

By the Committee on Health Policy; and 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
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

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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 a
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.
54 457.107, F.S.; deleting a provision authorizing the
55 Board of Acupuncture to request certain documentation
56 from applicants; amending s. 458.347, F.S.; deleting a
57 requirement that a physician assistant file a signed
58 affidavit with the department; amending s. 463.007,
59 F.S.; making technical changes; amending s. 464.203,
60 F.S.; revising inservice training requirements for
61 certified nursing assistants; deleting a rulemaking

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62 requirement; repealing s. 464.2085, F.S., relating to
63 the Council on Certified Nursing Assistants; amending
64 s. 465.0276, F.S.; deleting a requirement that the
65 department inspect certain facilities; amending s.
66 466.0135, F.S.; deleting a requirement that a dentist
67 file a signed affidavit with the department; deleting
68 a provision authorizing the Board of Dentistry to
69 request certain documentation from applicants;
70 amending s. 466.014, F.S.; deleting a requirement that
71 a dental hygienist file a signed affidavit with the
72 department; deleting a provision authorizing the board
73 to request certain documentation from applicants;
74 amending s. 466.032, F.S.; deleting a requirement that
75 a dental laboratory file a signed affidavit with the
76 department; deleting a provision authorizing the
77 department to request certain documentation from
78 applicants; repealing s. 468.1201, F.S., relating to a
79 requirement for instruction on human immunodeficiency
80 virus and acquired immune deficiency syndrome;
81 amending s. 483.901, F.S.; deleting provisions
82 relating to the Advisory Council of Medical Physicists
83 in the department; authorizing the department to issue
84 temporary licenses in certain circumstances;
85 authorizing the department to adopt rules; amending s.
86 484.047, F.S.; deleting a requirement for a written
87 statement from an applicant in certain circumstances;
88 amending s. 486.109, F.S.; deleting a provision
89 authorizing the department to conduct a random audit
90 for certain information; amending ss. 499.028 and

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91 921.0022, F.S.; conforming cross-references; providing
92 an effective date.

93

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

95

96 Section 1. Subsection (3) of section 381.0034, Florida
97 Statutes, is amended to read:

98 381.0034 Requirement for instruction on HIV and AIDS.—

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

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

111 456.013 Department; general licensing provisions.—

112 (7) The boards, or the department when there is no board,
113 shall require the completion of a 2-hour course relating to
114 prevention of medical errors as part of the biennial licensure
115 ~~and~~ renewal process. The 2-hour course counts toward ~~shall count~~
116 ~~towards~~ the total number of continuing education hours required
117 for the profession. The course must ~~shall~~ be approved by the
118 board or department, as appropriate, and must ~~shall~~ include a
119 study of root-cause analysis, error reduction and prevention,

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120 and patient safety. In addition, the course approved by the
121 Board of Medicine and the Board of Osteopathic Medicine must
122 ~~shall~~ include information relating to the five most misdiagnosed
123 conditions during the previous biennium, as determined by the
124 board. If the course is being offered by a facility licensed
125 pursuant to chapter 395 for its employees, the board may approve
126 up to 1 hour of the 2-hour course to be specifically related to
127 error reduction and prevention methods used in that facility.

128 Section 3. Paragraph (a) of subsection (3) and paragraphs
129 (a) and (j) of subsection (4) of section 456.024, Florida
130 Statutes, are amended to read:

131 456.024 Members of Armed Forces in good standing with
132 administrative boards or the department; spouses; licensure.—

133 (3) A person who serves or has served as a health care
134 practitioner in the United States Armed Forces, United States
135 Reserve Forces, or the National Guard or a person who serves or
136 has served on active duty with the United States Armed Forces as
137 a health care practitioner in the United States Public Health
138 Service is eligible for licensure in this state. The department
139 shall develop an application form, and each board, or the
140 department if there is no board, shall waive the application
141 fee, licensure fee, and unlicensed activity fee for such
142 applicants. For purposes of this subsection, "health care
143 practitioner" means a health care practitioner as defined in s.
144 456.001 and a person licensed under part III of chapter 401 or
145 part IV of chapter 468.

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

148 1. Submits a complete application.

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149 2. Receives an honorable discharge within 6 months before,
150 or will receive an honorable discharge within 6 months after,
151 the date of submission of the application.

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

165 4. Attests that he or she is not, at the time of
166 submission, the subject of a disciplinary proceeding in a
167 jurisdiction in which he or she holds a license or by the United
168 States Department of Defense for reasons related to the practice
169 of the profession for which he or she is applying.

170 5. Actively practiced the profession for which he or she is
171 applying for the 3 years preceding the date of submission of the
172 application.

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

176
177 The department shall verify information submitted by the

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178 applicant under this subsection using the National Practitioner
179 Data Bank.

