      certain conditions to the spouse of an active duty  
15      member of the Armed Forces of the United States who is  
16      a healthcare practitioner in a profession for which  
17      licensure in a state or jurisdiction may not be  
18      required; deleting the requirement that an applicant  
19      who is issued a temporary professional license to  
20      practice as a dentist must practice under the indirect  
21      supervision of a licensed dentist; amending s.  
22      456.025, F.S.; deleting the requirement for an annual  
23      meeting of chairpersons of Division of Medical Quality  
24      Assurance boards and professions; deleting the  
25      requirement that certain recommendations be included  
26      in a report to the Legislature; deleting a requirement  
27      that the Department of Health set license fees and  
28      recommend fee cap increases in certain circumstances;  
29      providing that a profession may operate at a deficit

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30 for a certain time period; deleting a provision  
31 authorizing the department to advance funds under  
32 certain circumstances; deleting a requirement that the  
33 department implement an electronic continuing  
34 education tracking system; authorizing the department  
35 to waive specified costs under certain circumstances;  
36 revising legislative intent; deleting a prohibition  
37 against the expenditure of funds by the department  
38 from the account of a profession to pay for the  
39 expenses of another profession; deleting a requirement  
40 that the department include certain information in an  
41 annual report to the Legislature; creating s.  
42 456.0361, F.S.; requiring the department to establish  
43 an electronic continuing education tracking system;  
44 prohibiting the department from renewing a license  
45 unless the licensee has complied with all continuing  
46 education requirements; authorizing the department to  
47 adopt rules; amending s. 456.057, F.S.; revising a  
48 provision for a person or an entity appointed by the  
49 board to be approved by the department; authorizing  
50 the department to contract with a third party to  
51 provide record custodian services; amending s.  
52 456.0635, F.S.; deleting a provision on applicability  
53 relating to the issuance of licenses; amending s.  
54 456.076, F.S.; defining terms; providing for approval  
55 of treatment programs by department rule; providing  
56 that the department is not responsible for paying for  
57 the care provided by approved treatment programs or  
58 for consultant services; deleting a requirement for a

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59 communication from a consultant to the State Surgeon  
60 General; conforming provisions to changes made by the  
61 act; amending s. 457.107, F.S.; deleting a provision  
62 authorizing the Board of Acupuncture to request  
63 certain documentation from applicants; amending s.  
64 458.347, F.S.; deleting a requirement that a physician  
65 assistant file a signed affidavit with the department;  
66 amending s. 463.007, F.S.; making technical changes;  
67 amending s. 464.203, F.S.; revising inservice training  
68 requirements for certified nursing assistants;  
69 deleting a rulemaking requirement; repealing s.  
70 464.2085, F.S., relating to the Council on Certified  
71 Nursing Assistants; amending s. 465.0276, F.S.;  
72 deleting a requirement that the department inspect  
73 certain facilities; amending s. 466.0135, F.S.;  
74 deleting a requirement that a dentist file a signed  
75 affidavit with the department; deleting a provision  
76 authorizing the Board of Dentistry to request certain  
77 documentation from applicants; amending s. 466.014,  
78 F.S.; deleting a requirement that a dental hygienist  
79 file a signed affidavit with the department; deleting  
80 a provision authorizing the board to request certain  
81 documentation from applicants; amending s. 466.032,  
82 F.S.; deleting a requirement that a dental laboratory  
83 file a signed affidavit with the department; deleting  
84 a provision authorizing the department to request  
85 certain documentation from applicants; repealing s.  
86 468.1201, F.S., relating to a requirement for  
87 instruction on human immunodeficiency virus and

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88           acquired immune deficiency syndrome; amending s.  
 89           483.901, F.S.; deleting provisions relating to the  
 90           Advisory Council of Medical Physicists in the  
 91           department; authorizing the department to issue  
 92           temporary licenses in certain circumstances;  
 93           authorizing the department to adopt rules; amending s.  
 94           484.047, F.S.; deleting a requirement for a written  
 95           statement from an applicant in certain circumstances;  
 96           amending s. 486.109, F.S.; deleting a provision  
 97           authorizing the department to conduct a random audit  
 98           for certain information; amending ss. 458.331,  
 99           459.015, 499.028, and 921.0022, F.S.; conforming  
 100          cross-references; providing an effective date.

101  
 102 Be It Enacted by the Legislature of the State of Florida:

103  
 104           Section 1. Subsection (3) of section 381.0034, Florida  
 105 Statutes, is amended to read:

106           381.0034 Requirement for instruction on HIV and AIDS.—

107           (3) The department shall require, as a condition of  
 108 granting a license under chapter 467 or part III of chapter 483  
 109 ~~the chapters specified in subsection (1)~~, that an applicant  
 110 making initial application for licensure complete an educational  
 111 course acceptable to the department on human immunodeficiency  
 112 virus and acquired immune deficiency syndrome. Upon submission  
 113 of an affidavit showing good cause, an applicant who has not  
 114 taken a course at the time of licensure must ~~shall, upon an~~  
 115 ~~affidavit showing good cause~~, be allowed 6 months to complete  
 116 this requirement.

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117 Section 2. Subsection (7) of section 456.013, Florida  
118 Statutes, is amended to read:

119 456.013 Department; general licensing provisions.—

120 (7) The boards, or the department when there is no board,  
121 shall require the completion of a 2-hour course relating to  
122 prevention of medical errors as part of the biennial licensure  
123 ~~and~~ renewal process. The 2-hour course counts toward ~~shall count~~  
124 ~~towards~~ the total number of continuing education hours required  
125 for the profession. The course must ~~shall~~ be approved by the  
126 board or department, as appropriate, and must ~~shall~~ include a  
127 study of root-cause analysis, error reduction and prevention,  
128 and patient safety. In addition, the course approved by the  
129 Board of Medicine and the Board of Osteopathic Medicine must  
130 ~~shall~~ include information relating to the five most misdiagnosed  
131 conditions during the previous biennium, as determined by the  
132 board. If the course is being offered by a facility licensed  
133 pursuant to chapter 395 for its employees, the board may approve  
134 up to 1 hour of the 2-hour course to be specifically related to  
135 error reduction and prevention methods used in that facility.

136 Section 3. Paragraph (a) of subsection (3) and paragraphs  
137 (a) and (j) of subsection (4) of section 456.024, Florida  
138 Statutes, are amended to read:

139 456.024 Members of Armed Forces in good standing with  
140 administrative boards or the department; spouses; licensure.—

141 (3) A person who serves or has served as a health care  
142 practitioner in the United States Armed Forces, United States  
143 Reserve Forces, or the National Guard or a person who serves or  
144 has served on active duty with the United States Armed Forces as  
145 a health care practitioner in the United States Public Health

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146 Service is eligible for licensure in this state. The department  
147 shall develop an application form, and each board, or the  
148 department if there is no board, shall waive the application  
149 fee, licensure fee, and unlicensed activity fee for such  
150 applicants. For purposes of this subsection, "health care  
151 practitioner" means a health care practitioner as defined in s.  
152 456.001 and a person licensed under part III of chapter 401 or  
153 part IV of chapter 468.

154 (a) The board, or department if there is no board, shall  
155 issue a license to practice in this state to a person who:

156 1. Submits a complete application.

157 2. Receives an honorable discharge within 6 months before,  
158 or will receive an honorable discharge within 6 months after,  
159 the date of submission of the application.

160 3. Holds an active, unencumbered license issued by another  
161 state, the District of Columbia, or a possession or territory of  
162 the United States and who has not had disciplinary action taken  
163 against him or her in the 5 years preceding the date of  
164 submission of the application, or who is a military health care  
165 practitioner in a profession for which licensure in a state or  
166 jurisdiction is not required to practice in the United States  
167 Armed Services, who provides evidence of military training or  
168 experience substantially equivalent to the requirements for  
169 licensure in this state in that profession, and who obtained a  
170 passing score on the appropriate examination of a national  
171 standards organization if required for licensure in this state.

172 4. Attests that he or she is not, at the time of  
173 submission, the subject of a disciplinary proceeding in a  
174 jurisdiction in which he or she holds a license or by the United

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175 States Department of Defense for reasons related to the practice  
176 of the profession for which he or she is applying.

177 5. Actively practiced the profession for which he or she is  
178 applying for the 3 years preceding the date of submission of the  
179 application.

