

By the Committees on Appropriations; and Health Policy; and
Senator Richter

576-04213-16

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1 A bill to be entitled

2 An act relating to the Department of Health; amending
3 s. 215.5602, F.S.; revising the reporting requirements
4 for the Biomedical Research Advisory Council under the
5 James and Esther King Biomedical Research Program;
6 revising the reporting requirements for entities that
7 perform or are associated with cancer research or care
8 and that receive a specific appropriation; amending s.
9 381.0034, F.S.; revising the requirements for certain
10 license applications; amending s. 381.82, F.S.;
11 revising the reporting requirements for the
12 Alzheimer's Disease Research Grant Advisory Board
13 under the Ed and Ethel Moore Alzheimer's Disease
14 Research Program; providing for the carryforward of
15 any unexpended balance of an appropriation for the Ed
16 and Ethel Moore Alzheimer's Disease Research Program;
17 amending s. 381.922, F.S.; requiring the Biomedical
18 Research Advisory Council under the William G. "Bill"
19 Bankhead, Jr., and David Coley Cancer Research Program
20 to submit a report to the Legislature; providing
21 reporting requirements; amending s. 384.23, F.S.;
22 requiring the department to designate by rule sexually
23 transmissible diseases; deleting references to
24 specific diseases that may be considered sexually
25 transmissible diseases; amending s. 384.27, F.S.;
26 authorizing certain health care practitioners to
27 provide expedited partner therapy under certain
28 circumstances; authorizing licensed pharmacists to
29 dispense medication to a person diagnosed with a
30 sexually transmissible disease under a prescription
31 written for his or her partner, regardless of whether

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32 the person for whom the prescription was written has
33 been physically examined by the prescribing
34 practitioner; requiring that a pharmacist or a health
35 care practitioner check for allergies before
36 dispensing a prescription or providing medication;
37 authorizing the department to adopt rules; amending s.
38 401.27, F.S.; increasing the length of time a
39 certificate may remain in an inactive status;
40 clarifying the process for reactivating and renewing a
41 certificate in an inactive status; authorizing
42 emergency medical technicians or paramedics that are
43 trained in the military to apply for certification;
44 deleting a requirement that emergency medical
45 technicians or paramedics who are trained outside the
46 state or are trained in the military successfully
47 complete a certification examination; amending s.
48 456.013, F.S.; revising course requirements for
49 obtaining a certain license; amending s. 456.024,
50 F.S.; revising the eligibility criteria for certain
51 members of the Armed Forces of the United States and
52 their spouses to obtain licensure to practice as a
53 health care practitioner in this state; authorizing
54 the spouse of an active duty military member to be
55 licensed as a health care practitioner in this state
56 if he or she meets specified criteria; creating s.
57 456.0241, F.S.; establishing a temporary certificate
58 for active duty health care practitioners; defining
59 terms; authorizing the department to issue a temporary
60 certificate to active duty military health care

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61 practitioners to allow them to practice in specified
62 professions; providing eligibility requirements;
63 requiring the department to verify information
64 submitted in support of establishing eligibility;
65 providing for the automatic expiration of the
66 temporary certificate within a specified time frame;
67 providing for renewal of the temporary certificate if
68 certain conditions are met; providing an exemption
69 from specified requirements to military practitioners
70 who apply for a temporary certificate; providing
71 circumstances under which an applicant is ineligible
72 to receive a temporary certificate; requiring the
73 department to adopt by rule application and renewal
74 fees, which may not exceed a specified amount;
75 requiring the department to adopt necessary rules;
76 amending s. 456.025, F.S.; deleting the requirement
77 for an annual meeting of chairpersons of Division of
78 Medical Quality Assurance boards and councils;
79 deleting the requirement that certain recommendations
80 be included in a report to the Legislature; deleting a
81 requirement that the Department of Health set license
82 fees and recommend fee cap increases in certain
83 circumstances; providing that a profession may operate
84 at a deficit for a certain time period; deleting a
85 provision authorizing the department to advance funds
86 under certain circumstances; deleting a requirement
87 that the department implement an electronic continuing
88 education tracking system; authorizing the department
89 to waive specified costs under certain circumstances;

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90 revising legislative intent; deleting a prohibition
91 against the expenditure of funds by the department
92 from the account of a profession to pay for the
93 expenses of another profession; deleting a requirement
94 that the department include certain information in an
95 annual report to the Legislature; amending s. 456.031,
96 F.S.; providing that certain licensing boards must
97 require specified licensees to complete a specified
98 continuing education course that includes a section on
99 human trafficking as a condition of relicensure or
100 recertification; providing requirements and procedures
101 related to the course; creating s. 456.0361, F.S.;
102 requiring the department to establish an electronic
103 continuing education tracking system; prohibiting the
104 department from renewing a license unless the licensee
105 has complied with all continuing education
106 requirements; authorizing the department to adopt
107 rules; amending s. 456.057, F.S.; revising a provision
108 for a person or an entity appointed by the board to be
109 approved by the department; authorizing the department
110 to contract with a third party to provide record
111 custodian services; amending s. 456.0635, F.S.;
112 deleting a provision on applicability relating to the
113 issuance of licenses; amending s. 457.107, F.S.;
114 deleting a provision authorizing the Board of
115 Acupuncture to request certain documentation from
116 applicants; amending ss. 458.347 and 459.022, F.S.;
117 deleting a requirement that a physician assistant file
118 a signed affidavit with the department; making

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119 technical changes; amending s. 460.402, F.S.;

120 providing an additional exception to licensure

121 requirements for chiropractic physicians; amending s.

122 463.007, F.S.; making technical changes; amending s.

123 464.203, F.S.; revising inservice training

124 requirements for certified nursing assistants;

125 deleting a rulemaking requirement; repealing s.

126 464.2085, F.S., relating to the Council on Certified

127 Nursing Assistants; amending s. 465.0276, F.S.;

128 deleting a requirement that the department inspect

129 certain facilities; amending s. 466.0135, F.S.;

130 deleting a requirement that a dentist file a signed

131 affidavit with the department; deleting a provision

132 authorizing the Board of Dentistry to request certain

133 documentation from applicants; amending s. 466.014,

134 F.S.; deleting a requirement that a dental hygienist

135 file a signed affidavit with the department; deleting

136 a provision authorizing the board to request certain

137 documentation from applicants; amending s. 466.032,

138 F.S.; deleting a requirement that a dental laboratory

139 file a signed affidavit with the department; deleting

140 a provision authorizing the department to request

141 certain documentation from applicants; repealing s.

142 468.1201, F.S., relating to a requirement for

143 instruction on human immunodeficiency virus and

144 acquired immune deficiency syndrome; amending s.

145 483.901, F.S.; deleting provisions relating to the

146 Advisory Council of Medical Physicists in the

147 department; authorizing the department to issue

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148 temporary licenses in certain circumstances;
149 authorizing the department to adopt rules; amending s.
150 484.047, F.S.; deleting a requirement for a written
151 statement from an applicant in certain circumstances;
152 amending s. 486.102, F.S.; deleting references to
153 specific accrediting agencies; amending s. 486.109,
154 F.S.; deleting a provision authorizing the department
155 to conduct a random audit for certain information;
156 amending ss. 499.028 and 921.0022, F.S.; conforming
157 cross-references; providing effective dates.

158
159 Be It Enacted by the Legislature of the State of Florida:

160
161 Section 1. Subsections (10) and (12) of section 215.5602,
162 Florida Statutes, are amended to read:

163 215.5602 James and Esther King Biomedical Research
164 Program.—

165 (10) The council shall submit a fiscal-year progress report
166 on the programs under its purview to the Governor, the State
167 Surgeon General, the President of the Senate, and the Speaker of
168 the House of Representatives by December 15. The report must
169 include:

170 (a) For each ~~A list of~~ research project ~~projects~~ supported
171 by grants or fellowships awarded under the program:—

172 1.(b) A summary list of the research project and results or
173 expected results of the research ~~recipients of program grants or~~
174 ~~fellowships.~~

175 2.(c) The status of the research project, including whether
176 it has concluded or the estimated date of completion.

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177 3. The amount of the grant or fellowship awarded and the
178 estimated or actual cost of the research project.

179 4. A list of the principal investigators on the research
180 project.

181 5. The title, citation, and summary of findings of a
182 publication ~~publications~~ in a peer-reviewed journal resulting
183 from the ~~peer reviewed journals involving research supported by~~
184 ~~grants or fellowships awarded under the program.~~

185 6. ~~(d)~~ The source and amount of any federal, state, or local
186 government grants or donations or private grants or donations
187 generated as a result of the research project.

188 7. The status of a patent, if any, generated from the
189 research project and an economic analysis of the impact of the
190 resulting patent.

191 8. A list of the postsecondary educational institutions
192 involved in the research project, a description of each
193 postsecondary educational institution's involvement in the
194 research project, and the number of students receiving training
195 or performing research in the research project.

196 (b) The state ranking and total amount of biomedical
197 research funding currently flowing into the state from the
198 National Institutes of Health.

199 ~~(c) New grants for biomedical research which were funded~~
200 ~~based on research supported by grants or fellowships awarded~~
201 ~~under the program.~~

202 (c) ~~(f)~~ Progress towards programmatic goals, particularly in
203 the prevention, diagnosis, treatment, and cure of diseases
204 related to tobacco use, including cancer, cardiovascular
205 disease, stroke, and pulmonary disease.

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206 (d) ~~(g)~~ Recommendations to further the mission of the
207 programs.