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

184 1. A completed application upon a form prepared and
185 furnished by the department in accordance with the board's
186 rules;

187 2. The required application fee;

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

190 4. Proof that the applicant holds a valid license for the
191 profession issued by another state, the District of Columbia, or
192 a possession or territory of the United States, and is not the
193 subject of any disciplinary proceeding in any jurisdiction in
194 which the applicant holds a license to practice a profession
195 regulated by this chapter; or proof that the applicant is a
196 practitioner of health care in a profession for which licensure
197 in another state or jurisdiction is not required, has training
198 or experience substantially equivalent to the requirements for
199 licensure in this state in that profession, and has obtained a
200 passing score on the appropriate examination of a national or
201 regional standards organization if required for licensure in
202 this state; and

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

206 ~~6. Proof that the applicant would otherwise be entitled to~~

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207 ~~full licensure under the appropriate practice act, and is~~
208 ~~eligible to take the respective licensure examination as~~
209 ~~required in Florida.~~

210 ~~(j) An applicant who is issued a temporary professional~~
211 ~~license to practice as a dentist pursuant to this section must~~
212 ~~practice under the indirect supervision, as defined in s.~~
213 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

214 Section 4. Present subsections (3) through (11) of section
215 456.025, Florida Statutes, are redesignated as subsections (2)
216 through (10), respectively, and present subsections (2), (3),
217 (7), and (8) of that section are amended, to read:

218 456.025 Fees; receipts; disposition.—

219 ~~(2) The chairpersons of the boards and councils listed in~~
220 ~~s. 20.43(3)(g) shall meet annually at division headquarters to~~
221 ~~review the long range policy plan required by s. 456.005 and~~
222 ~~current and proposed fee schedules. The chairpersons shall make~~
223 ~~recommendations for any necessary statutory changes relating to~~
224 ~~fees and fee caps. Such recommendations shall be compiled by the~~
225 ~~Department of Health and be included in the annual report to the~~
226 ~~Legislature required by s. 456.026 as well as be included in the~~
227 ~~long range policy plan required by s. 456.005.~~

228 (2)~~(3)~~ Each board within the jurisdiction of the
229 department, or the department when there is no board, shall
230 determine by rule the amount of license fees for the profession
231 it regulates, based upon long-range estimates prepared by the
232 department of the revenue required to implement laws relating to
233 the regulation of professions by the department and the board.
234 Each board, or the department if there is no board, shall ensure
235 that license fees are adequate to cover all anticipated costs

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236 and to maintain a reasonable cash balance, as determined by rule
237 of the agency, with advice of the applicable board. ~~If~~
238 ~~sufficient action is not taken by a board within 1 year after~~
239 ~~notification by the department that license fees are projected~~
240 ~~to be inadequate, the department shall set license fees on~~
241 ~~behalf of the applicable board to cover anticipated costs and to~~
242 ~~maintain the required cash balance. The department shall include~~
243 ~~recommended fee cap increases in its annual report to the~~
244 ~~Legislature. Further, it is the intent of the Legislature~~
245 ~~legislative intent that a ~~no~~ regulated profession not operate~~
246 ~~with a negative cash balance. If, however, a profession's fees~~
247 ~~are at their statutory fee cap and the requirements of~~
248 ~~subsections (1) and (4) are met, a profession may operate at a~~
249 ~~deficit until the deficit is eliminated~~ ~~The department may~~
250 ~~provide by rule for advancing sufficient funds to any profession~~
251 ~~operating with a negative cash balance. The advancement may be~~
252 ~~for a period not to exceed 2 consecutive years, and the~~
253 ~~regulated profession must pay interest. Interest shall be~~
254 ~~calculated at the current rate earned on investments of a trust~~
255 ~~fund used by the department to implement this chapter. Interest~~
256 ~~earned shall be allocated to the various funds in accordance~~
257 ~~with the allocation of investment earnings during the period of~~
258 ~~the advance.~~

259 (6) ~~(7)~~ Each board, or the department if there is no board,
260 shall establish ~~by rule~~, a fee of up to ~~not to exceed~~ \$250 for
261 anyone seeking ~~approval~~ to provide continuing education courses
262 or programs and ~~shall establish by rule~~ a biennial renewal fee
263 of up to ~~not to exceed~~ \$250 for the renewal of an approval to
264 provide providership ~~of~~ such courses. The fees collected ~~from~~

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265 ~~continuing education providers~~ shall be used for the purposes of
266 reviewing course provider applications, monitoring the integrity
267 of the courses provided, covering legal expenses incurred as a
268 result of not granting or renewing an approval ~~a providership~~,
269 and developing and maintaining an electronic continuing
270 education tracking system pursuant to s. 456.0361. ~~The~~
271 ~~department shall implement an electronic continuing education~~
272 ~~tracking system for each new biennial renewal cycle for which~~
273 ~~electronic renewals are implemented after the effective date of~~
274 ~~this act and shall integrate such system into the licensure and~~
275 ~~renewal system~~. All approved continuing education providers
276 shall provide information on course attendance to the department
277 necessary to implement the electronic tracking system. The
278 department shall, by rule, specify the form and procedures by
279 which the information is to be submitted.