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

183

184 The department shall verify information submitted by the  
185 applicant under this subsection using the National Practitioner  
186 Data Bank.

187 (4) (a) The board, or the department if there is no board,  
188 may issue a temporary professional license to the spouse of an  
189 active duty member of the Armed Forces of the United States who  
190 submits to the department:

191 1. A completed application upon a form prepared and  
192 furnished by the department in accordance with the board's  
193 rules;

194 2. The required application fee;

195 3. Proof that the applicant is married to a member of the  
196 Armed Forces of the United States who is on active duty;

197 4. Proof that the applicant holds a valid license for the  
198 profession issued by another state, the District of Columbia, or  
199 a possession or territory of the United States, and is not the  
200 subject of any disciplinary proceeding in any jurisdiction in  
201 which the applicant holds a license to practice a profession  
202 regulated by this chapter, or is a health care practitioner in a  
203 profession for which licensure in another state or jurisdiction

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204 may not be required, who provides evidence of training or  
205 experience substantially equivalent to the requirements for  
206 licensure in this state in that profession and proof of a  
207 passing score on the appropriate examination of a national  
208 standards organization if required for licensure in this state;  
209 and

210 5. Proof that the applicant's spouse is assigned to a duty  
211 station in this state pursuant to the member's official active  
212 duty military orders. ~~;~~ and

213 ~~6. Proof that the applicant would otherwise be entitled to~~  
214 ~~full licensure under the appropriate practice act, and is~~  
215 ~~eligible to take the respective licensure examination as~~  
216 ~~required in Florida.~~

217 ~~(j) An applicant who is issued a temporary professional~~  
218 ~~license to practice as a dentist pursuant to this section must~~  
219 ~~practice under the indirect supervision, as defined in s.~~  
220 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

221 Section 4. Present subsections (3) through (11) of section  
222 456.025, Florida Statutes, are redesignated as subsections (2)  
223 through (10), respectively, and present subsections (2), (3),  
224 (7), and (8) of that section are amended, to read:

225 456.025 Fees; receipts; disposition.-

226 ~~(2) The chairpersons of the boards and councils listed in~~  
227 ~~s. 20.43(3)(g) shall meet annually at division headquarters to~~  
228 ~~review the long-range policy plan required by s. 456.005 and~~  
229 ~~current and proposed fee schedules. The chairpersons shall make~~  
230 ~~recommendations for any necessary statutory changes relating to~~  
231 ~~fees and fee caps. Such recommendations shall be compiled by the~~  
232 ~~Department of Health and be included in the annual report to the~~



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233 ~~Legislature required by s. 456.026 as well as be included in the~~  
234 ~~long-range policy plan required by s. 456.005.~~

235 (2)~~(3)~~ Each board within the jurisdiction of the  
236 department, or the department when there is no board, shall  
237 determine by rule the amount of license fees for the profession  
238 it regulates, based upon long-range estimates prepared by the  
239 department of the revenue required to implement laws relating to  
240 the regulation of professions by the department and the board.  
241 Each board, or the department if there is no board, shall ensure  
242 that license fees are adequate to cover all anticipated costs  
243 and to maintain a reasonable cash balance, as determined by rule  
244 of the agency, with advice of the applicable board. ~~If~~  
245 ~~sufficient action is not taken by a board within 1 year after~~  
246 ~~notification by the department that license fees are projected~~  
247 ~~to be inadequate, the department shall set license fees on~~  
248 ~~behalf of the applicable board to cover anticipated costs and to~~  
249 ~~maintain the required cash balance. The department shall include~~  
250 ~~recommended fee cap increases in its annual report to the~~  
251 ~~Legislature.~~ Further, it is the intent of the Legislature  
252 ~~legislative intent~~ that a ~~no~~ regulated profession not operate  
253 with a negative cash balance. If, however, a profession's fees  
254 are at their statutory fee cap and the requirements of  
255 subsections (1) and (4) are met, a profession may operate at a  
256 deficit until the deficit is eliminated ~~The department may~~  
257 ~~provide by rule for advancing sufficient funds to any profession~~  
258 ~~operating with a negative cash balance. The advancement may be~~  
259 ~~for a period not to exceed 2 consecutive years, and the~~  
260 ~~regulated profession must pay interest. Interest shall be~~  
261 ~~calculated at the current rate earned on investments of a trust~~

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262 ~~fund used by the department to implement this chapter. Interest~~  
263 ~~earned shall be allocated to the various funds in accordance~~  
264 ~~with the allocation of investment earnings during the period of~~  
265 ~~the advance.~~

266 (6) ~~(7)~~ Each board, or the department if there is no board,  
267 shall establish~~7~~ by rule~~7~~ a fee of up to ~~not to exceed~~ \$250 for  
268 anyone seeking ~~approval~~ to provide continuing education courses  
269 or programs and ~~shall establish by rule~~ a biennial renewal fee  
270 of up to ~~not to exceed~~ \$250 for the renewal of an approval to  
271 provide providership ~~of~~ such courses. The fees collected ~~from~~  
272 ~~continuing education providers~~ shall be used for the purposes of  
273 reviewing course provider applications, monitoring the integrity  
274 of the courses provided, covering legal expenses incurred as a  
275 result of not granting or renewing an approval ~~a providership~~,  
276 and developing and maintaining an electronic continuing  
277 education tracking system pursuant to s. 456.0361. ~~The~~  
278 ~~department shall implement an electronic continuing education~~  
279 ~~tracking system for each new biennial renewal cycle for which~~  
280 ~~electronic renewals are implemented after the effective date of~~  
281 ~~this act and shall integrate such system into the licensure and~~  
282 ~~renewal system.~~ All approved continuing education providers  
283 shall provide information on course attendance to the department  
284 necessary to implement the electronic tracking system. The  
285 department shall, by rule, specify the form and procedures by  
286 which the information is to be submitted.

287 (7) ~~(8)~~ All moneys collected by the department from fees or  
288 fines or from costs awarded to the agency by a court shall be  
289 paid into a trust fund used by the department to implement this  
290 chapter. The Legislature shall appropriate funds from this trust

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291 fund sufficient to administer ~~carry out~~ this chapter and the  
292 provisions of law with respect to professions regulated by the  
293 Division of Medical Quality Assurance within the department and  
294 the boards. The department may contract with public and private  
295 entities to receive and deposit revenue pursuant to this  
296 section. The department shall maintain separate accounts in the  
297 trust fund used by the department to implement this chapter for  
298 every profession within the department. To the maximum extent  
299 possible, the department shall directly charge all expenses to  
300 the account of each regulated profession. For the purpose of  
301 this subsection, direct charge expenses include, but are not  
302 limited to, costs for investigations, examinations, and legal  
303 services. For expenses that cannot be charged directly, the  
304 department shall provide for the proportionate allocation among  
305 the accounts of expenses incurred by the department in the  
306 performance of its duties with respect to each regulated  
307 profession. If a profession has established renewal fees that  
308 meet the requirements of subsection (1), has fees that are at  
309 the statutory fee cap, and has been operating in a deficit for 2  
310 or more fiscal years, the department may waive allocated  
311 administrative and operational indirect costs until such time as  
312 the profession has a positive cash balance. The costs related to  
313 administration and operations include, but are not limited to,  
314 the costs of the director's office and the costs of system  
315 support, communications, central records, and other such  
316 administrative functions. Such waived costs shall be allocated  
317 to the other professions that must meet the requirements of this  
318 section, and cash in the unlicensed activity account under s.  
319 456.065 of the profession whose costs have been waived shall be

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320 transferred to the operating account in an amount not to exceed  
 321 the amount of the deficit. The regulation by the department of  
 322 professions, as defined in this chapter, must ~~shall~~ be financed  
 323 solely from revenue collected by the department ~~it~~ from fees and  
 324 other charges and deposited in the Medical Quality Assurance  
 325 Trust Fund, and all such revenue is hereby appropriated to the  
 326 department, which. ~~However, it is legislative intent that each~~  
 327 ~~profession shall operate within its anticipated fees. The~~  
 328 ~~department may not expend funds from the account of a profession~~  
 329 ~~to pay for the expenses incurred on behalf of another~~  
 330 ~~profession, except that the Board of Nursing must pay for any~~  
 331 ~~costs incurred in the regulation of certified nursing~~  
 332 ~~assistants. The department shall maintain adequate records to~~  
 333 support its allocation of agency expenses. The department shall  
 334 provide any board with reasonable access to these records upon  
 335 request. On or before October 1 of each year, the department  
 336 shall provide each board an annual report of revenue and direct  
 337 and allocated expenses related to the operation of that  
 338 profession. The board shall use these reports and the  
 339 department's adopted long-range plan to determine the amount of  
 340 license fees. ~~A condensed version of this information, with the~~  
 341 ~~department's recommendations, shall be included in the annual~~  
 342 ~~report to the Legislature prepared under s. 456.026.~~

343 Section 5. Section 456.0361, Florida Statutes, is created  
 344 to read:

345 456.0361 Compliance with continuing education  
 346 requirements.-

347 (1) The department shall establish an electronic continuing  
 348 education tracking system to monitor licensee compliance with

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349 applicable continuing education requirements and to determine  
350 whether a licensee is in full compliance with the requirements  
351 at the time of his or her application for license renewal. The  
352 tracking system shall be integrated into the department's  
353 licensure and renewal process.