208 (12) (a) Beginning in the 2011-2012 fiscal year and
209 thereafter, \$25 million from the revenue deposited into the
210 Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7)
211 shall be reserved for research of tobacco-related or cancer-
212 related illnesses. Of the revenue deposited in the Health Care
213 Trust Fund pursuant to this section, \$25 million shall be
214 transferred to the Biomedical Research Trust Fund within the
215 Department of Health. Subject to annual appropriations in the
216 General Appropriations Act, \$5 million shall be appropriated to
217 the James and Esther King Biomedical Research Program, \$5
218 million shall be appropriated to the William G. "Bill" Bankhead,
219 Jr., and David Coley Cancer Research Program created under s.
220 381.922.

221 (b) Beginning July 1, 2014, an entity that ~~which~~ performs
222 or is associated with cancer research or care and that receives
223 a specific appropriation for biomedical research, research-
224 related functions, operations or other supportive functions, or
225 expansion of operations in the General Appropriations Act
226 without statutory reporting requirements for the receipt of
227 those funds, must submit an annual fiscal-year progress report
228 to the President of the Senate and the Speaker of the House of
229 Representatives by December 15. The report must:

230 1. Describe the general use of the funds.

231 2. Summarize ~~Specify~~ the research, if any, funded by the
232 appropriation, and provide:

233 a. The status of the research, including whether the
234 research has concluded.

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235 b. The results or expected results of the research.

236 c. The names of the principal investigators performing the
237 research.

238 d. The title, citation, and summary of findings of a
239 publication in a peer-reviewed journal resulting from the
240 research.

241 e. The status of a patent, if any, generated from the
242 research and an economic analysis of the impact of the resulting
243 patent.

244 f. The list of the postsecondary educational institutions
245 involved in the research, a description of each postsecondary
246 educational institution's involvement in the research, and the
247 number of students receiving training or performing research.

248 3. Describe any fixed capital outlay project funded by the
249 appropriation, the need for the project, how the project will be
250 utilized, and the timeline for and status of the project, if
251 applicable.

252 4. Identify any federal, state, or local government grants
253 or donations or private grants or donations generated as a
254 result of the appropriation or activities funded by the
255 appropriation, if applicable and traceable.

256 Section 2. Subsection (3) of section 381.0034, Florida
257 Statutes, is amended to read:

258 381.0034 Requirement for instruction on HIV and AIDS.—

259 (3) The department shall require, as a condition of
260 granting a license under chapter 467 or part III of chapter 483
261 ~~the chapters specified in subsection (1)~~, that an applicant
262 making initial application for licensure complete an educational
263 course acceptable to the department on human immunodeficiency

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264 virus and acquired immune deficiency syndrome. Upon submission
265 of an affidavit showing good cause, an applicant who has not
266 taken a course at the time of licensure must shall, ~~upon an~~
267 ~~affidavit showing good cause,~~ be allowed 6 months to complete
268 this requirement.

269 Section 3. Subsection (4) of section 381.82, Florida
270 Statutes, is amended and subsection (8) is added to that
271 section, to read:

272 381.82 Ed and Ethel Moore Alzheimer's Disease Research
273 Program.—

274 (4) The board shall submit a fiscal-year progress report on
275 the programs under its purview annually to the Governor, the
276 President of the Senate, the Speaker of the House of
277 Representatives, and the State Surgeon General by February 15.
278 The report must include:

279 (a) For each A list of research project projects supported
280 by grants or fellowships awarded under the program:—

281 1. ~~(b)~~ A summary list of the research project and results or
282 expected results of the research recipients of program grants or
283 fellowships.

284 2. ~~(e)~~ The status of the research project, including whether
285 it has concluded or the estimated date of completion.

286 3. The amount of the grant or fellowship awarded and the
287 estimated or actual cost of the research project.

288 4. A list of the principal investigators on the research
289 project.

290 5. The title, citation, and summary of findings of a
291 publication publications in a peer-reviewed journal resulting
292 from the journals involving research supported by grants or

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293 ~~fellows~~hips awarded under the program.

294 6. (d) The source and amount of any federal, state, or local
295 government grants or donations or private grants or donations
296 generated as a result of the research project.

297 7. The status of a patent, if any, generated from the
298 research project and an economic analysis of the impact of the
299 resulting patent.

300 8. A list of postsecondary educational institutions
301 involved in the research project, a description of each
302 postsecondary educational institution's involvement in the
303 research project, and the number of students receiving training
304 or performing research under the research project.

305 (b) The state ranking and total amount of Alzheimer's
306 disease research funding currently flowing into the state from
307 the National Institutes of Health.

308 ~~(c) New grants for Alzheimer's disease research which were~~
309 ~~funded based on research supported by grants or fellowships~~
310 ~~awarded under the program.~~

311 (c) (f) Progress toward programmatic goals, particularly in
312 the prevention, diagnosis, treatment, and cure of Alzheimer's
313 disease.

314 (d) (g) Recommendations to further the mission of the
315 program.

316 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
317 the balance of any appropriation from the General Revenue Fund
318 for the Ed and Ethel Moore Alzheimer's Disease Research Program
319 which is not disbursed but which is obligated pursuant to
320 contract or committed to be expended by June 30 of the fiscal
321 year in which the funds are appropriated may be carried forward

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322 for up to 5 years after the effective date of the original
323 appropriation.

324 Section 4. Subsection (6) is added to section 381.922,
325 Florida Statutes, to read:

326 381.922 William G. "Bill" Bankhead, Jr., and David Coley
327 Cancer Research Program.—

328 (6) The Biomedical Research Advisory Council shall submit a
329 report relating to grants awarded under the program to the
330 Governor, the President of the Senate, and the Speaker of the
331 House of Representatives by December 15 each year. The report
332 must include:

333 (a) For each research project supported by grants awarded
334 under the program:

335 1. A summary of the research project and results or
336 expected results of the research.

337 2. The status of the research project, including whether it
338 has concluded or the estimated date of completion.

339 3. The amount of the grant awarded and the estimated or
340 actual cost of the research project.

341 4. A list of the principal investigators on the research
342 project.

343 5. The title, citation, and summary of findings of a
344 publication in a peer-reviewed journal resulting from the
345 research.

346 6. The source and amount of any federal, state, or local
347 government grants or donations or private grants or donations
348 generated as a result of the research project.

349 7. The status of a patent, if any, generated from the
350 research project and an economic analysis of the impact of the

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351 resulting patent.

352 8. A list of the postsecondary educational institutions
353 involved in the research project, a description of each
354 postsecondary educational institution's involvement in the
355 research project, and the number of students receiving training
356 or performing research in the research project.

357 (b) The state ranking and total amount of cancer research
358 funding currently flowing into the state from the National
359 Institutes of Health.

360 (c) Progress toward programmatic goals, particularly in the
361 prevention, diagnosis, treatment, and cure of cancer.

362 (d) Recommendations to further the mission of the program.

363 Section 5. Subsection (3) of section 384.23, Florida
364 Statutes, is amended to read:

365 384.23 Definitions.—

366 (3) "Sexually transmissible disease" means a bacterial,
367 viral, fungal, or parasitic disease, determined by rule of the
368 department to be sexually transmissible, to be a threat to the
369 public health and welfare, and to be a disease for which a
370 legitimate public interest will be served by providing for
371 prevention, elimination, control, ~~regulation~~ and treatment. The
372 department must, by rule, determine ~~In considering~~ which
373 diseases are to be designated as sexually transmissible
374 diseases, ~~the department shall consider such diseases as~~
375 ~~chaneroid, gonorrhoea, granuloma inguinale, lymphogranuloma~~
376 ~~venereum, genital herpes simplex, chlamydia, nongonococcal~~
377 ~~urethritis (NGU), pelvic inflammatory disease (PID)/acute~~
378 ~~salpingitis, syphilis, and human immune deficiency virus~~
379 ~~infection for designation,~~ and shall consider the

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380 recommendations and classifications of the Centers for Disease
381 Control and Prevention ~~centers for disease control~~ and other
382 nationally recognized medical authorities in making that
383 determination. Not all diseases that are sexually transmissible
384 need be designated for the purposes of this act.

385 Section 6. Subsection (7) is added to section 384.27,
386 Florida Statutes, to read:

387 384.27 Physical examination and treatment.—

388 (7) (a) A health care practitioner licensed under chapter
389 458 or chapter 459 or certified under s. 464.012 may provide
390 expedited partner therapy if the following requirements are met:

391 1. The patient has a laboratory-confirmed or suspected
392 clinical diagnosis of a sexually transmissible disease;

393 2. The patient indicates that he or she has a partner with
394 whom the patient has engaged in sexual activity before the
395 diagnosis of the sexually transmissible disease; and

396 3. The patient indicates that his or her partner is unable
397 or unlikely to seek clinical services in a timely manner.

398 (b) A pharmacist licensed under chapter 465 may dispense
399 medication for a person diagnosed with a sexually transmissible
400 disease pursuant to a prescription to treat that person's
401 partner, regardless of whether the person's partner has been
402 personally examined by the prescribing health care practitioner.

403 (c) A pharmacist or health care practitioner must check for
404 potential allergic reactions, in accordance with the prevailing
405 professional standard of care, before dispensing a prescription
406 or providing a medication.

407 (d) The department may adopt rules to implement this
408 subsection.

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409 Section 7. Subsections (8) and (12) of section 401.27,
410 Florida Statutes, are amended to read:

411 401.27 Personnel; standards and certification.—

412 (8) Each emergency medical technician certificate and each
413 paramedic certificate will expire automatically and may be
414 renewed if the holder meets the qualifications for renewal as
415 established by the department. A certificate that is not renewed
416 at the end of the 2-year period will automatically revert to an
417 inactive status for a period not to exceed two renewal periods
418 ~~180 days~~. Such certificate may be reactivated and renewed within
419 the two renewal periods ~~180 days~~ if the certificateholder meets
420 all other qualifications for renewal, including continuing
421 education requirements, and pays a \$25 late fee. The
422 certificateholder also must pass the certification examination
423 to reactivate the certificate during the second of the two
424 renewal periods. Reactivation shall be in a manner and on forms
425 prescribed by department rule.