280 (7) ~~(8)~~ All moneys collected by the department from fees or
281 fines or from costs awarded to the agency by a court shall be
282 paid into a trust fund used by the department to implement this
283 chapter. The Legislature shall appropriate funds from this trust
284 fund sufficient to administer ~~carry out~~ this chapter and the
285 provisions of law with respect to professions regulated by the
286 Division of Medical Quality Assurance within the department and
287 the boards. The department may contract with public and private
288 entities to receive and deposit revenue pursuant to this
289 section. The department shall maintain separate accounts in the
290 trust fund used by the department to implement this chapter for
291 every profession within the department. To the maximum extent
292 possible, the department shall directly charge all expenses to
293 the account of each regulated profession. For the purpose of

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294 this subsection, direct charge expenses include, but are not
295 limited to, costs for investigations, examinations, and legal
296 services. For expenses that cannot be charged directly, the
297 department shall provide for the proportionate allocation among
298 the accounts of expenses incurred by the department in the
299 performance of its duties with respect to each regulated
300 profession. If a profession has established renewal fees that
301 meet the requirements of subsection (1), has fees that are at
302 the statutory fee cap, and has been operating in a deficit for 2
303 or more fiscal years, the department may waive allocated
304 administrative and operational indirect costs until such time as
305 the profession has a positive cash balance. The costs related to
306 administration and operations include, but are not limited to,
307 the costs of the director's office and the costs of system
308 support, communications, central records, and other such
309 administrative functions. Such waived costs shall be allocated
310 to the other professions that must meet the requirements of this
311 section, and cash in the unlicensed activity account under s.
312 456.065 of the profession whose costs have been waived shall be
313 transferred to the operating account in an amount not to exceed
314 the amount of the deficit. The regulation by the department of
315 professions, as defined in this chapter, must ~~shall~~ be financed
316 solely from revenue collected by the department ~~it~~ from fees and
317 other charges and deposited in the Medical Quality Assurance
318 Trust Fund, and all such revenue is hereby appropriated to the
319 department, which. ~~However, it is legislative intent that each~~
320 ~~profession shall operate within its anticipated fees. The~~
321 ~~department may not expend funds from the account of a profession~~
322 ~~to pay for the expenses incurred on behalf of another~~

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323 ~~profession, except that the Board of Nursing must pay for any~~
324 ~~costs incurred in the regulation of certified nursing~~
325 ~~assistants. The department shall maintain adequate records to~~
326 support its allocation of agency expenses. The department shall
327 provide any board with reasonable access to these records upon
328 request. On or before October 1 of each year, the department
329 shall provide each board an annual report of revenue and direct
330 and allocated expenses related to the operation of that
331 profession. The board shall use these reports and the
332 department's adopted long-range plan to determine the amount of
333 license fees. ~~A condensed version of this information, with the~~
334 ~~department's recommendations, shall be included in the annual~~
335 ~~report to the Legislature prepared under s. 456.026.~~

336 Section 5. Section 456.0361, Florida Statutes, is created
337 to read:

338 456.0361 Compliance with continuing education
339 requirements.-

340 (1) The department shall establish an electronic continuing
341 education tracking system to monitor licensee compliance with
342 applicable continuing education requirements and to determine
343 whether a licensee is in full compliance with the requirements
344 at the time of his or her application for license renewal. The
345 tracking system shall be integrated into the department's
346 licensure and renewal process.

347 (2) The department may not renew a license until the
348 licensee complies with all applicable continuing education
349 requirements. This subsection does not prohibit the department
350 or the boards from imposing additional penalties under the
351 applicable professional practice act or applicable rules for

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352 failure to comply with continuing education requirements.

353 (3) The department may adopt rules to implement this
354 section.

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

357 456.057 Ownership and control of patient records; report or
358 copies of records to be furnished; disclosure of information.-

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

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

371 456.0635 Health care fraud; disqualification for license,
372 certificate, or registration.-

373 (2) Each board within the jurisdiction of the department,
374 or the department if there is no board, shall refuse to admit a
375 candidate to any examination and refuse to issue a license,
376 certificate, or registration to any applicant if the candidate
377 or applicant or any principal, officer, agent, managing
378 employee, or affiliated person of the applicant:

379 (a) Has been convicted of, or entered a plea of guilty or
380 nolo contendere to, regardless of adjudication, a felony under

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381 chapter 409, chapter 817, or chapter 893, or a similar felony
382 offense committed in another state or jurisdiction, unless the
383 candidate or applicant has successfully completed a drug court
384 program for that felony and provides proof that the plea has
385 been withdrawn or the charges have been dismissed. Any such
386 conviction or plea shall exclude the applicant or candidate from
387 licensure, examination, certification, or registration unless
388 the sentence and any subsequent period of probation for such
389 conviction or plea ended:

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

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

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

397 (b) Has been convicted of, or entered a plea of guilty or
398 nolo contendere to, regardless of adjudication, a felony under
399 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the
400 sentence and any subsequent period of probation for such
401 conviction or plea ended more than 15 years before the date of
402 the application;

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

407 (d) Has been terminated for cause, pursuant to the appeals
408 procedures established by the state, from any other state
409 Medicaid program, unless the candidate or applicant has been in

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410 good standing with a state Medicaid program for the most recent
411 5 years and the termination occurred at least 20 years before
412 the date of the application; or

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

416

417 ~~This subsection does not apply to candidates or applicants for~~
418 ~~initial licensure or certification who were enrolled in an~~
419 ~~educational or training program on or before July 1, 2009, which~~
420 ~~was recognized by a board or, if there is no board, recognized~~
421 ~~by the department, and who applied for licensure after July 1,~~
422 ~~2012.~~