354 (2) The department may not renew a license until the  
355 licensee complies with all applicable continuing education  
356 requirements. This subsection does not prohibit the department  
357 or the boards from imposing additional penalties under the  
358 applicable professional practice act or applicable rules for  
359 failure to comply with continuing education requirements.

360 (3) The department may adopt rules to implement this  
361 section.

362 Section 6. Subsection (20) of section 456.057, Florida  
363 Statutes, is amended to read:

364 456.057 Ownership and control of patient records; report or  
365 copies of records to be furnished; disclosure of information.-

366 (20) The board with department approval, or department when  
367 there is no board, may temporarily or permanently appoint a  
368 person or an entity as a custodian of medical records in the  
369 event of the death of a practitioner, the mental or physical  
370 incapacitation of a ~~the~~ practitioner, or the abandonment of  
371 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~  
372 shall comply with all provisions of this section. The department  
373 may contract with a third party to provide these services under  
374 the confidentiality and disclosure requirements of this section,  
375 ~~including the release of patient records.~~

376 Section 7. Subsection (2) of section 456.0635, Florida  
377 Statutes, is amended to read:

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378 456.0635 Health care fraud; disqualification for license,  
379 certificate, or registration.—

380 (2) Each board within the jurisdiction of the department,  
381 or the department if there is no board, shall refuse to admit a  
382 candidate to any examination and refuse to issue a license,  
383 certificate, or registration to any applicant if the candidate  
384 or applicant or any principal, officer, agent, managing  
385 employee, or affiliated person of the applicant:

386 (a) Has been convicted of, or entered a plea of guilty or  
387 nolo contendere to, regardless of adjudication, a felony under  
388 chapter 409, chapter 817, or chapter 893, or a similar felony  
389 offense committed in another state or jurisdiction, unless the  
390 candidate or applicant has successfully completed a drug court  
391 program for that felony and provides proof that the plea has  
392 been withdrawn or the charges have been dismissed. Any such  
393 conviction or plea shall exclude the applicant or candidate from  
394 licensure, examination, certification, or registration unless  
395 the sentence and any subsequent period of probation for such  
396 conviction or plea ended:

397 1. For felonies of the first or second degree, more than 15  
398 years before the date of application.

399 2. For felonies of the third degree, more than 10 years  
400 before the date of application, except for felonies of the third  
401 degree under s. 893.13(6) (a).

402 3. For felonies of the third degree under s. 893.13(6) (a),  
403 more than 5 years before the date of application;

404 (b) Has been convicted of, or entered a plea of guilty or  
405 nolo contendere to, regardless of adjudication, a felony under  
406 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the

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407 sentence and any subsequent period of probation for such  
408 conviction or plea ended more than 15 years before the date of  
409 the application;

410 (c) Has been terminated for cause from the Florida Medicaid  
411 program pursuant to s. 409.913, unless the candidate or  
412 applicant has been in good standing with the Florida Medicaid  
413 program for the most recent 5 years;

414 (d) Has been terminated for cause, pursuant to the appeals  
415 procedures established by the state, from any other state  
416 Medicaid program, unless the candidate or applicant has been in  
417 good standing with a state Medicaid program for the most recent  
418 5 years and the termination occurred at least 20 years before  
419 the date of the application; or

420 (e) Is currently listed on the United States Department of  
421 Health and Human Services Office of Inspector General's List of  
422 Excluded Individuals and Entities.

423

424 ~~This subsection does not apply to candidates or applicants for~~  
425 ~~initial licensure or certification who were enrolled in an~~  
426 ~~educational or training program on or before July 1, 2009, which~~  
427 ~~was recognized by a board or, if there is no board, recognized~~  
428 ~~by the department, and who applied for licensure after July 1,~~  
429 ~~2012.~~

430 Section 8. Present subsections (1) through (9) of section  
431 456.076, Florida Statutes, are redesignated as subsections (2)  
432 through (10), respectively, a new subsection (1) is added to  
433 that section, and present subsection (1), paragraph (c) of  
434 present subsection (2), present subsection (3), paragraphs (a),  
435 (c), (e), and (f) of present subsection (4), and present

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436 subsections (6), (8), and (9) of that section are amended, to  
437 read:

438 456.076 Treatment programs for impaired practitioners.—

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

440 (a) "Approved impaired practitioner program" means a  
441 program designated by the department to provide services for  
442 impaired practitioners through a contract that requires the  
443 program to initiate interventions and to recommend evaluations  
444 of impaired practitioners, refer impaired practitioners to  
445 approved treatment programs or approved treatment providers, and  
446 monitor the progress of impaired practitioners during treatment.  
447 Approved impaired practitioner programs may not provide medical  
448 services.

449 (b) "Approved treatment program" means a state-licensed or  
450 nationally accredited residential, intensive outpatient, partial  
451 hospital, or other treatment program that employs a  
452 multidisciplinary team of providers to treat an impaired  
453 practitioner based on the impaired practitioner's individual  
454 diagnosis and a treatment plan for the impaired practitioner  
455 approved by the consultant who referred the impaired  
456 practitioner to the treatment program.

457 (c) "Approved treatment provider" means a state-licensed or  
458 nationally certified individual with experience in the treatment  
459 of specific types of impairment who provides treatment to an  
460 impaired practitioner based on the impaired practitioner's  
461 individual diagnosis and a treatment plan for the impaired  
462 practitioner approved by the consultant who referred the  
463 impaired practitioner to the treatment provider, or a treatment  
464 program employing such individual.



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465 (d) "Consultant" means an approved impaired practitioner  
466 program and the program's medical director. Consultants must  
467 receive allegations of a practitioner's impairment, intervene or  
468 arrange for an intervention with the practitioner, refer an  
469 impaired practitioner to an approved treatment program or an  
470 approved treatment provider, monitor and evaluate the progress  
471 of treatment of an impaired practitioner, and monitor the  
472 continued care provided by an approved treatment program or an  
473 approved treatment provider to an impaired practitioner.

474 (2)-(1) For professions whose practice acts do not provide  
475 for that do not have impaired practitioner programs provided for  
476 in their practice acts, the department shall, by rule, designate  
477 by rule approved impaired practitioner programs under this  
478 section. The department may adopt rules setting forth  
479 appropriate criteria for approval of treatment providers and  
480 treatment programs. The rules may specify the manner in which  
481 the consultant, retained as provided set forth in subsection (3)  
482 subsection (2), works with the department in intervention; and  
483 requirements for evaluating and treating a professional and  
484 requirements for continued care of impaired professionals by  
485 approved treatment providers; requirements for continued  
486 monitoring by the consultant of the care provided by approved  
487 treatment providers and approved treatment programs regarding  
488 the professionals under their care; and requirements related to  
489 the consultant's expulsion of professionals from the approved  
490 impaired practitioner program.

491 (3)-(2)

492 (c)1. The consultant shall assist the probable cause panel  
493 and the department in carrying out the responsibilities of this

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494 section. This includes working with department investigators to  
495 determine whether a practitioner is, in fact, impaired.

496 2. The consultant may contract with a school or program to  
497 provide services to a student enrolled for the purpose of  
498 preparing for licensure as a health care practitioner as defined  
499 in this chapter or as a veterinarian under chapter 474 if the  
500 student is allegedly impaired as a result of the misuse or abuse  
501 of alcohol or drugs, or both, or due to a mental or physical  
502 condition. The department is not responsible for paying for the  
503 care provided by approved treatment providers or approved  
504 treatment programs or for consultant services ~~a consultant~~.