426 (12) An applicant for certification as an emergency medical
427 technician or paramedic who is trained outside the state or
428 trained in the military must provide proof of current emergency
429 medical technician or paramedic certification or registration
430 that is considered by the department to be nationally
431 recognized, successfully complete ~~based upon successful~~
432 ~~completion of~~ a training program approved by the department as
433 equivalent to the most recent EMT-Basic or EMT-Paramedic
434 National Standard Curriculum or the National EMS Education
435 Standards of the United States Department of Transportation, and
436 hold a current certificate of successful course completion in
437 cardiopulmonary resuscitation (CPR) or advanced cardiac life

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438 support for emergency medical technicians or paramedics,
439 respectively, to be eligible for the certification examination.
440 ~~The applicant must successfully complete the certification~~
441 ~~examination within 2 years after the date of the receipt of his~~
442 ~~or her application by the department. After 2 years, the~~
443 ~~applicant must submit a new application, meet all eligibility~~
444 ~~requirements, and submit all fees to reestablish eligibility to~~
445 ~~take the certification examination.~~

446 Section 8. Subsection (7) of section 456.013, Florida
447 Statutes, is amended to read:

448 456.013 Department; general licensing provisions.—

449 (7) The boards, or the department when there is no board,
450 shall require the completion of a 2-hour course relating to
451 prevention of medical errors as part of the biennial licensure
452 and renewal process. The 2-hour course counts toward ~~shall count~~
453 ~~towards~~ the total number of continuing education hours required
454 for the profession. The course must ~~shall~~ be approved by the
455 board or department, as appropriate, and must ~~shall~~ include a
456 study of root-cause analysis, error reduction and prevention,
457 and patient safety. In addition, the course approved by the
458 Board of Medicine and the Board of Osteopathic Medicine must
459 ~~shall~~ include information relating to the five most misdiagnosed
460 conditions during the previous biennium, as determined by the
461 board. If the course is being offered by a facility licensed
462 pursuant to chapter 395 for its employees, the board may approve
463 up to 1 hour of the 2-hour course to be specifically related to
464 error reduction and prevention methods used in that facility.

465 Section 9. Subsection (3) of section 456.024, Florida
466 Statutes, is amended to read:

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467 456.024 Members of Armed Forces in good standing with
468 administrative boards or the department; spouses; licensure.—

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

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

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

477 3. Is a health care practitioner, other than a dentist, in
478 another state, the District of Columbia, or a possession or
479 territory of the United States and is the spouse of a person
480 serving on active duty with the United States Armed Forces ~~is~~
481 ~~eligible for licensure in this state.~~

482
483 The department shall develop an application form, and each
484 board, or the department if there is no board, shall waive the
485 application fee, licensure fee, and unlicensed activity fee for
486 such applicants. For purposes of this subsection, "health care
487 practitioner" means a health care practitioner as defined in s.
488 456.001 and a person licensed under part III of chapter 401 or
489 part IV of chapter 468.

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

492 1. Submits a complete application.

493 2. If he or she is member of the United States Armed
494 Forces, the United States Reserve Forces, or the National Guard,
495 submits proof that he or she has received ~~Receives~~ an honorable

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496 discharge within 6 months before, or will receive an honorable
497 discharge within 6 months after, the date of submission of the
498 application.

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

504 b. Is a military health care practitioner in a profession
505 for which licensure in a state or jurisdiction is not required
506 to practice in the United States Armed Forces, if he or she
507 submits to the department evidence of military training or
508 experience substantially equivalent to the requirements for
509 licensure in this state in that profession and evidence that he
510 or she has obtained a passing score on the appropriate
511 examination of a national or regional standards organization if
512 required for licensure in this state; or

513 c. Is the spouse of a person serving on active duty in the
514 United States Armed Forces and is a health care practitioner in
515 a profession, excluding dentistry, for which licensure in
516 another state or jurisdiction is not required, if he or she
517 submits to the department evidence of training or experience
518 substantially equivalent to the requirements for licensure in
519 this state in that profession and evidence that he or she has
520 obtained a passing score on the appropriate examination of a
521 national or regional standards organization if required for
522 licensure in this state.

523 4. Attests that he or she is not, at the time of submission
524 of the application, the subject of a disciplinary proceeding in

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525 a jurisdiction in which he or she holds a license or by the
526 United States Department of Defense for reasons related to the
527 practice of the profession for which he or she is applying.

528 5. Actively practiced the profession for which he or she is
529 applying for the 3 years preceding the date of submission of the
530 application.

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

534

535 The department shall verify information submitted by the
536 applicant under this subsection using the National Practitioner
537 Data Bank.

538 (c)~~(b)~~ Each applicant who meets the requirements of this
539 subsection shall be licensed with all rights and
540 responsibilities as defined by law. The applicable board, or the
541 department if there is no board, may deny an application if the
542 applicant has been convicted of or pled guilty or nolo
543 contendere to, regardless of adjudication, any felony or
544 misdemeanor related to the practice of a health care profession
545 regulated by this state.

546 (d)~~(e)~~ An applicant for initial licensure under this
547 subsection must submit the information required by ss.
548 456.039(1) and 456.0391(1) no later than 1 year after the
549 license is issued.

550 Section 10. Section 456.0241, Florida Statutes, is created
551 to read:

552 456.0241 Temporary certificate for active duty military
553 health care practitioners.-

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

555 (a) "Military health care practitioner" means a person who
556 is practicing as a health care practitioner as that term is
557 defined in s. 456.001, is licensed under part III of chapter
558 401, or is licensed under part IV of chapter 468 and is serving
559 on active duty in the United States Armed Forces, the United
560 States Reserve Forces, or the National Guard, or is serving on
561 active duty in the United States Armed Forces and in the United
562 States Public Health Service.

563 (b) "Military platform" means a military training agreement
564 with a nonmilitary health care provider which is designed to
565 develop and support medical, surgical, or other health care
566 treatment opportunities in the nonmilitary health care provider
567 setting so that military health care practitioners may develop
568 and maintain technical proficiency to meet the present and
569 future health care needs of the United States Armed Forces. Such
570 agreements may include training affiliation agreements and
571 external resource sharing agreements.

572 (2) The department may issue a temporary certificate to an
573 active duty military health care practitioner to practice in a
574 regulated profession, as that term is defined in s. 456.001, if
575 the applicant meets all of the following requirements:

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

578 (b) Submits a complete application and a nonrefundable
579 application fee.

580 (c) Holds a valid and unencumbered license to practice as a
581 health care professional in another state, the District of
582 Columbia, or a possession or territory of the United States or

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583 is a military health care practitioner in a profession for which
584 licensure in a state or jurisdiction is not required for
585 practice in the United States Armed Services and who provides
586 evidence of military training and experience substantially
587 equivalent to the requirements for licensure in this state to
588 practice in that profession.

589 (d) Attests that he or she is not, at the time of
590 application, the subject of a disciplinary proceeding in a
591 jurisdiction in which he or she holds a license or by the United
592 States Department of Defense for reasons related to the practice
593 of the profession for which he or she is applying for a
594 temporary certificate.

595 (e) Has been determined to be competent in the profession
596 for which he or she is applying for a temporary certificate.

597 (f) Submits a set of fingerprints for a background
598 screening pursuant to s. 456.0135, if required by the profession
599 for which he or she is applying for a temporary certificate.

600
601 The department shall verify information submitted by the
602 applicant under this subsection using the National Practitioner
603 Data Bank.

604 (3) A temporary certificate issued under this section
605 expires 6 months after issuance but may be renewed upon proof of
606 continuing orders in this state and evidence that the military
607 health care practitioner continues to be a military platform
608 participant.

609 (4) A military health care practitioner applying under this
610 section is exempt from the requirements of ss. 456.039-456.046.
611 All other provisions of chapter 456 apply.

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612 (5) An applicant for a temporary certificate under this
613 section shall be deemed ineligible if the applicant:

614 (a) Has been convicted of or pled nolo contendere to,
615 regardless of adjudication, a felony or misdemeanor related to
616 the practice of a health care profession.

617 (b) Has had a health care provider license revoked or
618 suspended in another state, the District of Columbia, or a
619 possession or territory of the United States.

620 (c) Has failed to obtain a passing score on the Florida
621 licensure examination required to practice the profession for
622 which the applicant is seeking a temporary certificate.

623 (d) Is under investigation in another jurisdiction for an
624 act that would constitute a violation of the applicable
625 licensing chapter or chapter 456 until such time as the
626 investigation is complete and the military health care
627 practitioner is found innocent of all charges.

628 (6) The department shall establish by rule application and
629 renewal fees not to exceed \$50 for a temporary certificate
630 issued under this section.

631 (7) Application must be made on a form prepared and
632 furnished by the department.

633 (8) The department shall adopt rules necessary to implement
634 the provisions of this section.