423 Section 8. Subsection (3) of section 457.107, Florida
424 Statutes, is amended to read:

425 457.107 Renewal of licenses; continuing education.—

426 (3) The board shall ~~by rule~~ prescribe by rule continuing
427 education requirements of up to, ~~not to exceed~~ 30 hours
428 biennially, as a condition for renewal of a license. All
429 education programs that contribute to the advancement,
430 extension, or enhancement of professional skills and knowledge
431 related to the practice of acupuncture, whether conducted by a
432 nonprofit or profitmaking entity, are eligible for approval. The
433 continuing professional education requirements must be in
434 acupuncture or oriental medicine subjects, including, but not
435 limited to, anatomy, biological sciences, adjunctive therapies,
436 sanitation and sterilization, emergency protocols, and diseases.
437 The board may ~~shall have the authority to~~ set a fee of up to,
438 ~~not to exceed~~ \$100, for each continuing education provider. The

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439 licensee shall retain in his or her records the certificates of
440 completion of continuing professional education requirements ~~to~~
441 ~~prove compliance with this subsection. The board may request~~
442 ~~such documentation without cause from applicants who are~~
443 ~~selected at random.~~ All national and state acupuncture and
444 oriental medicine organizations and acupuncture and oriental
445 medicine schools are approved to provide continuing professional
446 education in accordance with this subsection.

447 Section 9. Paragraph (e) of subsection (4) of section
448 458.347, Florida Statutes, is amended to read:

449 458.347 Physician assistants.—

450 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

451 (e) A supervisory physician may delegate to a fully
452 licensed physician assistant the authority to prescribe or
453 dispense any medication used in the supervisory physician's
454 practice unless such medication is listed on the formulary
455 created pursuant to paragraph (f). A fully licensed physician
456 assistant may only prescribe or dispense such medication under
457 the following circumstances:

458 1. A physician assistant must clearly identify to the
459 patient that he or she is a physician assistant and.
460 ~~Furthermore, the physician assistant must~~ inform the patient
461 that the patient has the right to see the physician before a
462 ~~prior to any~~ prescription is being prescribed or dispensed by
463 the physician assistant.

464 2. The supervisory physician must notify the department of
465 his or her intent to delegate, on a department-approved form,
466 before delegating such authority and ~~notify the department of~~
467 any change in prescriptive privileges of the physician

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468 assistant. Authority to dispense may be delegated only by a
469 supervising physician who is registered as a dispensing
470 practitioner in compliance with s. 465.0276.

471 3. The physician assistant must complete ~~file with the~~
472 ~~department a signed affidavit that he or she has completed a~~
473 minimum of 10 continuing medical education hours in the
474 specialty practice in which the physician assistant has
475 prescriptive privileges with each licensure renewal ~~application~~.

476 4. The department may issue a prescriber number to the
477 physician assistant granting authority for the prescribing of
478 medicinal drugs authorized within this paragraph upon completion
479 of the ~~foregoing~~ requirements of this paragraph. The physician
480 assistant is ~~shall~~ not be required to independently register
481 pursuant to s. 465.0276.

482 5. The prescription must be written in a form that complies
483 with chapter 499 and, in addition to the supervisory physician's
484 name, address, and telephone number, ~~in addition~~
485 ~~to the supervisory physician's name, address, and telephone~~
486 ~~number,~~ the physician assistant's prescriber number. Unless it
487 is a drug or drug sample dispensed by the physician assistant,
488 the prescription must be filled in a pharmacy permitted under
489 chapter 465 and must be dispensed in that pharmacy by a
490 pharmacist licensed under chapter 465. The inclusion ~~appearance~~
491 of the prescriber number creates a presumption that the
492 physician assistant is authorized to prescribe the medicinal
493 drug and the prescription is valid.

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

496 Section 10. Subsection (3) of section 463.007, Florida

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497 Statutes, is amended to read:

498 463.007 Renewal of license; continuing education.—

499 (3) As a condition of license renewal, a licensee must
500 ~~Unless otherwise provided by law, the board shall require~~
501 ~~licensees to periodically demonstrate his or her their~~
502 ~~professional competence, as a condition of renewal of a license,~~
503 by completing up to 30 hours of continuing education during the
504 2-year period preceding license renewal. For certified
505 optometrists, the 30-hour continuing education requirement
506 includes ~~shall include~~ 6 or more hours of approved transcript-
507 quality coursework in ocular and systemic pharmacology and the
508 diagnosis, treatment, and management of ocular and systemic
509 conditions and diseases during the 2-year period preceding
510 application for license renewal.

511 Section 11. Subsection (7) of section 464.203, Florida
512 Statutes, is amended to read:

513 464.203 Certified nursing assistants; certification
514 requirement.—

515 (7) A certified nursing assistant shall complete 24 ~~12~~
516 hours of inservice training during each biennium ~~calendar year~~.
517 The certified nursing assistant shall maintain ~~be responsible~~
518 ~~for maintaining~~ documentation demonstrating compliance with
519 these provisions. ~~The Council on Certified Nursing Assistants,~~
520 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~
521 ~~implement this subsection.~~

522 Section 12. Section 464.2085, Florida Statutes, is
523 repealed.

524 Section 13. Paragraph (b) of subsection (1) and subsection
525 (3) of section 465.0276, Florida Statutes, are amended to read:

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526 465.0276 Dispensing practitioner.—

527 (1)

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

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

538 2. The dispensing of controlled substances in the health
539 care system of the Department of Corrections.