505 (4) ~~(3)~~ Before certifying or declining to certify an  
506 application for licensure to the department, each board and  
507 profession within the Division of Medical Quality Assurance may  
508 delegate to its chair or other designee its authority to  
509 determine, ~~before certifying or declining to certify an~~  
510 ~~application for licensure to the department,~~ that an applicant  
511 for licensure under its jurisdiction may be impaired as a result  
512 of the misuse or abuse of alcohol or drugs, or both, or due to a  
513 mental or physical condition that could affect the applicant's  
514 ability to practice with skill and safety. Upon such  
515 determination, the chair or other designee may refer the  
516 applicant to the consultant for an evaluation before the board  
517 certifies or declines to certify his or her application to the  
518 department. If the applicant agrees to be evaluated ~~by the~~  
519 ~~consultant,~~ the department's deadline for approving or denying  
520 the application pursuant to s. 120.60(1) is tolled until the  
521 evaluation is completed and the result of the evaluation and  
522 recommendation ~~by the consultant~~ is communicated to the board by

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523 the consultant. If the applicant declines to be evaluated ~~by the~~  
524 ~~consultant~~, the board shall certify or decline to certify the  
525 applicant's application to the department notwithstanding the  
526 lack of an evaluation and recommendation by the consultant.

527 (5) ~~(4)~~ (a) When ~~Whenever~~ the department receives a written  
528 or oral, legally sufficient complaint alleging that a licensee  
529 under the jurisdiction of the Division of Medical Quality  
530 Assurance within the department is impaired as a result of the  
531 misuse or abuse of alcohol or drugs, or both, or due to a mental  
532 or physical condition which could affect the licensee's ability  
533 to practice with skill and safety, and no complaint against the  
534 licensee other than impairment exists, the reporting of such  
535 information does ~~shall~~ not constitute grounds for discipline  
536 pursuant to s. 456.072 or ~~the corresponding grounds for~~  
537 ~~discipline within~~ the applicable practice act if the probable  
538 cause panel of the appropriate board, or the department when  
539 there is no board, finds:

540 1. The licensee has acknowledged his or her ~~the~~ impairment  
541 ~~problem~~.

542 2. The licensee has voluntarily enrolled in an appropriate,  
543 approved treatment program.

544 3. The licensee has voluntarily withdrawn from practice or  
545 has limited the scope of his or her practice as required by the  
546 consultant, in each case, until such time as the panel, or the  
547 department when there is no board, is satisfied the licensee has  
548 successfully completed an approved treatment program.

549 4. The licensee has executed releases for medical records,  
550 authorizing ~~the~~ release to the consultant of all records of  
551 evaluations, diagnoses, and treatment of the licensee, including

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552 records of treatment for emotional or mental conditions, ~~to the~~  
553 ~~consultant~~. The consultant may not ~~shall~~ make ~~no~~ copies or  
554 reports of records that are unrelated to ~~do not regard~~ the issue  
555 of the licensee's impairment and his or her participation in an  
556 approved ~~a~~ treatment program.

557 (c) Inquiries by a licensee or others ~~related to~~ approved  
558 ~~impairment~~ treatment programs which are intended ~~designed to~~  
559 allow ~~provide information to~~ the licensee and others to obtain  
560 information and which do not indicate that the licensee presents  
561 a danger to the public do ~~shall~~ not constitute a complaint  
562 within the meaning of s. 456.073 and are ~~shall be~~ exempt from  
563 ~~the provisions of~~ this subsection.

564 (e) The probable cause panel, or the department when there  
565 is no board, shall work directly with the consultant, and all  
566 information concerning a practitioner obtained from the  
567 consultant by the panel, or the department when there is no  
568 board, shall remain confidential and exempt from the provisions  
569 of s. 119.07(1), subject to the provisions of subsections (7)  
570 and (8) ~~subsections (6) and (7)~~.

571 (f) A finding of probable cause may ~~shall~~ not be made if,  
572 based upon information it receives from the consultant and the  
573 department, as long as the panel, or the department when there  
574 is no board, is satisfied, ~~based upon information it receives~~  
575 ~~from the consultant and the department,~~ that the licensee is  
576 progressing satisfactorily in an approved ~~impaired practitioner~~  
577 treatment program and it is determined that no other complaint  
578 has been made against the licensee ~~exists~~.

579 ~~(7)-(6)~~ (a) Upon request, an approved treatment provider  
580 shall, ~~upon request,~~ disclose to the consultant all information

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581 in his or her ~~its~~ possession regarding the issue of a licensee's  
 582 impairment and the licensee's participation in the approved  
 583 treatment program. All information obtained by the consultant  
 584 and department pursuant to this section is confidential and  
 585 exempt from the provisions of s. 119.07(1), subject to the  
 586 provisions of this subsection and subsection (8) ~~(7)~~. Failure to  
 587 provide such information to the consultant is grounds for  
 588 withdrawal of approval of the approved treatment ~~such program or~~  
 589 provider.

590 (b) If, after consultation with the approved treatment  
 591 provider, ~~in the opinion of the consultant believes that,~~ ~~after~~  
 592 ~~consultation with the treatment provider,~~ an impaired licensee  
 593 has not progressed satisfactorily in an approved a treatment  
 594 program, all information regarding the issue of a licensee's  
 595 impairment and participation in the approved a treatment program  
 596 which is in the consultant's possession shall be disclosed to  
 597 the department. Such disclosure constitutes ~~shall constitute~~ a  
 598 complaint pursuant to the general provisions of s. 456.073.  
 599 ~~Whenever the consultant concludes that impairment affects a~~  
 600 ~~licensee's practice and constitutes an immediate, serious danger~~  
 601 ~~to the public health, safety, or welfare, that conclusion shall~~  
 602 ~~be communicated to the State Surgeon General.~~

603 (9) ~~(8)~~ (a) A consultant retained pursuant to subsection (3)  
 604 ~~subsection (2)~~, a consultant's officers and employees, and those  
 605 acting at the direction of the consultant for the limited  
 606 purpose of an emergency intervention on behalf of a licensee or  
 607 student as described in subsection (3) ~~subsection (2)~~ when the  
 608 consultant is unable to perform such intervention shall be  
 609 considered agents of the department for purposes of s. 768.28

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610 while acting within the scope of the consultant's duties under  
611 the contract with the department if the contract complies with  
612 the requirements of this section. The contract must require  
613 that:

614 1. The consultant indemnify the state for any liabilities  
615 incurred up to the limits set out in chapter 768.

616 2. The consultant establish a quality assurance program to  
617 monitor services delivered under the contract.

618 3. The consultant's quality assurance program, treatment,  
619 and monitoring records be evaluated quarterly.

620 4. The consultant's quality assurance program be subject to  
621 review and approval by the department.

622 5. The consultant operate under policies and procedures  
623 approved by the department.

624 6. The consultant provide to the department for approval a  
625 policy and procedure manual that comports with all statutes,  
626 rules, and contract provisions approved by the department.

627 7. The department be entitled to review the records  
628 relating to the consultant's performance under the contract for  
629 the purpose of management audits, financial audits, or program  
630 evaluation.

631 8. All performance measures and standards be subject to  
632 verification and approval by the department.

633 9. The department be entitled to terminate the contract  
634 with the consultant for noncompliance with the contract.

635 (b) In accordance with s. 284.385, the Department of  
636 Financial Services shall defend any claim, suit, action, or  
637 proceeding, including a claim, suit, action, or proceeding for  
638 injunctive, affirmative, or declaratory relief, against the

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639 consultant, the consultant's officers or employees, or those  
640 acting at the direction of the consultant for the limited  
641 purpose of an emergency intervention on behalf of a licensee or  
642 student as described in subsection (3) ~~subsection (2)~~ when the  
643 consultant is unable to perform such intervention, which claim,  
644 suit, action, or proceeding is brought as a result of an act or  
645 omission by any of the consultant's officers and employees and  
646 those acting under the direction of the consultant for the  
647 limited purpose of an emergency intervention on behalf of the  
648 licensee or student when the consultant is unable to perform  
649 such intervention, if the act or omission arises out of and is  
650 in the scope of the consultant's duties under its contract with  
651 the department.