635 Section 11. Present subsections (3) through (11) of section
636 456.025, Florida Statutes, are redesignated as subsections (2)
637 through (10), respectively, and present subsections (2), (3),
638 (7), and (8) of that section are amended, to read:

639 456.025 Fees; receipts; disposition.—

640 ~~(2) The chairpersons of the boards and councils listed in~~

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641 ~~s. 20.43(3)(g) shall meet annually at division headquarters to~~
642 ~~review the long-range policy plan required by s. 456.005 and~~
643 ~~current and proposed fee schedules. The chairpersons shall make~~
644 ~~recommendations for any necessary statutory changes relating to~~
645 ~~fees and fee caps. Such recommendations shall be compiled by the~~
646 ~~Department of Health and be included in the annual report to the~~
647 ~~Legislature required by s. 456.026 as well as be included in the~~
648 ~~long-range policy plan required by s. 456.005.~~

649 (2)~~(3)~~ Each board within the jurisdiction of the
650 department, or the department when there is no board, shall
651 determine by rule the amount of license fees for the profession
652 it regulates, based upon long-range estimates prepared by the
653 department of the revenue required to implement laws relating to
654 the regulation of professions by the department and the board.
655 Each board, or the department if there is no board, shall ensure
656 that license fees are adequate to cover all anticipated costs
657 and to maintain a reasonable cash balance, as determined by rule
658 of the agency, with advice of the applicable board. ~~If~~
659 ~~sufficient action is not taken by a board within 1 year after~~
660 ~~notification by the department that license fees are projected~~
661 ~~to be inadequate, the department shall set license fees on~~
662 ~~behalf of the applicable board to cover anticipated costs and to~~
663 ~~maintain the required cash balance. The department shall include~~
664 ~~recommended fee cap increases in its annual report to the~~
665 ~~Legislature. Further, it is the intent of the Legislature~~
666 ~~legislative intent that a no regulated profession not operate~~
667 ~~with a negative cash balance. If, however, a profession's fees~~
668 ~~are at their statutory fee cap and the requirements of~~
669 ~~subsections (1) and (4) are met, a profession may operate at a~~

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670 ~~deficit until the deficit is eliminated~~ ~~The department may~~
671 ~~provide by rule for advancing sufficient funds to any profession~~
672 ~~operating with a negative cash balance. The advancement may be~~
673 ~~for a period not to exceed 2 consecutive years, and the~~
674 ~~regulated profession must pay interest. Interest shall be~~
675 ~~calculated at the current rate earned on investments of a trust~~
676 ~~fund used by the department to implement this chapter. Interest~~
677 ~~earned shall be allocated to the various funds in accordance~~
678 ~~with the allocation of investment earnings during the period of~~
679 ~~the advance.~~

680 (6) ~~(7)~~ Each board, or the department if there is no board,
681 shall establish ~~7~~ by rule ~~7~~ a fee of up to ~~not to exceed~~ \$250 for
682 anyone seeking ~~approval~~ to provide continuing education courses
683 or programs and ~~shall establish by rule~~ a biennial renewal fee
684 of up to ~~not to exceed~~ \$250 for the renewal of an approval to
685 provide providership ~~of~~ such courses. The fees collected ~~from~~
686 ~~continuing education providers~~ shall be used for the purposes of
687 reviewing course provider applications, monitoring the integrity
688 of the courses provided, covering legal expenses incurred as a
689 result of not granting or renewing an approval ~~a providership~~,
690 and developing and maintaining an electronic continuing
691 education tracking system pursuant to s. 456.0361. ~~The~~
692 ~~department shall implement an electronic continuing education~~
693 ~~tracking system for each new biennial renewal cycle for which~~
694 ~~electronic renewals are implemented after the effective date of~~
695 ~~this act and shall integrate such system into the licensure and~~
696 ~~renewal system.~~ All approved continuing education providers
697 shall provide information on course attendance to the department
698 necessary to implement the electronic tracking system. The

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699 department shall, by rule, specify the form and procedures by
700 which the information is to be submitted.

701 (7)~~(8)~~ All moneys collected by the department from fees or
702 fines or from costs awarded to the agency by a court shall be
703 paid into a trust fund used by the department to implement this
704 chapter. The Legislature shall appropriate funds from this trust
705 fund sufficient to administer ~~carry out~~ this chapter and the
706 provisions of law with respect to professions regulated by the
707 Division of Medical Quality Assurance within the department and
708 the boards. The department may contract with public and private
709 entities to receive and deposit revenue pursuant to this
710 section. The department shall maintain separate accounts in the
711 trust fund used by the department to implement this chapter for
712 every profession within the department. To the maximum extent
713 possible, the department shall directly charge all expenses to
714 the account of each regulated profession. For the purpose of
715 this subsection, direct charge expenses include, but are not
716 limited to, costs for investigations, examinations, and legal
717 services. For expenses that cannot be charged directly, the
718 department shall provide for the proportionate allocation among
719 the accounts of expenses incurred by the department in the
720 performance of its duties with respect to each regulated
721 profession. If a profession has established renewal fees that
722 meet the requirements of subsection (1), has fees that are at
723 the statutory fee cap, and has been operating in a deficit for 2
724 or more fiscal years, the department may waive allocated
725 administrative and operational indirect costs until such time as
726 the profession has a positive cash balance. The costs related to
727 administration and operations include, but are not limited to,

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728 the costs of the director's office and the costs of system
729 support, communications, central records, and other such
730 administrative functions. Such waived costs shall be allocated
731 to the other professions that must meet the requirements of this
732 section, and cash in the unlicensed activity account under s.
733 456.065 of the profession whose costs have been waived shall be
734 transferred to the operating account in an amount not to exceed
735 the amount of the deficit. The regulation by the department of
736 professions, as defined in this chapter, must ~~shall~~ be financed
737 solely from revenue collected by the department ~~it~~ from fees and
738 other charges and deposited in the Medical Quality Assurance
739 Trust Fund, and all such revenue is hereby appropriated to the
740 department, which. ~~However, it is legislative intent that each~~
741 ~~profession shall operate within its anticipated fees. The~~
742 ~~department may not expend funds from the account of a profession~~
743 ~~to pay for the expenses incurred on behalf of another~~
744 ~~profession, except that the Board of Nursing must pay for any~~
745 ~~costs incurred in the regulation of certified nursing~~
746 ~~assistants. The department shall maintain adequate records to~~
747 ~~support its allocation of agency expenses. The department shall~~
748 ~~provide any board with reasonable access to these records upon~~
749 ~~request. On or before October 1 of each year, the department~~
750 ~~shall provide each board an annual report of revenue and direct~~
751 ~~and allocated expenses related to the operation of that~~
752 ~~profession. The board shall use these reports and the~~
753 ~~department's adopted long-range plan to determine the amount of~~
754 ~~license fees. A condensed version of this information, with the~~
755 ~~department's recommendations, shall be included in the annual~~
756 ~~report to the Legislature prepared under s. 456.026.~~

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757 Section 12. Effective July 1, 2017, section 456.031,
758 Florida Statutes, is amended to read:

759 456.031 Requirement for instruction on domestic violence
760 and human trafficking.-

761 (1) (a) The appropriate board shall require each person
762 licensed or certified under chapter 458, chapter 459, part I of
763 chapter 464, chapter 466, chapter 467, chapter 490, or chapter
764 491 to complete a 2-hour continuing education course, approved
765 by the board, on domestic violence, as defined in s. 741.28, and
766 on human trafficking, as defined in s. 787.06(2), as part of
767 every third biennial relicensure or recertification.

768 1. The domestic violence section of the course must ~~shall~~
769 consist of data and information on the number of patients in
770 that professional's practice who are likely to be victims of
771 domestic violence and the number who are likely to be
772 perpetrators of domestic violence, screening procedures for
773 determining whether a patient has any history of being either a
774 victim or a perpetrator of domestic violence, and instruction on
775 how to provide such patients with information on, or how to
776 refer such patients to, resources in the local community, such
777 as domestic violence centers and other advocacy groups, that
778 provide legal aid, shelter, victim counseling, batterer
779 counseling, or child protection services.

780 2. The human trafficking section of the course must consist
781 of data and information on the types of human trafficking, such
782 as labor and sex, and the extent of human trafficking; factors
783 that place a person at greater risk for being a victim of human
784 trafficking; management of medical records of patients who are
785 human trafficking victims; patient safety and security; public

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786 and private social services available for rescue, food,
787 clothing, and shelter referrals; hotlines for reporting human
788 trafficking maintained by the National Human Trafficking
789 Resource Center and the United States Department of Homeland
790 Security; validated assessment tools for identifying human
791 trafficking victims and general indicators that a person may be
792 a victim of human trafficking; procedures for sharing
793 information related to human trafficking with a patient; and
794 referral options for legal and social services.

795 (b) Each ~~such~~ licensee or certificateholder shall submit
796 confirmation of having completed the continuing education ~~such~~
797 course, on a form provided by the board, when submitting fees
798 for every third biennial relicensure or recertification ~~renewal~~.

799 (c) The board may approve additional equivalent courses
800 that may be used to satisfy the requirements of paragraph (a).
801 Each licensing board that requires a licensee to complete a
802 continuing ~~an~~ educational course pursuant to this subsection may
803 include the hours ~~hour~~ required for completion of the course in
804 the total hours of continuing education required by law for the
805 ~~such~~ profession, unless the continuing education requirements
806 for the ~~such~~ profession consist of fewer than 30 hours of
807 continuing education biennially.

808 (d) Any person holding two or more licenses subject to ~~the~~
809 ~~provisions of~~ this subsection shall be permitted to show proof
810 of completion of ~~having taken~~ one board-approved course on
811 domestic violence and human trafficking, for purposes of
812 relicensure or recertification for additional licenses.

813 (e) Failure to comply with the requirements of this
814 subsection shall constitute grounds for disciplinary action

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815 under each respective practice act and under s. 456.072(1)(k).
816 In addition to discipline by the board, the licensee shall be
817 required to complete the board-approved ~~such~~ course under this
818 subsection.

819 (2) Each board may adopt rules to carry out the provisions
820 of this section.