540 3. The dispensing of a controlled substance listed in
541 Schedule II or Schedule III in connection with the performance
542 of a surgical procedure. The amount dispensed pursuant to the
543 subparagraph may not exceed a 14-day supply. This exception does
544 not allow for the dispensing of a controlled substance listed in
545 Schedule II or Schedule III more than 14 days after the
546 performance of the surgical procedure. For purposes of this
547 subparagraph, the term "surgical procedure" means any procedure
548 in any setting which involves, or reasonably should involve:

549 a. Perioperative medication and sedation that allows the
550 patient to tolerate unpleasant procedures while maintaining
551 adequate cardiorespiratory function and the ability to respond
552 purposefully to verbal or tactile stimulation and makes intra-
553 and postoperative monitoring necessary; or

554 b. The use of general anesthesia or major conduction

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555 anesthesia and preoperative sedation.

556 4. The dispensing of a controlled substance listed in
557 Schedule II or Schedule III pursuant to an approved clinical
558 trial. For purposes of this subparagraph, the term "approved
559 clinical trial" means a clinical research study or clinical
560 investigation that, in whole or in part, is state or federally
561 funded or is conducted under an investigational new drug
562 application that is reviewed by the United States Food and Drug
563 Administration.

564 5. The dispensing of methadone in a facility licensed under
565 s. 397.427 where medication-assisted treatment for opiate
566 addiction is provided.

567 6. The dispensing of a controlled substance listed in
568 Schedule II or Schedule III to a patient of a facility licensed
569 under part IV of chapter 400.

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

576 Section 14. Subsection (3) of section 466.0135, Florida
577 Statutes, is amended to read:

578 466.0135 Continuing education; dentists.—

579 (3) A ~~In applying for license renewal, the dentist shall~~
580 complete ~~submit a sworn affidavit, on a form acceptable to the~~
581 ~~department, attesting that she or he has completed the required~~
582 continuing education as provided ~~required~~ in this section ~~in~~
583 ~~accordance with the guidelines and provisions of this section~~

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584 ~~and listing the date, location, sponsor, subject matter, and~~
585 ~~hours of completed continuing education courses. An The~~
586 ~~applicant shall retain in her or his records any ~~such~~ receipts,~~
587 ~~vouchers, or certificates as may be necessary to document~~
588 ~~completion of such ~~the~~ continuing education courses ~~listed in~~~~
589 ~~accordance with this subsection. With cause, the board may~~
590 ~~request such documentation by the applicant, and the board may~~
591 ~~request such documentation from applicants selected at random~~
592 ~~without cause.~~

593 Section 15. Section 466.014, Florida Statutes, is amended
594 to read:

595 466.014 Continuing education; dental hygienists.—In
596 addition to the other requirements for relicensure for dental
597 hygienists set out in this chapter ~~act~~, the board shall require
598 each licensed dental hygienist to complete at least ~~not less~~
599 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing
600 professional education in dental subjects, biennially, in
601 programs prescribed or approved by the board or in equivalent
602 programs of continuing education. Programs of continuing
603 education approved by the board are ~~shall be~~ programs of
604 learning which, in the opinion of the board, contribute directly
605 to the dental education of the dental hygienist. The board shall
606 adopt rules and guidelines to administer and enforce ~~the~~
607 ~~provisions of this section. In applying for license renewal, the~~
608 ~~dental hygienist shall submit a sworn affidavit, on a form~~
609 ~~acceptable to the department, attesting that she or he has~~
610 ~~completed the continuing education required in this section in~~
611 ~~accordance with the guidelines and provisions of this section~~
612 ~~and listing the date, location, sponsor, subject matter, and~~

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613 ~~hours of completed continuing education courses. An~~ The
614 applicant shall retain in her or his records any ~~such~~ receipts,
615 vouchers, or certificates ~~as may be necessary to document~~
616 completion of such ~~the~~ continuing education courses ~~listed in~~
617 ~~accordance with this section. With cause, the board may request~~
618 ~~such documentation by the applicant, and the board may request~~
619 ~~such documentation from applicants selected at random without~~
620 ~~cause.~~ Compliance with the continuing education requirements is
621 ~~shall be~~ mandatory for issuance of the renewal certificate. The
622 board may ~~shall have the authority to~~ excuse licensees, as a
623 group or as individuals, from all or part of the continuing
624 educational requirements if, ~~or any part thereof, in the event~~
625 an unusual circumstance, emergency, or hardship has prevented
626 compliance with this section.

627 Section 16. Subsection (5) of section 466.032, Florida
628 Statutes, is amended to read:

629 466.032 Registration.—

630 (5) ~~A~~ The dental laboratory owner or at least one employee
631 of any dental laboratory renewing registration on or after July
632 1, 2010, shall complete 18 hours of continuing education
633 biennially. Programs of continuing education must ~~shall~~ be
634 programs of learning that contribute directly to the education
635 of the dental technician and may include, but are not limited
636 to, attendance at lectures, study clubs, college courses, or
637 scientific sessions of conventions and research.

638 (a) The aim of continuing education for dental technicians
639 is to improve dental health care delivery to the public as such
640 is impacted through the design, manufacture, and use of
641 artificial human oral prosthetics and related restorative

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642 appliances.

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

646 1. Laboratory and technological subjects, including, but
647 not limited to, laboratory techniques and procedures, materials,
648 and equipment; and

649 2. Subjects pertinent to oral health, infection control,
650 and safety.