652 (c) If the consultant retained pursuant to subsection (3)  
653 ~~subsection (2)~~ is retained by any other state agency, and if the  
654 contract between such state agency and the consultant complies  
655 with the requirements of this section, the consultant, the  
656 consultant's officers and employees, and those acting under the  
657 direction of the consultant for the limited purpose of an  
658 emergency intervention on behalf of a licensee or student as  
659 described in subsection (3) ~~subsection (2)~~ when the consultant  
660 is unable to perform such intervention shall be considered  
661 agents of the state for the purposes of this section while  
662 acting within the scope of and pursuant to guidelines  
663 established in the contract between such state agency and the  
664 consultant.

665 (10) ~~(9)~~ An impaired practitioner consultant is the official  
666 custodian of records relating to the referral of an impaired  
667 licensee or applicant to that consultant and any other

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668 interaction between the licensee or applicant and the  
 669 consultant. The consultant may disclose to the impaired licensee  
 670 or applicant or his or her designee any information that is  
 671 disclosed to or obtained by the consultant or that is  
 672 confidential under paragraph (7)(a) ~~paragraph (6)(a)~~, but only  
 673 to the extent that it is necessary to do so to carry out the  
 674 consultant's duties under this section. The department, and any  
 675 other entity that enters into a contract with the consultant to  
 676 receive the services of the consultant, has direct  
 677 administrative control over the consultant to the extent  
 678 necessary to receive disclosures from the consultant as allowed  
 679 by federal law. If a disciplinary proceeding is pending, an  
 680 impaired licensee may obtain such information from the  
 681 department under s. 456.073.

682 Section 9. Subsection (3) of section 457.107, Florida  
 683 Statutes, is amended to read:

684 457.107 Renewal of licenses; continuing education.—

685 (3) The board shall ~~by rule~~ prescribe by rule continuing  
 686 education requirements of up to, ~~not to exceed~~ 30 hours  
 687 biennially, as a condition for renewal of a license. All  
 688 education programs that contribute to the advancement,  
 689 extension, or enhancement of professional skills and knowledge  
 690 related to the practice of acupuncture, whether conducted by a  
 691 nonprofit or profitmaking entity, are eligible for approval. The  
 692 continuing professional education requirements must be in  
 693 acupuncture or oriental medicine subjects, including, but not  
 694 limited to, anatomy, biological sciences, adjunctive therapies,  
 695 sanitation and sterilization, emergency protocols, and diseases.  
 696 The board may ~~shall have the authority to~~ set a fee of up to,



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697 ~~not to exceed \$100,~~ for each continuing education provider. The  
698 licensee shall retain in his or her records the certificates of  
699 completion of continuing professional education requirements ~~to~~  
700 ~~prove compliance with this subsection. The board may request~~  
701 ~~such documentation without cause from applicants who are~~  
702 ~~selected at random.~~ All national and state acupuncture and  
703 oriental medicine organizations and acupuncture and oriental  
704 medicine schools are approved to provide continuing professional  
705 education in accordance with this subsection.

706 Section 10. Paragraph (e) of subsection (4) of section  
707 458.347, Florida Statutes, is amended to read:

708 458.347 Physician assistants.—

709 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

710 (e) A supervisory physician may delegate to a fully  
711 licensed physician assistant the authority to prescribe or  
712 dispense any medication used in the supervisory physician's  
713 practice unless such medication is listed on the formulary  
714 created pursuant to paragraph (f). A fully licensed physician  
715 assistant may only prescribe or dispense such medication under  
716 the following circumstances:

717 1. A physician assistant must clearly identify to the  
718 patient that he or she is a physician assistant and.  
719 ~~Furthermore, the physician assistant must~~ inform the patient  
720 that the patient has the right to see the physician before a  
721 ~~prior to any~~ prescription is being prescribed or dispensed by  
722 the physician assistant.

723 2. The supervisory physician must notify the department of  
724 his or her intent to delegate, on a department-approved form,  
725 before delegating such authority and ~~notify the department of~~

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726 any change in prescriptive privileges of the physician  
727 assistant. Authority to dispense may be delegated only by a  
728 supervising physician who is registered as a dispensing  
729 practitioner in compliance with s. 465.0276.

730 3. The physician assistant must complete ~~file with the~~  
731 ~~department a signed affidavit that he or she has completed~~ a  
732 minimum of 10 continuing medical education hours in the  
733 specialty practice in which the physician assistant has  
734 prescriptive privileges with each licensure renewal ~~application~~.

735 4. The department may issue a prescriber number to the  
736 physician assistant granting authority for the prescribing of  
737 medicinal drugs authorized within this paragraph upon completion  
738 of the ~~foregoing~~ requirements of this paragraph. The physician  
739 assistant is ~~shall~~ not ~~be~~ required to independently register  
740 pursuant to s. 465.0276.

741 5. The prescription must be written in a form that complies  
742 with chapter 499 and, in addition to the supervisory physician's  
743 name, address, and telephone number, ~~must contain, in addition~~  
744 ~~to the supervisory physician's name, address, and telephone~~  
745 ~~number,~~ the physician assistant's prescriber number. Unless it  
746 is a drug or drug sample dispensed by the physician assistant,  
747 the prescription must be filled in a pharmacy permitted under  
748 chapter 465 and must be dispensed in that pharmacy by a  
749 pharmacist licensed under chapter 465. The inclusion ~~appearance~~  
750 of the prescriber number creates a presumption that the  
751 physician assistant is authorized to prescribe the medicinal  
752 drug and the prescription is valid.

753 6. The physician assistant must note the prescription or  
754 dispensing of medication in the appropriate medical record.

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755 Section 11. Subsection (3) of section 463.007, Florida  
756 Statutes, is amended to read:

757 463.007 Renewal of license; continuing education.—

758 (3) As a condition of license renewal, a licensee must  
759 ~~Unless otherwise provided by law, the board shall require~~  
760 ~~licensees to periodically~~ demonstrate his or her ~~their~~  
761 professional competence, ~~as a condition of renewal of a license,~~  
762 by completing up to 30 hours of continuing education during the  
763 2-year period preceding license renewal. For certified  
764 optometrists, the 30-hour continuing education requirement  
765 includes ~~shall include~~ 6 or more hours of approved transcript-  
766 quality coursework in ocular and systemic pharmacology and the  
767 diagnosis, treatment, and management of ocular and systemic  
768 conditions and diseases during the 2-year period preceding  
769 application for license renewal.

770 Section 12. Subsection (7) of section 464.203, Florida  
771 Statutes, is amended to read:

772 464.203 Certified nursing assistants; certification  
773 requirement.—

774 (7) A certified nursing assistant shall complete 24 ~~12~~  
775 hours of inservice training during each biennium ~~calendar year~~.  
776 The certified nursing assistant shall maintain ~~be responsible~~  
777 ~~for maintaining~~ documentation demonstrating compliance with  
778 these provisions. ~~The Council on Certified Nursing Assistants,~~  
779 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~  
780 ~~implement this subsection.~~

781 Section 13. Section 464.2085, Florida Statutes, is  
782 repealed.

783 Section 14. Paragraph (b) of subsection (1) and subsection

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784 (3) of section 465.0276, Florida Statutes, are amended to read:  
785 465.0276 Dispensing practitioner.-

786 (1)

787 (b) A practitioner registered under this section may not  
788 dispense a controlled substance listed in Schedule II or  
789 Schedule III as provided in s. 893.03. This paragraph does not  
790 apply to:

791 1. The dispensing of complimentary packages of medicinal  
792 drugs which are labeled as a drug sample or complimentary drug  
793 as defined in s. 499.028 to the practitioner's own patients in  
794 the regular course of her or his practice without the payment of  
795 a fee or remuneration of any kind, whether direct or indirect,  
796 as provided in subsection (4) ~~subsection (5)~~.

797 2. The dispensing of controlled substances in the health  
798 care system of the Department of Corrections.

799 3. The dispensing of a controlled substance listed in  
800 Schedule II or Schedule III in connection with the performance  
801 of a surgical procedure. The amount dispensed pursuant to the  
802 subparagraph may not exceed a 14-day supply. This exception does  
803 not allow for the dispensing of a controlled substance listed in  
804 Schedule II or Schedule III more than 14 days after the  
805 performance of the surgical procedure. For purposes of this  
806 subparagraph, the term "surgical procedure" means any procedure  
807 in any setting which involves, or reasonably should involve:

808 a. Perioperative medication and sedation that allows the  
809 patient to tolerate unpleasant procedures while maintaining  
810 adequate cardiorespiratory function and the ability to respond  
811 purposefully to verbal or tactile stimulation and makes intra-  
812 and postoperative monitoring necessary; or

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813           b. The use of general anesthesia or major conduction  
814 anesthesia and preoperative sedation.