821 Section 13. Section 456.0361, Florida Statutes, is created
822 to read:

823 456.0361 Compliance with continuing education
824 requirements.-

825 (1) The department shall establish an electronic continuing
826 education tracking system to monitor licensee compliance with
827 applicable continuing education requirements and to determine
828 whether a licensee is in full compliance with the requirements
829 at the time of his or her application for license renewal. The
830 tracking system shall be integrated into the department's
831 licensure and renewal process.

832 (2) The department may not renew a license until the
833 licensee complies with all applicable continuing education
834 requirements. This subsection does not prohibit the department
835 or the boards from imposing additional penalties under the
836 applicable professional practice act or applicable rules for
837 failure to comply with continuing education requirements.

838 (3) The department may adopt rules to implement this
839 section.

840 Section 14. Subsection (20) of section 456.057, Florida
841 Statutes, is amended to read:

842 456.057 Ownership and control of patient records; report or
843 copies of records to be furnished; disclosure of information.-

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844 (20) The board with department approval, or the department
845 when there is no board, may temporarily or permanently appoint a
846 person or an entity as a custodian of medical records in the
847 event of the death of a practitioner, the mental or physical
848 incapacitation of a ~~the~~ practitioner, or the abandonment of
849 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~
850 shall comply with ~~all provisions of this section~~. The department
851 may contract with a third party to provide these services under
852 the confidentiality and disclosure requirements of this section,
853 ~~including the release of patient records.~~

854 Section 15. Subsection (2) of section 456.0635, Florida
855 Statutes, is amended to read:

856 456.0635 Health care fraud; disqualification for license,
857 certificate, or registration.—

858 (2) Each board within the jurisdiction of the department,
859 or the department if there is no board, shall refuse to admit a
860 candidate to any examination and refuse to issue a license,
861 certificate, or registration to any applicant if the candidate
862 or applicant or any principal, officer, agent, managing
863 employee, or affiliated person of the applicant:

864 (a) Has been convicted of, or entered a plea of guilty or
865 nolo contendere to, regardless of adjudication, a felony under
866 chapter 409, chapter 817, or chapter 893, or a similar felony
867 offense committed in another state or jurisdiction, unless the
868 candidate or applicant has successfully completed a drug court
869 program for that felony and provides proof that the plea has
870 been withdrawn or the charges have been dismissed. Any such
871 conviction or plea shall exclude the applicant or candidate from
872 licensure, examination, certification, or registration unless

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873 the sentence and any subsequent period of probation for such
874 conviction or plea ended:

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

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

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

882 (b) Has been convicted of, or entered a plea of guilty or
883 nolo contendere to, regardless of adjudication, a felony under
884 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the
885 sentence and any subsequent period of probation for such
886 conviction or plea ended more than 15 years before the date of
887 the application;

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

892 (d) Has been terminated for cause, pursuant to the appeals
893 procedures established by the state, from any other state
894 Medicaid program, unless the candidate or applicant has been in
895 good standing with a state Medicaid program for the most recent
896 5 years and the termination occurred at least 20 years before
897 the date of the application; or

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

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902 ~~This subsection does not apply to candidates or applicants for~~
903 ~~initial licensure or certification who were enrolled in an~~
904 ~~educational or training program on or before July 1, 2009, which~~
905 ~~was recognized by a board or, if there is no board, recognized~~
906 ~~by the department, and who applied for licensure after July 1,~~
907 ~~2012.~~

908 Section 16. Subsection (3) of section 457.107, Florida
909 Statutes, is amended to read:

910 457.107 Renewal of licenses; continuing education.—

911 (3) The board shall ~~by rule~~ prescribe by rule continuing
912 education requirements of up to, ~~not to exceed~~ 30 hours
913 biennially, as a condition for renewal of a license. All
914 education programs that contribute to the advancement,
915 extension, or enhancement of professional skills and knowledge
916 related to the practice of acupuncture, whether conducted by a
917 nonprofit or profitmaking entity, are eligible for approval. The
918 continuing professional education requirements must be in
919 acupuncture or oriental medicine subjects, including, but not
920 limited to, anatomy, biological sciences, adjunctive therapies,
921 sanitation and sterilization, emergency protocols, and diseases.
922 The board may ~~shall have the authority to~~ set a fee of up to,
923 ~~not to exceed~~ \$100, for each continuing education provider. The
924 licensee shall retain in his or her records the certificates of
925 completion of continuing professional education requirements ~~to~~
926 ~~prove compliance with this subsection. The board may request~~
927 ~~such documentation without cause from applicants who are~~
928 ~~selected at random.~~ All national and state acupuncture and
929 oriental medicine organizations and acupuncture and oriental
930 medicine schools are approved to provide continuing professional

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931 education in accordance with this subsection.

932 Section 17. Paragraph (e) of subsection (4) of section
933 458.347, Florida Statutes, is amended to read:

934 458.347 Physician assistants.—

935 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

936 (e) A supervisory physician may delegate to a fully
937 licensed physician assistant the authority to prescribe or
938 dispense any medication used in the supervisory physician's
939 practice unless such medication is listed on the formulary
940 created pursuant to paragraph (f). A fully licensed physician
941 assistant may only prescribe or dispense such medication under
942 the following circumstances:

943 1. A physician assistant must clearly identify to the
944 patient that he or she is a physician assistant and.
945 ~~Furthermore, the physician assistant must~~ inform the patient
946 that the patient has the right to see the physician before a
947 ~~prior to any~~ prescription is being prescribed or dispensed by
948 the physician assistant.

949 2. The supervisory physician must notify the department of
950 his or her intent to delegate, on a department-approved form,
951 before delegating such authority and ~~notify the department~~ of
952 any change in prescriptive privileges of the physician
953 assistant. Authority to dispense may be delegated only by a
954 supervising physician who is registered as a dispensing
955 practitioner in compliance with s. 465.0276.

956 3. The physician assistant must complete ~~file with the~~
957 ~~department a signed affidavit that he or she has completed~~ a
958 minimum of 10 continuing medical education hours in the
959 specialty practice in which the physician assistant has

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960 prescriptive privileges with each licensure renewal ~~application~~.

961 4. The department may issue a prescriber number to the
962 physician assistant granting authority for the prescribing of
963 medicinal drugs authorized within this paragraph upon completion
964 of the ~~foregoing~~ requirements of this paragraph. The physician
965 assistant ~~is shall~~ not be required to independently register
966 pursuant to s. 465.0276.

967 5. The prescription must be written in a form that complies
968 with chapter 499 and, in addition to the supervisory physician's
969 name, address, and telephone number, must contain, ~~in addition~~
970 ~~to the supervisory physician's name, address, and telephone~~
971 ~~number,~~ the physician assistant's prescriber number. Unless it
972 is a drug or drug sample dispensed by the physician assistant,
973 the prescription must be filled in a pharmacy permitted under
974 chapter 465 and must be dispensed in that pharmacy by a
975 pharmacist licensed under chapter 465. The inclusion ~~appearance~~
976 of the prescriber number creates a presumption that the
977 physician assistant is authorized to prescribe the medicinal
978 drug and the prescription is valid.

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

981 Section 18. Paragraph (e) of subsection (4) of section
982 459.022, Florida Statutes, is amended to read:

983 459.022 Physician assistants.—

984 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

985 (e) A supervisory physician may delegate to a fully
986 licensed physician assistant the authority to prescribe or
987 dispense any medication used in the supervisory physician's
988 practice unless such medication is listed on the formulary

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989 created pursuant to s. 458.347. A fully licensed physician
990 assistant may only prescribe or dispense such medication under
991 the following circumstances:

992 1. A physician assistant must clearly identify to the
993 patient that she or he is a physician assistant and.
994 ~~Furthermore, the physician assistant must~~ inform the patient
995 that the patient has the right to see the physician before a
996 ~~prior to any~~ prescription is being prescribed or dispensed by
997 the physician assistant.

998 2. The supervisory physician must notify the department of
999 her or his intent to delegate, on a department-approved form,
1000 before delegating such authority and ~~notify the department~~ of
1001 any change in prescriptive privileges of the physician
1002 assistant. Authority to dispense may be delegated only by a
1003 supervisory physician who is registered as a dispensing
1004 practitioner in compliance with s. 465.0276.

1005 3. The physician assistant must complete file with the
1006 ~~department a signed affidavit that she or he has completed~~ a
1007 minimum of 10 continuing medical education hours in the
1008 specialty practice in which the physician assistant has
1009 prescriptive privileges with each licensure renewal ~~application~~.

1010 4. The department may issue a prescriber number to the
1011 physician assistant granting authority for the prescribing of
1012 medicinal drugs authorized within this paragraph upon completion
1013 of the ~~foregoing~~ requirements of this paragraph. The physician
1014 assistant is ~~shall~~ not ~~be~~ required to independently register
1015 pursuant to s. 465.0276.

1016 5. The prescription must be written in a form that complies
1017 with chapter 499 and, in addition to the supervisory physician's

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1018 ~~name, address, and telephone number,~~ must contain, ~~in addition~~
1019 ~~to the supervisory physician's name, address, and telephone~~
1020 ~~number,~~ the physician assistant's prescriber number. Unless it
1021 is a drug or drug sample dispensed by the physician assistant,
1022 the prescription must be filled in a pharmacy permitted under
1023 chapter 465, and must be dispensed in that pharmacy by a
1024 pharmacist licensed under chapter 465. The inclusion ~~appearance~~
1025 of the prescriber number creates a presumption that the
1026 physician assistant is authorized to prescribe the medicinal
1027 drug and the prescription is valid.

1028 6. The physician assistant must note the prescription or
1029 dispensing of medication in the appropriate medical record.