651 (c) Programs that meet ~~meeting~~ the general requirements of
652 continuing education may be developed and offered to dental
653 technicians by the Florida Dental Laboratory Association and the
654 Florida Dental Association. Other organizations, schools, or
655 agencies may also be approved to develop and offer continuing
656 education in accordance with specific criteria established by
657 the department.

658 ~~(d) Any dental laboratory renewing a registration on or~~
659 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~
660 ~~approved by the department, attesting that either the dental~~
661 ~~laboratory owner or one dental technician employed by the~~
662 ~~registered dental laboratory has completed the continuing~~
663 ~~education required in this subsection in accordance with the~~
664 ~~guidelines and provisions of this subsection and listing the~~
665 ~~date, location, sponsor, subject matter, and hours of completed~~
666 ~~continuing education courses. The dental laboratory shall retain~~
667 ~~in its records such receipts, vouchers, or certificates as may~~
668 ~~be necessary to document completion of the continuing education~~
669 ~~courses listed in accordance with this subsection. With cause,~~
670 ~~the department may request that the documentation be provided by~~

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671 ~~the applicant. The department may also request the documentation~~
672 ~~from applicants selected at random without cause.~~

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

676 2. A dental laboratory in another state or country which
677 provides service to a dentist licensed under this chapter is not
678 required to register with the state and may continue to provide
679 services to such dentist with a proper prescription. However, a
680 dental laboratory in another state or country, ~~however~~, may
681 voluntarily comply with this subsection.

682 Section 17. Section 468.1201, Florida Statutes, is
683 repealed.

684 Section 18. Paragraph (a) of subsection (3), subsections
685 (4) and (5), paragraphs (a) and (e) of subsection (6), and
686 subsection (7) of section 483.901, Florida Statutes, are
687 amended, and paragraph (k) is added to subsection (6) of that
688 section, to read:

689 483.901 Medical physicists; definitions; licensure.—

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

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

693 ~~(4) COUNCIL. The Advisory Council of Medical Physicists is~~
694 ~~created in the Department of Health to advise the department in~~
695 ~~regulating the practice of medical physics in this state.~~

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

698 1. ~~A licensed medical physicist who specializes in~~
699 ~~diagnostic radiological physics.~~

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- 700 ~~2. A licensed medical physicist who specializes in~~
701 ~~therapeutic radiological physics.~~
- 702 ~~3. A licensed medical physicist who specializes in medical~~
703 ~~nuclear radiological physics.~~
- 704 ~~4. A physician who is board certified by the American Board~~
705 ~~of Radiology or its equivalent.~~
- 706 ~~5. A physician who is board certified by the American~~
707 ~~Osteopathic Board of Radiology or its equivalent.~~
- 708 ~~6. A chiropractic physician who practices radiology.~~
- 709 ~~7. Three consumer members who are not, and have never been,~~
710 ~~licensed as a medical physicist or licensed in any closely~~
711 ~~related profession.~~
- 712 ~~(b) The State Surgeon General shall appoint the medical~~
713 ~~physicist members of the council from a list of candidates who~~
714 ~~are licensed to practice medical physics.~~
- 715 ~~(c) The State Surgeon General shall appoint the physician~~
716 ~~members of the council from a list of candidates who are~~
717 ~~licensed to practice medicine in this state and are board~~
718 ~~certified in diagnostic radiology, therapeutic radiology, or~~
719 ~~radiation oncology.~~
- 720 ~~(d) The State Surgeon General shall appoint the public~~
721 ~~members of the council.~~
- 722 ~~(e) As the term of each member expires, the State Surgeon~~
723 ~~General shall appoint the successor for a term of 4 years. A~~
724 ~~member shall serve until the member's successor is appointed,~~
725 ~~unless physically unable to do so.~~
- 726 ~~(f) An individual is ineligible to serve more than two full~~
727 ~~consecutive 4-year terms.~~
- 728 ~~(g) If a vacancy on the council occurs, the State Surgeon~~

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729 ~~General shall appoint a member to serve for a 4-year term.~~

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

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

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

740 ~~3. The public members of the council must not have a~~
741 ~~financial interest in any endeavor related to the practice of~~
742 ~~medical physics.~~

743 ~~(i) A council member may be removed from the council if the~~
744 ~~member:~~

745 ~~1. Did not have the required qualifications at the time of~~
746 ~~appointment;~~

747 ~~2. Does not maintain the required qualifications while~~
748 ~~serving on the council; or~~

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

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

756 ~~(k) At the first regularly scheduled meeting of each~~
757 ~~calendar year, the council shall elect a presiding officer and~~

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758 ~~an assistant presiding officer from among its members. The~~
759 ~~council shall meet at least once each year and at other times in~~
760 ~~accordance with department requirements.~~

761 ~~(l) The department shall provide administrative support to~~
762 ~~the council for all licensing activities.~~

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

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

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

766 ~~(b) Recommend practice standards for the practice of~~
767 ~~medical physics which are consistent with the Guidelines for~~
768 ~~Ethical Practice for Medical Physicists prepared by the American~~
769 ~~Association of Physicists in Medicine and disciplinary~~
770 ~~guidelines adopted under s. 456.079.~~

771 ~~(c) Develop and recommend continuing education requirements~~
772 ~~for licensed medical physicists.~~

773 (4) ~~(6)~~ LICENSE REQUIRED.—An individual may not engage in
774 the practice of medical physics, including the specialties of
775 diagnostic radiological physics, therapeutic radiological
776 physics, medical nuclear radiological physics, or medical health
777 physics, without a license issued by the department for the
778 appropriate specialty.