815           4. The dispensing of a controlled substance listed in  
816 Schedule II or Schedule III pursuant to an approved clinical  
817 trial. For purposes of this subparagraph, the term "approved  
818 clinical trial" means a clinical research study or clinical  
819 investigation that, in whole or in part, is state or federally  
820 funded or is conducted under an investigational new drug  
821 application that is reviewed by the United States Food and Drug  
822 Administration.

823           5. The dispensing of methadone in a facility licensed under  
824 s. 397.427 where medication-assisted treatment for opiate  
825 addiction is provided.

826           6. The dispensing of a controlled substance listed in  
827 Schedule II or Schedule III to a patient of a facility licensed  
828 under part IV of chapter 400.

829           ~~(3) The department shall inspect any facility where a  
830 practitioner dispenses medicinal drugs pursuant to subsection  
831 (2) in the same manner and with the same frequency as it  
832 inspects pharmacies for the purpose of determining whether the  
833 practitioner is in compliance with all statutes and rules  
834 applicable to her or his dispensing practice.~~

835           Section 15. Subsection (3) of section 466.0135, Florida  
836 Statutes, is amended to read:

837           466.0135 Continuing education; dentists.—

838           (3) A ~~In applying for license renewal, the dentist shall~~  
839 complete ~~submit a sworn affidavit, on a form acceptable to the~~  
840 department, attesting that she or he has completed the required  
841 continuing education as provided ~~required~~ in this section ~~in~~

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842 ~~accordance with the guidelines and provisions of this section~~  
843 ~~and listing the date, location, sponsor, subject matter, and~~  
844 ~~hours of completed continuing education courses. An The~~  
845 applicant shall retain in her or his records any ~~such~~ receipts,  
846 vouchers, or certificates ~~as may be~~ necessary to document  
847 completion of such ~~the~~ continuing education courses ~~listed in~~  
848 ~~accordance with this subsection. With cause, the board may~~  
849 ~~request such documentation by the applicant, and the board may~~  
850 ~~request such documentation from applicants selected at random~~  
851 ~~without cause.~~

852 Section 16. Section 466.014, Florida Statutes, is amended  
853 to read:

854 466.014 Continuing education; dental hygienists.—In  
855 addition to the other requirements for relicensure for dental  
856 hygienists set out in this chapter ~~act~~, the board shall require  
857 each licensed dental hygienist to complete at least ~~not less~~  
858 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing  
859 professional education in dental subjects, biennially, in  
860 programs prescribed or approved by the board or in equivalent  
861 programs of continuing education. Programs of continuing  
862 education approved by the board are ~~shall be~~ programs of  
863 learning which, in the opinion of the board, contribute directly  
864 to the dental education of the dental hygienist. The board shall  
865 adopt rules and guidelines to administer and enforce ~~the~~  
866 ~~provisions of this section. In applying for license renewal, the~~  
867 ~~dental hygienist shall submit a sworn affidavit, on a form~~  
868 ~~acceptable to the department, attesting that she or he has~~  
869 ~~completed the continuing education required in this section in~~  
870 ~~accordance with the guidelines and provisions of this section~~

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871 ~~and listing the date, location, sponsor, subject matter, and~~  
872 ~~hours of completed continuing education courses. An The~~  
873 applicant shall retain in her or his records any ~~such~~ receipts,  
874 vouchers, or certificates ~~as may be~~ necessary to document  
875 completion of such ~~the~~ continuing education courses ~~listed in~~  
876 ~~accordance with this section. With cause, the board may request~~  
877 ~~such documentation by the applicant, and the board may request~~  
878 ~~such documentation from applicants selected at random without~~  
879 ~~cause.~~ Compliance with the continuing education requirements is  
880 ~~shall be~~ mandatory for issuance of the renewal certificate. The  
881 board may ~~shall have the authority to~~ excuse licensees, as a  
882 group or as individuals, from all or part of the continuing  
883 educational requirements if, ~~or any part thereof,~~ in the event  
884 an unusual circumstance, emergency, or hardship has prevented  
885 compliance with this section.

886 Section 17. Subsection (5) of section 466.032, Florida  
887 Statutes, is amended to read:

888 466.032 Registration.—

889 (5) A ~~The~~ dental laboratory owner or at least one employee  
890 of any dental laboratory renewing registration on or after July  
891 1, 2010, shall complete 18 hours of continuing education  
892 biennially. Programs of continuing education must ~~shall~~ be  
893 programs of learning that contribute directly to the education  
894 of the dental technician and may include, but are not limited  
895 to, attendance at lectures, study clubs, college courses, or  
896 scientific sessions of conventions and research.

897 (a) The aim of continuing education for dental technicians  
898 is to improve dental health care delivery to the public as such  
899 is impacted through the design, manufacture, and use of

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900 artificial human oral prosthetics and related restorative  
901 appliances.

902 (b) Continuing education courses shall address one or more  
903 of the following areas of professional development, including,  
904 but not limited to:

905 1. Laboratory and technological subjects, including, but  
906 not limited to, laboratory techniques and procedures, materials,  
907 and equipment; and

908 2. Subjects pertinent to oral health, infection control,  
909 and safety.

910 (c) Programs that meet ~~meeting~~ the general requirements of  
911 continuing education may be developed and offered to dental  
912 technicians by the Florida Dental Laboratory Association and the  
913 Florida Dental Association. Other organizations, schools, or  
914 agencies may also be approved to develop and offer continuing  
915 education in accordance with specific criteria established by  
916 the department.

917 ~~(d) Any dental laboratory renewing a registration on or~~  
918 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~  
919 ~~approved by the department, attesting that either the dental~~  
920 ~~laboratory owner or one dental technician employed by the~~  
921 ~~registered dental laboratory has completed the continuing~~  
922 ~~education required in this subsection in accordance with the~~  
923 ~~guidelines and provisions of this subsection and listing the~~  
924 ~~date, location, sponsor, subject matter, and hours of completed~~  
925 ~~continuing education courses. The dental laboratory shall retain~~  
926 ~~in its records such receipts, vouchers, or certificates as may~~  
927 ~~be necessary to document completion of the continuing education~~  
928 ~~courses listed in accordance with this subsection. With cause,~~



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929 ~~the department may request that the documentation be provided by~~  
 930 ~~the applicant. The department may also request the documentation~~  
 931 ~~from applicants selected at random without cause.~~

932 (d)~~(e)~~1. This subsection does not apply to a dental  
 933 laboratory that is physically located within a dental practice  
 934 operated by a dentist licensed under this chapter.

935 2. A dental laboratory in another state or country which  
 936 provides service to a dentist licensed under this chapter is not  
 937 required to register with the state and may continue to provide  
 938 services to such dentist with a proper prescription. However, a  
 939 dental laboratory in another state or country, ~~however,~~ may  
 940 voluntarily comply with this subsection.