1030 Section 19. Subsection (7) is added to section 460.402,
1031 Florida Statutes, to read:

1032 460.402 Exceptions.—The provisions of this chapter shall
1033 not apply to:

1034 (7) A chiropractic physician who holds an active license in
1035 another jurisdiction and is performing chiropractic procedures
1036 or demonstrating equipment or supplies for educational purposes
1037 at a board-approved continuing education program.

1038 Section 20. Subsection (3) of section 463.007, Florida
1039 Statutes, is amended to read:

1040 463.007 Renewal of license; continuing education.—

1041 (3) As a condition of license renewal, a licensee must
1042 ~~Unless otherwise provided by law, the board shall require~~
1043 ~~licensees to periodically demonstrate~~ his or her ~~their~~
1044 professional competence, ~~as a condition of renewal of a license,~~
1045 by completing up to 30 hours of continuing education during the
1046 2-year period preceding license renewal. For certified

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1047 optometrists, the 30-hour continuing education requirement
1048 includes ~~shall include~~ 6 or more hours of approved transcript-
1049 quality coursework in ocular and systemic pharmacology and the
1050 diagnosis, treatment, and management of ocular and systemic
1051 conditions and diseases during the 2-year period preceding
1052 application for license renewal.

1053 Section 21. Subsection (7) of section 464.203, Florida
1054 Statutes, is amended to read:

1055 464.203 Certified nursing assistants; certification
1056 requirement.-

1057 (7) A certified nursing assistant shall complete 24 ~~12~~
1058 hours of inservice training during each biennium ~~calendar year~~.
1059 The certified nursing assistant shall maintain ~~be responsible~~
1060 ~~for maintaining~~ documentation demonstrating compliance with
1061 these provisions. ~~The Council on Certified Nursing Assistants,~~
1062 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~
1063 ~~implement this subsection.~~

1064 Section 22. Section 464.2085, Florida Statutes, is
1065 repealed.

1066 Section 23. Paragraph (b) of subsection (1) and subsection
1067 (3) of section 465.0276, Florida Statutes, are amended to read:

1068 465.0276 Dispensing practitioner.-

1069 (1)

1070 (b) A practitioner registered under this section may not
1071 dispense a controlled substance listed in Schedule II or
1072 Schedule III as provided in s. 893.03. This paragraph does not
1073 apply to:

1074 1. The dispensing of complimentary packages of medicinal
1075 drugs which are labeled as a drug sample or complimentary drug

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1076 as defined in s. 499.028 to the practitioner's own patients in
1077 the regular course of her or his practice without the payment of
1078 a fee or remuneration of any kind, whether direct or indirect,
1079 as provided in subsection (4) ~~subsection (5)~~.

1080 2. The dispensing of controlled substances in the health
1081 care system of the Department of Corrections.

1082 3. The dispensing of a controlled substance listed in
1083 Schedule II or Schedule III in connection with the performance
1084 of a surgical procedure. The amount dispensed pursuant to the
1085 subparagraph may not exceed a 14-day supply. This exception does
1086 not allow for the dispensing of a controlled substance listed in
1087 Schedule II or Schedule III more than 14 days after the
1088 performance of the surgical procedure. For purposes of this
1089 subparagraph, the term "surgical procedure" means any procedure
1090 in any setting which involves, or reasonably should involve:

1091 a. Perioperative medication and sedation that allows the
1092 patient to tolerate unpleasant procedures while maintaining
1093 adequate cardiorespiratory function and the ability to respond
1094 purposefully to verbal or tactile stimulation and makes intra-
1095 and postoperative monitoring necessary; or

1096 b. The use of general anesthesia or major conduction
1097 anesthesia and preoperative sedation.

1098 4. The dispensing of a controlled substance listed in
1099 Schedule II or Schedule III pursuant to an approved clinical
1100 trial. For purposes of this subparagraph, the term "approved
1101 clinical trial" means a clinical research study or clinical
1102 investigation that, in whole or in part, is state or federally
1103 funded or is conducted under an investigational new drug
1104 application that is reviewed by the United States Food and Drug

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1105 Administration.

1106 5. The dispensing of methadone in a facility licensed under
1107 s. 397.427 where medication-assisted treatment for opiate
1108 addiction is provided.

1109 6. The dispensing of a controlled substance listed in
1110 Schedule II or Schedule III to a patient of a facility licensed
1111 under part IV of chapter 400.

1112 ~~(3) The department shall inspect any facility where a~~
1113 ~~practitioner dispenses medicinal drugs pursuant to subsection~~
1114 ~~(2) in the same manner and with the same frequency as it~~
1115 ~~inspects pharmacies for the purpose of determining whether the~~
1116 ~~practitioner is in compliance with all statutes and rules~~
1117 ~~applicable to her or his dispensing practice.~~

1118 Section 24. Subsection (3) of section 466.0135, Florida
1119 Statutes, is amended to read:

1120 466.0135 Continuing education; dentists.—

1121 (3) A ~~In applying for license renewal, the~~ dentist shall
1122 complete ~~submit a sworn affidavit, on a form acceptable to the~~
1123 ~~department, attesting that she or he has completed the~~ required
1124 continuing education ~~as provided~~ required in this section in
1125 ~~accordance with the guidelines and provisions of this section~~
1126 ~~and listing the date, location, sponsor, subject matter, and~~
1127 ~~hours of completed continuing education courses.~~ An ~~The~~
1128 applicant shall retain in her or his records any such receipts,
1129 vouchers, or certificates ~~as may be necessary to document~~
1130 completion of such ~~the~~ continuing education courses ~~listed in~~
1131 ~~accordance with this subsection. With cause, the board may~~
1132 ~~request such documentation by the applicant, and the board may~~
1133 ~~request such documentation from applicants selected at random~~

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1134 ~~without cause.~~

1135 Section 25. Section 466.014, Florida Statutes, is amended
1136 to read:

1137 466.014 Continuing education; dental hygienists.—In
1138 addition to the other requirements for relicensure for dental
1139 hygienists set out in this chapter ~~act~~, the board shall require
1140 each licensed dental hygienist to complete at least ~~not less~~
1141 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing
1142 professional education in dental subjects, biennially, in
1143 programs prescribed or approved by the board or in equivalent
1144 programs of continuing education. Programs of continuing
1145 education approved by the board are ~~shall be~~ programs of
1146 learning which, in the opinion of the board, contribute directly
1147 to the dental education of the dental hygienist. The board shall
1148 adopt rules and guidelines to administer and enforce ~~the~~
1149 ~~provisions of this section. In applying for license renewal, the~~
1150 ~~dental hygienist shall submit a sworn affidavit, on a form~~
1151 ~~acceptable to the department, attesting that she or he has~~
1152 ~~completed the continuing education required in this section in~~
1153 ~~accordance with the guidelines and provisions of this section~~
1154 ~~and listing the date, location, sponsor, subject matter, and~~
1155 ~~hours of completed continuing education courses. An~~ The
1156 applicant shall retain in her or his records any ~~such~~ receipts,
1157 vouchers, or certificates ~~as may be~~ necessary to document
1158 completion of such ~~the~~ continuing education courses ~~listed in~~
1159 ~~accordance with this section. With cause, the board may request~~
1160 ~~such documentation by the applicant, and the board may request~~
1161 ~~such documentation from applicants selected at random without~~
1162 ~~cause.~~ Compliance with the continuing education requirements is

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1163 ~~shall be~~ mandatory for issuance of the renewal certificate. The
1164 board may ~~shall have the authority to~~ excuse licensees, as a
1165 group or as individuals, from all or part of the continuing
1166 educational requirements ~~if, or any part thereof, in the event~~
1167 an unusual circumstance, emergency, or hardship has prevented
1168 compliance with this section.

1169 Section 26. Subsection (5) of section 466.032, Florida
1170 Statutes, is amended to read:

1171 466.032 Registration.—

1172 (5) A ~~The~~ dental laboratory owner or at least one employee
1173 of any dental laboratory renewing registration on or after July
1174 1, 2010, shall complete 18 hours of continuing education
1175 biennially. Programs of continuing education must ~~shall~~ be
1176 programs of learning that contribute directly to the education
1177 of the dental technician and may include, but are not limited
1178 to, attendance at lectures, study clubs, college courses, or
1179 scientific sessions of conventions and research.

1180 (a) The aim of continuing education for dental technicians
1181 is to improve dental health care delivery to the public as such
1182 is impacted through the design, manufacture, and use of
1183 artificial human oral prosthetics and related restorative
1184 appliances.

1185 (b) Continuing education courses shall address one or more
1186 of the following areas of professional development, including,
1187 but not limited to:

1188 1. Laboratory and technological subjects, including, but
1189 not limited to, laboratory techniques and procedures, materials,
1190 and equipment; and

1191 2. Subjects pertinent to oral health, infection control,

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1192 and safety.

1193 (c) Programs that meet ~~meeting~~ the general requirements of
1194 continuing education may be developed and offered to dental
1195 technicians by the Florida Dental Laboratory Association and the
1196 Florida Dental Association. Other organizations, schools, or
1197 agencies may also be approved to develop and offer continuing
1198 education in accordance with specific criteria established by
1199 the department.

1200 ~~(d) Any dental laboratory renewing a registration on or~~
1201 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~
1202 ~~approved by the department, attesting that either the dental~~
1203 ~~laboratory owner or one dental technician employed by the~~
1204 ~~registered dental laboratory has completed the continuing~~
1205 ~~education required in this subsection in accordance with the~~
1206 ~~guidelines and provisions of this subsection and listing the~~
1207 ~~date, location, sponsor, subject matter, and hours of completed~~
1208 ~~continuing education courses. The dental laboratory shall retain~~
1209 ~~in its records such receipts, vouchers, or certificates as may~~
1210 ~~be necessary to document completion of the continuing education~~
1211 ~~courses listed in accordance with this subsection. With cause,~~
1212 ~~the department may request that the documentation be provided by~~
1213 ~~the applicant. The department may also request the documentation~~
1214 ~~from applicants selected at random without cause.~~

1215 (d)(e)1. This subsection does not apply to a dental
1216 laboratory that is physically located within a dental practice
1217 operated by a dentist licensed under this chapter.