779 (a) The department shall adopt rules to administer this
780 section which specify license application and renewal fees,
781 continuing education requirements, and standards for practicing
782 medical physics. ~~The council shall recommend to the department~~
783 ~~continuing education requirements that shall be a condition of~~
784 ~~license renewal.~~ The department shall require a minimum of 24
785 hours per biennium of continuing education offered by an
786 organization ~~recommended by the council and approved by the~~

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787 department. The department, ~~upon recommendation of the council,~~
788 may adopt rules to specify continuing education requirements for
789 persons who hold a license in more than one specialty.

790 (e) Upon ~~on~~ receipt of an application and fee as specified
791 in this section, the department may issue a license to practice
792 medical physics in this state ~~on or after October 1, 1997,~~ to a
793 person who is board certified in the medical physics specialty
794 in which the applicant applies to practice by the American Board
795 of Radiology for diagnostic radiological physics, therapeutic
796 radiological physics, or medical nuclear radiological physics;
797 by the American Board of Medical Physics for diagnostic
798 radiological physics, therapeutic radiological physics, or
799 medical nuclear radiological physics; or by the American Board
800 of Health Physics or an equivalent certifying body approved by
801 the department.

802 (k) Upon proof of a completed residency program and receipt
803 of the fee set forth by rule, the department may issue a
804 temporary license for no more than 1 year. The department may
805 adopt by rule requirements for temporary licensure and renewal
806 of temporary licenses.

807 (5)(7) FEES.—The fee for the initial license application
808 shall be \$500 and is nonrefundable. The fee for license renewal
809 may not be more than \$500. These fees may cover only the costs
810 incurred by the department ~~and the council~~ to administer this
811 section. By July 1 each year, the department shall determine
812 ~~advise the council~~ if the fees are insufficient to administer
813 this section.

814 Section 19. Subsection (2) of section 484.047, Florida
815 Statutes, is amended to read:

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816 484.047 Renewal of license.—

817 (2) In addition to the other requirements for renewal
818 provided in this section and by the board, the department shall
819 renew a license upon receipt of the renewal application and, the
820 renewal fee, ~~and a written statement affirming compliance with~~
821 ~~all other requirements set forth in this section and by the~~
822 ~~board.~~ A licensee must maintain, if applicable, a certificate
823 from a manufacturer or independent testing agent certifying that
824 the testing room meets the requirements of s. 484.0501(6) and,
825 if applicable, a certificate from a manufacturer or independent
826 testing agent stating that all audiometric testing equipment
827 used by the licensee has been calibrated acoustically to
828 American National Standards Institute standards on an annual
829 basis ~~acoustically to American National Standards Institute~~
830 ~~standard specifications.~~ Possession of any applicable
831 certificate is ~~the certificates shall be~~ a prerequisite to
832 renewal.

833 Section 20. Subsections (1) and (4) of section 486.109,
834 Florida Statutes, are amended to read:

835 486.109 Continuing education.—

836 (1) The board shall require licensees to ~~periodically~~
837 demonstrate their professional competence as a condition of
838 renewal of a license by completing 24 hours of continuing
839 education biennially.

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

844 Section 21. Paragraph (a) of subsection (15) of section

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845 499.028, Florida Statutes, is amended to read:

846 499.028 Drug samples or complimentary drugs; starter packs;
847 permits to distribute.—

848 (15) A person may not possess a prescription drug sample
849 unless:

850 (a) The drug sample was prescribed to her or him as
851 evidenced by the label required in s. 465.0276(4) ~~s.~~
852 ~~465.0276(5)~~.

853 Section 22. Paragraph (g) of subsection (3) of section
854 921.0022, Florida Statutes, is amended to read:

855 921.0022 Criminal Punishment Code; offense severity ranking
856 chart.—

857 (3) OFFENSE SEVERITY RANKING CHART

858 (g) LEVEL 7

859

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

860

861

862

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disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

863

327.35 (3) (c) 2.

3rd

Vessel BUI resulting in serious bodily injury.

864

402.319 (2)

2nd

Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

865

409.920
(2) (b) 1.a.

3rd

Medicaid provider fraud; \$10,000 or less.

866

409.920
(2) (b) 1.b.

2nd

Medicaid provider fraud; more than \$10,000, but less than \$50,000.

867

456.065 (2)

3rd

Practicing a health care profession without a license.

868

456.065 (2)

2nd

Practicing a health care

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profession without a
license which results in
serious bodily injury.

869

458.327 (1)

3rd

Practicing medicine
without a license.

870

459.013 (1)

3rd

Practicing osteopathic
medicine without a
license.

871

460.411 (1)

3rd

Practicing chiropractic
medicine without a
license.

872

461.012 (1)

3rd

Practicing podiatric
medicine without a
license.

873

462.17

3rd

Practicing naturopathy
without a license.

874

463.015 (1)

3rd

Practicing optometry
without a license.

875

464.016 (1)

3rd

Practicing nursing without
a license.