941 Section 18. Section 468.1201, Florida Statutes, is  
 942 repealed.

943 Section 19. Paragraph (a) of subsection (3), subsections  
 944 (4) and (5), paragraphs (a) and (e) of subsection (6), and  
 945 subsection (7) of section 483.901, Florida Statutes, are  
 946 amended, and paragraph (k) is added to subsection (6) of that  
 947 section, to read:

948 483.901 Medical physicists; definitions; licensure.—

949 (3) DEFINITIONS.—As used in this section, the term:

950 ~~(a) "Council" means the Advisory Council of Medical~~  
 951 ~~Physicists in the Department of Health.~~

952 ~~(4) COUNCIL.—The Advisory Council of Medical Physicists is~~  
 953 ~~created in the Department of Health to advise the department in~~  
 954 ~~regulating the practice of medical physics in this state.~~

955 ~~(a) The council shall be composed of nine members appointed~~  
 956 ~~by the State Surgeon General as follows:~~

957 ~~1. A licensed medical physicist who specializes in~~

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- 958 ~~diagnostic radiological physics.~~
- 959 ~~2. A licensed medical physicist who specializes in~~
- 960 ~~therapeutic radiological physics.~~
- 961 ~~3. A licensed medical physicist who specializes in medical~~
- 962 ~~nuclear radiological physics.~~
- 963 ~~4. A physician who is board certified by the American Board~~
- 964 ~~of Radiology or its equivalent.~~
- 965 ~~5. A physician who is board certified by the American~~
- 966 ~~Osteopathic Board of Radiology or its equivalent.~~
- 967 ~~6. A chiropractic physician who practices radiology.~~
- 968 ~~7. Three consumer members who are not, and have never been,~~
- 969 ~~licensed as a medical physicist or licensed in any closely~~
- 970 ~~related profession.~~
- 971 ~~(b) The State Surgeon General shall appoint the medical~~
- 972 ~~physicist members of the council from a list of candidates who~~
- 973 ~~are licensed to practice medical physics.~~
- 974 ~~(c) The State Surgeon General shall appoint the physician~~
- 975 ~~members of the council from a list of candidates who are~~
- 976 ~~licensed to practice medicine in this state and are board~~
- 977 ~~certified in diagnostic radiology, therapeutic radiology, or~~
- 978 ~~radiation oncology.~~
- 979 ~~(d) The State Surgeon General shall appoint the public~~
- 980 ~~members of the council.~~
- 981 ~~(e) As the term of each member expires, the State Surgeon~~
- 982 ~~General shall appoint the successor for a term of 4 years. A~~
- 983 ~~member shall serve until the member's successor is appointed,~~
- 984 ~~unless physically unable to do so.~~
- 985 ~~(f) An individual is ineligible to serve more than two full~~
- 986 ~~consecutive 4-year terms.~~

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987 ~~(g) If a vacancy on the council occurs, the State Surgeon~~  
988 ~~General shall appoint a member to serve for a 4-year term.~~

989 ~~(h) A council member must be a United States citizen and~~  
990 ~~must have been a resident of this state for 2 consecutive years~~  
991 ~~immediately before being appointed.~~

992 ~~1. A member of the council who is a medical physicist must~~  
993 ~~have practiced for at least 6 years before being appointed or be~~  
994 ~~board certified for the specialty in which the member practices.~~

995 ~~2. A member of the council who is a physician must be~~  
996 ~~licensed to practice medicine in this state and must have~~  
997 ~~practiced diagnostic radiology or radiation oncology in this~~  
998 ~~state for at least 2 years before being appointed.~~

999 ~~3. The public members of the council must not have a~~  
1000 ~~financial interest in any endeavor related to the practice of~~  
1001 ~~medical physics.~~

1002 ~~(i) A council member may be removed from the council if the~~  
1003 ~~member:~~

1004 ~~1. Did not have the required qualifications at the time of~~  
1005 ~~appointment;~~

1006 ~~2. Does not maintain the required qualifications while~~  
1007 ~~serving on the council; or~~

1008 ~~3. Fails to attend the regularly scheduled council meetings~~  
1009 ~~in a calendar year as required by s. 456.011.~~

1010 ~~(j) Members of the council may not receive compensation for~~  
1011 ~~their services; however, they are entitled to reimbursement,~~  
1012 ~~from funds deposited in the Medical Quality Assurance Trust~~  
1013 ~~Fund, for necessary travel expenses as specified in s. 112.061~~  
1014 ~~for each day they engage in the business of the council.~~

1015 ~~(k) At the first regularly scheduled meeting of each~~

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1016 ~~calendar year, the council shall elect a presiding officer and~~  
1017 ~~an assistant presiding officer from among its members. The~~  
1018 ~~council shall meet at least once each year and at other times in~~  
1019 ~~accordance with department requirements.~~

1020 ~~(1) The department shall provide administrative support to~~  
1021 ~~the council for all licensing activities.~~

1022 ~~(m) The council may conduct its meetings electronically.~~

1023 ~~(5) POWERS OF COUNCIL. The council shall:~~

1024 ~~(a) Recommend rules to administer this section.~~

1025 ~~(b) Recommend practice standards for the practice of~~  
1026 ~~medical physics which are consistent with the Guidelines for~~  
1027 ~~Ethical Practice for Medical Physicists prepared by the American~~  
1028 ~~Association of Physicists in Medicine and disciplinary~~  
1029 ~~guidelines adopted under s. 456.079.~~

1030 ~~(c) Develop and recommend continuing education requirements~~  
1031 ~~for licensed medical physicists.~~

1032 (4) ~~(6)~~ LICENSE REQUIRED.—An individual may not engage in  
1033 the practice of medical physics, including the specialties of  
1034 diagnostic radiological physics, therapeutic radiological  
1035 physics, medical nuclear radiological physics, or medical health  
1036 physics, without a license issued by the department for the  
1037 appropriate specialty.

1038 (a) The department shall adopt rules to administer this  
1039 section which specify license application and renewal fees,  
1040 continuing education requirements, and standards for practicing  
1041 medical physics. ~~The council shall recommend to the department~~  
1042 ~~continuing education requirements that shall be a condition of~~  
1043 ~~license renewal.~~ The department shall require a minimum of 24  
1044 hours per biennium of continuing education offered by an

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1045 organization ~~recommended by the council~~ and approved by the  
1046 department. The department, ~~upon recommendation of the council,~~  
1047 may adopt rules to specify continuing education requirements for  
1048 persons who hold a license in more than one specialty.

1049 (e) Upon ~~On~~ receipt of an application and fee as specified  
1050 in this section, the department may issue a license to practice  
1051 medical physics in this state ~~on or after October 1, 1997,~~ to a  
1052 person who is board certified in the medical physics specialty  
1053 in which the applicant applies to practice by the American Board  
1054 of Radiology for diagnostic radiological physics, therapeutic  
1055 radiological physics, or medical nuclear radiological physics;  
1056 by the American Board of Medical Physics for diagnostic  
1057 radiological physics, therapeutic radiological physics, or  
1058 medical nuclear radiological physics; or by the American Board  
1059 of Health Physics or an equivalent certifying body approved by  
1060 the department.

1061 (k) Upon proof of a completed residency program and receipt  
1062 of the fee set forth by rule, the department may issue a  
1063 temporary license for no more than 1 year. The department may  
1064 adopt by rule requirements for temporary licensure and renewal  
1065 of temporary licenses.

1066 (5)-(7) FEES.—The fee for the initial license application  
1067 shall be \$500 and is nonrefundable. The fee for license renewal  
1068 may not be more than \$500. These fees may cover only the costs  
1069 incurred by the department ~~and the council~~ to administer this  
1070 section. By July 1 each year, the department shall determine  
1071 ~~advise the council~~ if the fees are insufficient to administer  
1072 this section.

1073 Section 20. Subsection (2) of section 484.047, Florida

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1074 Statutes, is amended to read:

1075 484.047 Renewal of license.—

1076 (2) In addition to the other requirements for renewal  
1077 provided in this section and by the board, the department shall  
1078 renew a license upon receipt of the renewal application and, the  
1079 renewal fee, ~~and a written statement affirming compliance with~~  
1080 ~~all other requirements set forth in this section and by the~~  
1081 ~~board.~~ A licensee must maintain, if applicable, a certificate  
1082 from a manufacturer or independent testing agent certifying that  
1083 the testing room meets the requirements of s. 484.0501(6) and,  
1084 if applicable, a certificate from a manufacturer or independent  
1085 testing agent stating that all audiometric testing equipment  
1086 used by the licensee has been calibrated acoustically to  
1087 American National Standards Institute standards on an annual  
1088 ~~basis acoustically to American National Standards Institute~~  
1089 ~~standard specifications.~~ Possession of any applicable  
1090 certificate is the certificates shall be a prerequisite to  
1091 renewal.

1092 Section 21. Subsections (1) and (4) of section 486.109,  
1093 Florida Statutes, are amended to read:

1094 486.109 Continuing education.—

1095 (1) The board shall require licensees to ~~periodically~~  
1096 demonstrate their professional competence as a condition of  
1097 renewal of a license by completing 24 hours of continuing  
1098 education biennially.

1099 (4) Each licensee shall maintain ~~be responsible for~~  
1100 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~  
1101 ~~which shall be subject to a random audit by the department to~~  
1102 demonstrate ~~assure~~ compliance with this section.