1218 2. A dental laboratory in another state or country which
1219 provides service to a dentist licensed under this chapter is not
1220 required to register with the state and may continue to provide

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1221 services to such dentist with a proper prescription. However, a
1222 dental laboratory in another state or country, ~~however~~, may
1223 voluntarily comply with this subsection.

1224 Section 27. Section 468.1201, Florida Statutes, is
1225 repealed.

1226 Section 28. Paragraph (a) of subsection (3), subsections
1227 (4) and (5), paragraphs (a) and (e) of subsection (6), and
1228 subsection (7) of section 483.901, Florida Statutes, are
1229 amended, and paragraph (k) is added to subsection (6) of that
1230 section, to read:

1231 483.901 Medical physicists; definitions; licensure.—

1232 (3) DEFINITIONS.—As used in this section, the term:

1233 ~~(a) "Council" means the Advisory Council of Medical~~
1234 ~~Physicists in the Department of Health.~~

1235 ~~(4) COUNCIL. The Advisory Council of Medical Physicists is~~
1236 ~~created in the Department of Health to advise the department in~~
1237 ~~regulating the practice of medical physics in this state.~~

1238 ~~(a) The council shall be composed of nine members appointed~~
1239 ~~by the State Surgeon General as follows:~~

1240 ~~1. A licensed medical physicist who specializes in~~
1241 ~~diagnostic radiological physics.~~

1242 ~~2. A licensed medical physicist who specializes in~~
1243 ~~therapeutic radiological physics.~~

1244 ~~3. A licensed medical physicist who specializes in medical~~
1245 ~~nuclear radiological physics.~~

1246 ~~4. A physician who is board certified by the American Board~~
1247 ~~of Radiology or its equivalent.~~

1248 ~~5. A physician who is board certified by the American~~
1249 ~~Osteopathic Board of Radiology or its equivalent.~~

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- 1250 ~~6. A chiropractic physician who practices radiology.~~
- 1251 ~~7. Three consumer members who are not, and have never been,~~
- 1252 ~~licensed as a medical physicist or licensed in any closely~~
- 1253 ~~related profession.~~
- 1254 ~~(b) The State Surgeon General shall appoint the medical~~
- 1255 ~~physicist members of the council from a list of candidates who~~
- 1256 ~~are licensed to practice medical physics.~~
- 1257 ~~(c) The State Surgeon General shall appoint the physician~~
- 1258 ~~members of the council from a list of candidates who are~~
- 1259 ~~licensed to practice medicine in this state and are board~~
- 1260 ~~certified in diagnostic radiology, therapeutic radiology, or~~
- 1261 ~~radiation oncology.~~
- 1262 ~~(d) The State Surgeon General shall appoint the public~~
- 1263 ~~members of the council.~~
- 1264 ~~(e) As the term of each member expires, the State Surgeon~~
- 1265 ~~General shall appoint the successor for a term of 4 years. A~~
- 1266 ~~member shall serve until the member's successor is appointed,~~
- 1267 ~~unless physically unable to do so.~~
- 1268 ~~(f) An individual is ineligible to serve more than two full~~
- 1269 ~~consecutive 4-year terms.~~
- 1270 ~~(g) If a vacancy on the council occurs, the State Surgeon~~
- 1271 ~~General shall appoint a member to serve for a 4-year term.~~
- 1272 ~~(h) A council member must be a United States citizen and~~
- 1273 ~~must have been a resident of this state for 2 consecutive years~~
- 1274 ~~immediately before being appointed.~~
- 1275 ~~1. A member of the council who is a medical physicist must~~
- 1276 ~~have practiced for at least 6 years before being appointed or be~~
- 1277 ~~board certified for the specialty in which the member practices.~~
- 1278 ~~2. A member of the council who is a physician must be~~

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1279 ~~licensed to practice medicine in this state and must have~~
1280 ~~practiced diagnostic radiology or radiation oncology in this~~
1281 ~~state for at least 2 years before being appointed.~~

1282 ~~3. The public members of the council must not have a~~
1283 ~~financial interest in any endeavor related to the practice of~~
1284 ~~medical physics.~~

1285 ~~(i) A council member may be removed from the council if the~~
1286 ~~member:~~

1287 ~~1. Did not have the required qualifications at the time of~~
1288 ~~appointment;~~

1289 ~~2. Does not maintain the required qualifications while~~
1290 ~~serving on the council; or~~

1291 ~~3. Fails to attend the regularly scheduled council meetings~~
1292 ~~in a calendar year as required by s. 456.011.~~

1293 ~~(j) Members of the council may not receive compensation for~~
1294 ~~their services; however, they are entitled to reimbursement,~~
1295 ~~from funds deposited in the Medical Quality Assurance Trust~~
1296 ~~Fund, for necessary travel expenses as specified in s. 112.061~~
1297 ~~for each day they engage in the business of the council.~~

1298 ~~(k) At the first regularly scheduled meeting of each~~
1299 ~~calendar year, the council shall elect a presiding officer and~~
1300 ~~an assistant presiding officer from among its members. The~~
1301 ~~council shall meet at least once each year and at other times in~~
1302 ~~accordance with department requirements.~~

1303 ~~(l) The department shall provide administrative support to~~
1304 ~~the council for all licensing activities.~~

1305 ~~(m) The council may conduct its meetings electronically.~~

1306 ~~(5) POWERS OF COUNCIL. The council shall:~~

1307 ~~(a) Recommend rules to administer this section.~~

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1308 ~~(b) Recommend practice standards for the practice of~~
1309 ~~medical physics which are consistent with the Guidelines for~~
1310 ~~Ethical Practice for Medical Physicists prepared by the American~~
1311 ~~Association of Physicists in Medicine and disciplinary~~
1312 ~~guidelines adopted under s. 456.079.~~

1313 ~~(c) Develop and recommend continuing education requirements~~
1314 ~~for licensed medical physicists.~~

1315 (4)~~(6)~~ LICENSE REQUIRED.—An individual may not engage in
1316 the practice of medical physics, including the specialties of
1317 diagnostic radiological physics, therapeutic radiological
1318 physics, medical nuclear radiological physics, or medical health
1319 physics, without a license issued by the department for the
1320 appropriate specialty.

1321 (a) The department shall adopt rules to administer this
1322 section which specify license application and renewal fees,
1323 continuing education requirements, and standards for practicing
1324 medical physics. ~~The council shall recommend to the department~~
1325 ~~continuing education requirements that shall be a condition of~~
1326 ~~license renewal.~~ The department shall require a minimum of 24
1327 hours per biennium of continuing education offered by an
1328 organization ~~recommended by the council and~~ approved by the
1329 department. ~~The department, upon recommendation of the council,~~
1330 may adopt rules to specify continuing education requirements for
1331 persons who hold a license in more than one specialty.

1332 (e) Upon ~~On~~ receipt of an application and fee as specified
1333 in this section, the department may issue a license to practice
1334 medical physics in this state ~~on or after October 1, 1997,~~ to a
1335 person who is board certified in the medical physics specialty
1336 in which the applicant applies to practice by the American Board

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1337 of Radiology for diagnostic radiological physics, therapeutic
1338 radiological physics, or medical nuclear radiological physics;
1339 by the American Board of Medical Physics for diagnostic
1340 radiological physics, therapeutic radiological physics, or
1341 medical nuclear radiological physics; or by the American Board
1342 of Health Physics or an equivalent certifying body approved by
1343 the department.

1344 (k) Upon proof of a completed residency program and receipt
1345 of the fee set forth by rule, the department may issue a
1346 temporary license for no more than 1 year. The department may
1347 adopt by rule requirements for temporary licensure and renewal
1348 of temporary licenses.

1349 (5)~~(7)~~ FEES.—The fee for the initial license application
1350 shall be \$500 and is nonrefundable. The fee for license renewal
1351 may not be more than \$500. These fees may cover only the costs
1352 incurred by the department ~~and the council~~ to administer this
1353 section. By July 1 each year, the department shall determine
1354 ~~advise the council~~ if the fees are insufficient to administer
1355 this section.

1356 Section 29. Subsection (2) of section 484.047, Florida
1357 Statutes, is amended to read:

1358 484.047 Renewal of license.—

1359 (2) In addition to the other requirements for renewal
1360 provided in this section and by the board, the department shall
1361 renew a license upon receipt of the renewal application and, the
1362 renewal fee, ~~and a written statement affirming compliance with~~
1363 ~~all other requirements set forth in this section and by the~~
1364 ~~board~~. A licensee must maintain, if applicable, a certificate
1365 from a manufacturer or independent testing agent certifying that

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1366 the testing room meets the requirements of s. 484.0501(6) and,
1367 if applicable, a certificate from a manufacturer or independent
1368 testing agent stating that all audiometric testing equipment
1369 used by the licensee has been calibrated acoustically to
1370 American National Standards Institute standards on an annual
1371 basis ~~acoustically to American National Standards Institute~~
1372 ~~standard specifications~~. Possession of any applicable
1373 certificate is ~~the certificates shall be~~ a prerequisite to
1374 renewal.