876

465.015 (2)

3rd

Practicing pharmacy

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without a license.

877

466.026 (1)

3rd

Practicing dentistry or dental hygiene without a license.

878

467.201

3rd

Practicing midwifery without a license.

879

468.366

3rd

Delivering respiratory care services without a license.

880

483.828 (1)

3rd

Practicing as clinical laboratory personnel without a license.

881

483.901 (7) ~~483.901 (9)~~

3rd

Practicing medical physics without a license.

882

484.013 (1) (c)

3rd

Preparing or dispensing optical devices without a prescription.

883

484.053

3rd

Dispensing hearing aids without a license.

884

494.0018 (2)

1st

Conviction of any violation of chapter 494

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in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

885

560.123 (8) (b) 1.

3rd

Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

886

560.125 (5) (a)

3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

887

655.50 (10) (b) 1.

3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

888

775.21 (10) (a)

3rd

Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

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889
890
891
892
893
894

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

775.21 (10) (g)

3rd

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

782.051 (3)

2nd

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

782.07 (1)

2nd

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

782.071

2nd

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

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895	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
896	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
897	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
898	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
899	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
900	784.048 (7)	3rd	Aggravated stalking; violation of court order.
901	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators

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facility staff.

902

784.08 (2) (a)

1st

Aggravated battery on a person 65 years of age or older.

903

784.081 (1)

1st

Aggravated battery on specified official or employee.

904

784.082 (1)

1st

Aggravated battery by detained person on visitor or other detainee.

905

784.083 (1)

1st

Aggravated battery on code inspector.

906

787.06 (3) (a) 2.

1st

Human trafficking using coercion for labor and services of an adult.

907

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.

908

790.07 (4)

1st

Specified weapons

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violation subsequent to
previous conviction of s.
790.07(1) or (2).

909

790.16(1)

1st

Discharge of a machine gun
under specified
circumstances.

910

790.165(2)

2nd

Manufacture, sell,
possess, or deliver hoax
bomb.

911

790.165(3)

2nd

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

912

790.166(3)

2nd

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

913

790.166(4)

2nd

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

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914

790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

915

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.

916

796.05 (1) 1st Live on earnings of a prostitute; 2nd offense.

917

796.05 (1) 1st Live on earnings of a prostitute; 3rd and subsequent offense.

918

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.

919

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation; victim 12 years of age or older but

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younger than 16 years of age; offender 18 years of age or older.

920

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.

921

806.01 (2)

2nd

Maliciously damage structure by fire or explosive.

922

810.02 (3) (a)

2nd

Burglary of occupied dwelling; unarmed; no assault or battery.

923

810.02 (3) (b)

2nd

Burglary of unoccupied dwelling; unarmed; no assault or battery.

924

810.02 (3) (d)

2nd

Burglary of occupied conveyance; unarmed; no assault or battery.

925

810.02 (3) (e)

2nd

Burglary of authorized

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emergency vehicle.

926

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.

927

812.014 (2) (b) 2.

2nd

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

928

812.014 (2) (b) 3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

929

812.014 (2) (b) 4.

2nd

Property stolen, law enforcement equipment from authorized emergency vehicle.

930

812.0145 (2) (a)

1st

Theft from person 65 years of age or older; \$50,000 or more.

931

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932	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
933	812.131 (2) (a)	2nd	Robbery by sudden snatching.
934	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
935	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
936	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
937	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
938	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.

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817.2341

1st

Making false entries of 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.

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

939

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

940

825.102 (3) (b)

2nd

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

941

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.

942

827.03 (2) (b)

2nd

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

943

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944	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
945	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
946	838.015	2nd	Bribery.
947	838.016	2nd	Unlawful compensation or reward for official behavior.
948	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
949	838.22	2nd	Bid tampering.
950	843.0855 (2)	3rd	Impersonation of a public officer or employee.
951	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.

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847.0135 (4) 2nd Traveling to meet a minor to commit an unlawful sex act.

954

872.06 2nd Abuse of a dead human body.

955

874.05 (2) (b) 1st Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

956

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

957

893.13 (1) (c) 1. 1st Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1) (a), (1) (b),

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(1) (d), (2) (a), (2) (b), or
 (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.

958

893.13 (1) (e) 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
 (2) (c) 4., within 1,000
 feet of property used for
 religious services or a
 specified business site.

959

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).

960

893.135 (1) (a) 1.

1st

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

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

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893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

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893.1351 (2)

2nd

Possession of place for trafficking in or manufacturing of controlled substance.

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896.101 (5) (a)

3rd

Money laundering, financial transactions exceeding \$300 but less than \$20,000.

976

896.104 (4) (a) 1.

3rd

Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

977

943.0435 (4) (c)

2nd

Sexual offender vacating permanent residence; failure to comply with reporting requirements.

978

943.0435 (8)

2nd

Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

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943.0435 (9) (a)

3rd

Sexual offender; failure

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to comply with reporting requirements.

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943.0435 (13)

3rd

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

981

943.0435 (14)

3rd

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

982

944.607 (9)

3rd

Sexual offender; failure to comply with reporting requirements.

983

944.607 (10) (a)

3rd

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

984

944.607 (12)

3rd

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

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985

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

986

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

987

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

988

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

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Section 23. This act shall take effect July 1, 2016.