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1103 Section 22. Paragraph (e) of subsection (1) of section  
1104 458.331, Florida Statutes, is amended to read:

1105 458.331 Grounds for disciplinary action; action by the  
1106 board and department.—

1107 (1) The following acts constitute grounds for denial of a  
1108 license or disciplinary action, as specified in s. 456.072(2):

1109 (e) Failing to report to the department any person who the  
1110 licensee knows is in violation of this chapter or of the rules  
1111 of the department or the board. A treatment provider approved  
1112 pursuant to s. 456.076 shall provide the department or  
1113 consultant with information in accordance with the requirements  
1114 of s. 456.076(5), (6), (7), (8), and (10) ~~s. 456.076(4), (5),~~  
1115 ~~(6), (7), and (9)~~.

1116 Section 23. Paragraph (e) of subsection (1) of section  
1117 459.015, Florida Statutes, is amended to read:

1118 459.015 Grounds for disciplinary action; action by the  
1119 board and department.—

1120 (1) The following acts constitute grounds for denial of a  
1121 license or disciplinary action, as specified in s. 456.072(2):

1122 (e) Failing to report to the department or the department's  
1123 impaired professional consultant any person who the licensee or  
1124 certificateholder knows is in violation of this chapter or of  
1125 the rules of the department or the board. A treatment provider,  
1126 approved pursuant to s. 456.076, shall provide the department or  
1127 consultant with information in accordance with the requirements  
1128 of s. 456.076(5), (6), (7), (8), and (10) ~~s. 456.076(4), (5),~~  
1129 ~~(6), (7), and (9)~~.

1130 Section 24. Paragraph (a) of subsection (15) of section  
1131 499.028, Florida Statutes, is amended to read:

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1132 499.028 Drug samples or complimentary drugs; starter packs;  
 1133 permits to distribute.-

1134 (15) A person may not possess a prescription drug sample  
 1135 unless:

1136 (a) The drug sample was prescribed to her or him as  
 1137 evidenced by the label required in s. 465.0276(4) ~~s.~~  
 1138 ~~465.0276(5)~~.

1139 Section 25. Paragraph (g) of subsection (3) of section  
 1140 921.0022, Florida Statutes, is amended to read:

1141 921.0022 Criminal Punishment Code; offense severity ranking  
 1142 chart.-

1143 (3) OFFENSE SEVERITY RANKING CHART

1144 (g) LEVEL 7

1145

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while

1146

1147

1148



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			fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1149	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1150	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1151	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1152	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1153	456.065 (2)	3rd	Practicing a health care profession without a license.
1154	456.065 (2)	2nd	Practicing a health care profession without a

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1155

license which results in  
serious bodily injury.

458.327 (1)

3rd

Practicing medicine  
without a license.

1156

459.013 (1)

3rd

Practicing osteopathic  
medicine without a  
license.

1157

460.411 (1)

3rd

Practicing chiropractic  
medicine without a  
license.

1158

461.012 (1)

3rd

Practicing podiatric  
medicine without a  
license.

1159

462.17

3rd

Practicing naturopathy  
without a license.

1160

463.015 (1)

3rd

Practicing optometry  
without a license.

1161

464.016 (1)

3rd

Practicing nursing without  
a license.

1162

465.015 (2)

3rd

Practicing pharmacy  
without a license.

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1163

466.026(1) 3rd Practicing dentistry or dental hygiene without a license.

1164

467.201 3rd Practicing midwifery without a license.

1165

468.366 3rd Delivering respiratory care services without a license.

1166

483.828(1) 3rd Practicing as clinical laboratory personnel without a license.

1167

483.901(7) ~~483.901(9)~~ 3rd Practicing medical physics without a license.

1168

484.013(1)(c) 3rd Preparing or dispensing optical devices without a prescription.

1169

484.053 3rd Dispensing hearing aids without a license.

1170

494.0018(2) 1st Conviction of any violation of chapter 494 in which the total money

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1171	560.123 (8) (b) 1.	3rd	and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1172	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1173	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1174	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1175			Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

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1176

775.21(10)(b)

3rd

Sexual predator working where children regularly congregate.

1177

775.21(10)(g)

3rd

Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

1178

782.051(3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

1179

782.07(1)

2nd

Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

1180

782.071

2nd

Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).

782.072

2nd

Killing of a human being

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			by the operation of a vessel in a reckless manner (vessel homicide).
1181	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1182	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1183	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1184	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1185	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1186	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1187	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.

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1188

784.08 (2) (a) 1st Aggravated battery on a person 65 years of age or older.

1189

784.081 (1) 1st Aggravated battery on specified official or employee.

1190

784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.

1191

784.083 (1) 1st Aggravated battery on code inspector.

1192

787.06 (3) (a) 2. 1st Human trafficking using coercion for labor and services of an adult.

1193

787.06 (3) (e) 2. 1st Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

1194

790.07 (4) 1st Specified weapons violation subsequent to

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previous conviction of s.  
790.07(1) or (2).

1195

790.16(1)

1st

Discharge of a machine gun  
under specified  
circumstances.

1196

790.165(2)

2nd

Manufacture, sell,  
possess, or deliver hoax  
bomb.

1197

790.165(3)

2nd

Possessing, displaying, or  
threatening to use any  
hoax bomb while committing  
or attempting to commit a  
felony.

1198

790.166(3)

2nd

Possessing, selling,  
using, or attempting to  
use a hoax weapon of mass  
destruction.

1199

790.166(4)

2nd

Possessing, displaying, or  
threatening to use a hoax  
weapon of mass destruction  
while committing or  
attempting to commit a  
felony.

1200



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1201	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1202	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1203	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1204	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1205	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of

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1206			age; offender 18 years of age or older.
	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1207			
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1208			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1209			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1210			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1211			
	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.

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1212

812.014 (2) (a) 1.                      1st                      Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

1213

812.014 (2) (b) 2.                      2nd                      Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

1214

812.014 (2) (b) 3.                      2nd                      Property stolen, emergency medical equipment; 2nd degree grand theft.

1215

812.014 (2) (b) 4.                      2nd                      Property stolen, law enforcement equipment from authorized emergency vehicle.

1216

812.0145 (2) (a)                      1st                      Theft from person 65 years of age or older; \$50,000 or more.

1217

812.019 (2)                      1st                      Stolen property;

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			initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1218	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1219	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1220	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1221	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1222	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1223	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1224	817.2341	1st	Making false entries of

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(2) (b) & (3) (b)

material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

1225

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

1226

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

1227

825.103 (3) (b)

2nd

Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.

1228

827.03 (2) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

1229

827.04 (3)

3rd

Impregnation of a child

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1230  
1231  
1232  
1233  
1234  
1235  
1236  
1237  
1238

837.05 (2)

3rd

under 16 years of age by  
person 21 years of age or  
older.

Giving false information  
about alleged capital  
felony to a law  
enforcement officer.

838.015

2nd

Bribery.

838.016

2nd

Unlawful compensation or  
reward for official  
behavior.

838.021 (3) (a)

2nd

Unlawful harm to a public  
servant.

838.22

2nd

Bid tampering.

843.0855 (2)

3rd

Impersonation of a public  
officer or employee.

843.0855 (3)

3rd

Unlawful simulation of  
legal process.

843.0855 (4)

3rd

Intimidation of a public  
officer or employee.

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	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1239			
	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1240			
	872.06	2nd	Abuse of a dead human body.
1241			
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1242			
	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1243			
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or

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1244

893.13(1)(e)1.

1st

(2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., within 1,000 feet of property used for religious services or a specified business site.

1245

893.13(4)(a)

1st

Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

1246

893.135(1)(a)1.

1st

Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

1247



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1248	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1249	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1250	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1251	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1252	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1253	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1254	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

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1255	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1256	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1257	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1258	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1259	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1260	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	893.1351 (2)	2nd	Possession of place for

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1261	896.101 (5) (a)	3rd	trafficking in or manufacturing of controlled substance.
1262	896.104 (4) (a) 1.	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1263	943.0435 (4) (c)	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1264	943.0435 (8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1265	943.0435 (9) (a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
			Sexual offender; failure to comply with reporting

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1266

943.0435 (13)

3rd

requirements.  
 Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1267

943.0435 (14)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1268

944.607 (9)

3rd

Sexual offender; failure to comply with reporting requirements.

1269

944.607 (10) (a)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

1270

944.607 (12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1271

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1272 944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1273 985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

1274 985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1275 985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1276 Section 26. This act shall take effect July 1, 2016.