1375 Section 30. Section 486.102, Florida Statutes, is amended
1376 to read:

1377 486.102 Physical therapist assistant; licensing
1378 requirements.—To be eligible for licensing by the board as a
1379 physical therapist assistant, an applicant must:

1380 (1) Be at least 18 years old;

1381 (2) Be of good moral character; and

1382 (3) (a) Have been graduated from a school giving a course of
1383 not less than 2 years for physical therapist assistants, which
1384 has been approved for the educational preparation of physical
1385 therapist assistants by the appropriate accrediting agency
1386 recognized by the Commission on Recognition of Postsecondary
1387 Accreditation or the United States Department of Education,
1388 ~~which includes, but is not limited to, any regional or national~~
1389 ~~institutional accrediting agencies recognized by the United~~
1390 ~~States Department of Education or the Commission on~~
1391 ~~Accreditation for Physical Therapy Education (CAPTE),~~ at the
1392 time of her or his graduation, and have passed to the
1393 satisfaction of the board an examination to determine her or his
1394 fitness for practice as a physical therapist assistant as

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1395 hereinafter provided;

1396 (b) Have been graduated from a school giving a course for
1397 physical therapist assistants in a foreign country, ~~and~~ have
1398 educational credentials deemed equivalent to those required for
1399 the educational preparation of physical therapist assistants in
1400 this country, as recognized by the appropriate agency as
1401 identified by the board, and have passed to the satisfaction of
1402 the board an examination to determine her or his fitness for
1403 practice as a physical therapist assistant as hereinafter
1404 provided; or

1405 (c) Be entitled to licensure without examination as
1406 provided in s. 486.107.

1407 Section 31. Subsections (1) and (4) of section 486.109,
1408 Florida Statutes, are amended to read:

1409 486.109 Continuing education.—

1410 (1) The board shall require licensees to ~~periodically~~
1411 demonstrate their professional competence as a condition of
1412 renewal of a license by completing 24 hours of continuing
1413 education biennially.

1414 (4) Each licensee shall maintain ~~be responsible for~~
1415 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~
1416 ~~which shall be subject to a random audit by the department to~~
1417 demonstrate ~~assure~~ compliance with this section.

1418 Section 32. Paragraph (a) of subsection (15) of section
1419 499.028, Florida Statutes, is amended to read:

1420 499.028 Drug samples or complimentary drugs; starter packs;
1421 permits to distribute.—

1422 (15) A person may not possess a prescription drug sample
1423 unless:

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1424 (a) The drug sample was prescribed to her or him as
 1425 evidenced by the label required in s. 465.0276(4) ~~s.~~
 1426 ~~465.0276(5)~~.

1427 Section 33. Paragraph (g) of subsection (3) of section
 1428 921.0022, Florida Statutes, is amended to read:

1429 921.0022 Criminal Punishment Code; offense severity ranking
 1430 chart.-

1431 (3) OFFENSE SEVERITY RANKING CHART

1432 (g) LEVEL 7

1433

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 fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and

1434

1435

1436

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			lights activated.
1437	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1438	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1439	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1440	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1441	456.065 (2)	3rd	Practicing a health care profession without a license.
1442	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1443	458.327 (1)	3rd	Practicing medicine

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1444

without a license.

459.013 (1)

3rd

Practicing osteopathic
medicine without a
license.

1445

460.411 (1)

3rd

Practicing chiropractic
medicine without a
license.

1446

461.012 (1)

3rd

Practicing podiatric
medicine without a
license.

1447

462.17

3rd

Practicing naturopathy
without a license.

1448

463.015 (1)

3rd

Practicing optometry
without a license.

1449

464.016 (1)

3rd

Practicing nursing without
a license.

1450

465.015 (2)

3rd

Practicing pharmacy
without a license.

1451

466.026 (1)

3rd

Practicing dentistry or
dental hygiene without a
license.

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1452

467.201 3rd Practicing midwifery
without a license.

1453

468.366 3rd Delivering respiratory
care services without a
license.

1454

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

1455

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

1456

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

1457

484.053 3rd Dispensing hearing aids
without a license.

1458

494.0018 (2) 1st Conviction of any
violation of chapter 494
in which the total money
and property unlawfully
obtained exceeded \$50,000
and there were five or
more victims.

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1459

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.

1460

560.125 (5) (a)

3rd

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

1461

655.50 (10) (b) 1.

3rd

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

1462

775.21 (10) (a)

3rd

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

1463

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

1464

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775.21(10)(g)

3rd

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

1465

782.051(3)

2nd

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

1466

782.07(1)

2nd

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

1467

782.071

2nd

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

1468

782.072

2nd

Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

1469

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1470	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1471	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1472	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1473	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1474	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1475	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1476	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.

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1477

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

1478

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

1479

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

1480

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

1481

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.

1482

790.07 (4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

1483

790.16 (1) 1st Discharge of a machine gun

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1484

790.165 (2)

2nd

under specified
circumstances.

Manufacture, sell,
possess, or deliver hoax
bomb.

1485

790.165 (3)

2nd

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

1486

790.166 (3)

2nd

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

1487

790.166 (4)

2nd

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

1488

790.23

1st,PBL

Possession of a firearm by
a person who qualifies for
the penalty enhancements
provided for in s. 874.04.

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1489

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.

1490

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

1491

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

1492

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

1493

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.

1494

800.04 (5) (e) 1st Lewd or lascivious

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			molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1495	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1496	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1497	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1498	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1499	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1500	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a

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			law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1501	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1502	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1503	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1504	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1505	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

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1506

812.131 (2) (a) 2nd Robbery by sudden snatching.

1507

812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

1508

817.034 (4) (a) 1. 1st Communications fraud, value greater than \$50,000.

1509

817.234 (8) (a) 2nd Solicitation of motor vehicle accident victims with intent to defraud.

1510

817.234 (9) 2nd Organizing, planning, or participating in an intentional motor vehicle collision.

1511

817.234 (11) (c) 1st Insurance fraud; property value \$100,000 or more.

1512

817.2341 1st Making false entries of (2) (b) & (3) (b) material fact or false statements regarding property values relating to the solvency of an

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1513

insuring entity which are a significant cause of the insolvency of that entity.

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

1514

825.102 (3) (b)

2nd

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

1515

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.

1516

827.03 (2) (b)

2nd

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

1517

827.04 (3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

1518

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	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1519			
	838.015	2nd	Bribery.
1520			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1521			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1522			
	838.22	2nd	Bid tampering.
1523			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1524			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
1525			
	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1526			
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.

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1527

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

1528

872.06 2nd Abuse of a dead human body.

1529

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

1530

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

1531

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 (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or

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municipal park or publicly owned recreational facility or community center.

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.

1533

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).

1534

893.135(1)(a)1.

1st

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

1535

893.135
(1)(b)1.a.

1st

Trafficking in cocaine, more than 28 grams, less than 200 grams.

1536

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1537

893.135
(1) (c) 1.a.

1st

Trafficking in illegal
drugs, more than 4 grams,
less than 14 grams.

1538

893.135
(1) (c) 2.a.

1st

Trafficking in
hydrocodone, 14 grams or
more, less than 28 grams.

1539

893.135
(1) (c) 2.b.

1st

Trafficking in
hydrocodone, 28 grams or
more, less than 50 grams.

1540

893.135
(1) (c) 3.a.

1st

Trafficking in oxycodone,
7 grams or more, less than
14 grams.

1541

893.135
(1) (c) 3.b.

1st

Trafficking in oxycodone,
14 grams or more, less
than 25 grams.

1542

893.135 (1) (d) 1.

1st

Trafficking in
phencyclidine, more than
28 grams, less than 200
grams.

893.135 (1) (e) 1.

1st

Trafficking in
methaqualone, more than
200 grams, less than 5
kilograms.

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1543

893.135 (1) (f) 1. 1st Trafficking in
amphetamine, more than 14
grams, less than 28 grams.

1544

893.135 1st Trafficking in
(1) (g) 1.a. flunitrazepam, 4 grams or
more, less than 14 grams.

1545

893.135 1st Trafficking in gamma-
(1) (h) 1.a. hydroxybutyric acid (GHB),
1 kilogram or more, less
than 5 kilograms.

1546

893.135 1st Trafficking in 1,4-
(1) (j) 1.a. Butanediol, 1 kilogram or
more, less than 5
kilograms.

1547

893.135 1st Trafficking in
(1) (k) 2.a. Phenethylamines, 10 grams
or more, less than 200
grams.

1548

893.1351 (2) 2nd Possession of place for
trafficking in or
manufacturing of
controlled substance.

1549

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1550 896.101 (5) (a) 3rd Money laundering,
financial transactions
exceeding \$300 but less
than \$20,000.

1551 896.104 (4) (a) 1. 3rd Structuring transactions
to evade reporting or
registration requirements,
financial transactions
exceeding \$300 but less
than \$20,000.

1552 943.0435 (4) (c) 2nd Sexual offender vacating
permanent residence;
failure to comply with
reporting requirements.

1553 943.0435 (8) 2nd Sexual offender; remains
in state after indicating
intent to leave; failure
to comply with reporting
requirements.

1554 943.0435 (9) (a) 3rd Sexual offender; failure
to comply with reporting
requirements.

1554 943.0435 (13) 3rd Failure to report or
providing false

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1555

information about a sexual offender; harbor or conceal a sexual offender.

943.0435 (14)

3rd

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

1556

944.607 (9)

3rd

Sexual offender; failure to comply with reporting requirements.

1557

944.607 (10) (a)

3rd

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

1558

944.607 (12)

3rd

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

1559

944.607 (13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification;

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1560

providing false
registration information.

985.4815(10)

3rd

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

1561

985.4815(12)

3rd

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

1562

985.4815(13)

3rd

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

1563

1564

1565

Section 34. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2016.

1566