

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 certain  
7 entities that perform or are associated with cancer  
8 research or care; amending s. 381.0034, F.S.; deleting  
9 the requirement that applicants making initial  
10 application for certain licensure complete certain  
11 courses; amending s. 381.82, F.S.; revising the  
12 reporting requirements for the Alzheimer's Disease  
13 Research Grant Advisory Board under the Ed and Ethel  
14 Moore Alzheimer's Disease Research Program; providing  
15 for the carryforward for a limited period of any  
16 unexpended balance of an appropriation for the  
17 program; amending s. 381.922, F.S.; providing  
18 reporting requirements for the Biomedical Research  
19 Advisory Council under the William G. "Bill" Bankhead,  
20 Jr., and David Coley Cancer Research Program; amending  
21 s. 401.27, F.S.; increasing the length of time that an  
22 emergency medical technician or paramedic certificate  
23 may remain in an inactive status; revising the  
24 requirements for reactivating and renewing such a  
25 certificate; revising eligibility for certification;  
26 deleting a requirement that applicants successfully

27 | complete a certification examination within a  
28 | specified timeframe; amending s. 456.013, F.S.;  
29 | revising course requirements for renewing a certain  
30 | license; amending s. 456.024, F.S.; revising the  
31 | eligibility criteria for a member of the United States  
32 | Armed Forces, the United States Reserve Forces, or the  
33 | National Guard and the spouse of an active duty  
34 | military member to be issued a license to practice as  
35 | a health care practitioner in this state; deleting  
36 | provisions relating to temporary professional  
37 | licensure for spouses of active duty members of the  
38 | United States Armed Forces; creating s. 456.0241,  
39 | F.S.; providing definitions; providing for issuance of  
40 | a temporary certificate under certain conditions for  
41 | certain military health care practitioners; providing  
42 | for the automatic expiration of the temporary  
43 | certificate unless renewed; providing for application  
44 | and renewal fees; requiring the department to adopt  
45 | rules; amending s. 456.025, F.S.; deleting the  
46 | requirement for an annual meeting of chairpersons of  
47 | Division of Medical Quality Assurance boards and  
48 | professions; deleting a requirement that certain  
49 | recommendations be included in a report to the  
50 | Legislature; deleting a requirement that the  
51 | department set license fees and recommend fee cap  
52 | increases in certain circumstances; authorizing a

53 | profession to operate at a deficit for a certain time  
54 | period; deleting a provision authorizing the  
55 | department to advance funds under certain  
56 | circumstances; deleting a requirement that the  
57 | department implement an electronic continuing  
58 | education tracking system; authorizing the department  
59 | to waive specified costs under certain circumstances;  
60 | deleting legislative intent; deleting a prohibition  
61 | against the expenditure of funds by the department  
62 | from the account of a profession to pay for the  
63 | expenses of another profession; deleting a requirement  
64 | that the department include certain information in an  
65 | annual report to the Legislature; creating s.  
66 | 456.0361, F.S.; requiring the department to establish  
67 | an electronic continuing education tracking system;  
68 | prohibiting the department from renewing a license  
69 | unless the licensee has complied with all continuing  
70 | education requirements; authorizing the department to  
71 | adopt rules; amending s. 456.057, F.S.; requiring a  
72 | person or entity appointed by the board as a custodian  
73 | of medical records to be approved by the department;  
74 | authorizing the department to contract with a third  
75 | party to provide custodial services; amending s.  
76 | 456.0635, F.S.; deleting a provision on applicability  
77 | relating to the issuance of licenses; amending s.  
78 | 457.107, F.S.; deleting a provision authorizing the

79 Board of Acupuncture to request certain documentation  
80 from applicants; amending s. 458.347, F.S.; deleting a  
81 requirement that a physician assistant file a signed  
82 affidavit with the department; amending s. 463.007,  
83 F.S.; making technical changes; amending s. 464.203,  
84 F.S.; revising inservice training requirements for  
85 certified nursing assistants; repealing s. 464.2085,  
86 F.S., relating to the Council on Certified Nursing  
87 Assistants; amending s. 465.0276, F.S.; deleting a  
88 requirement that the department inspect certain  
89 facilities; amending s. 466.0135, F.S.; deleting a  
90 requirement that a dentist file a signed affidavit  
91 with the department; deleting a provision authorizing  
92 the Board of Dentistry to request certain  
93 documentation from applicants; amending s. 466.014,  
94 F.S.; deleting a requirement that a dental hygienist  
95 file a signed affidavit with the department; deleting  
96 a provision authorizing the board to request certain  
97 documentation from applicants; amending s. 466.032,  
98 F.S.; deleting a requirement that a dental laboratory  
99 file a signed affidavit with the department; deleting  
100 a provision authorizing the department to request  
101 certain documentation from applicants; repealing s.  
102 468.1201, F.S., relating to a requirement for  
103 instruction on human immunodeficiency virus and  
104 acquired immune deficiency syndrome; amending s.

105 483.901, F.S.; deleting provisions relating to the  
 106 Advisory Council of Medical Physicists; authorizing  
 107 the department to issue temporary licenses in certain  
 108 circumstances; authorizing the department to adopt  
 109 rules; amending s. 484.047, F.S.; deleting a  
 110 requirement for a written statement from an applicant  
 111 in certain circumstances; amending s. 486.109, F.S.;  
 112 deleting a provision authorizing the department to  
 113 conduct a random audit of certain information;  
 114 amending ss. 499.028 and 921.0022, F.S.; conforming  
 115 cross-references; providing an effective date.  
 116

117 Be It Enacted by the Legislature of the State of Florida:  
 118

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

121 215.5602 James and Esther King Biomedical Research  
 122 Program.—

123 (10) The council shall submit a fiscal-year progress  
 124 report on the programs under its purview to the Governor, the  
 125 State Surgeon General, the President of the Senate, and the  
 126 Speaker of the House of Representatives by December 15. The  
 127 report must include:

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

130 1. ~~(b)~~ A summary list of the research project and results

131 or expected results of the research ~~recipients of program grants~~  
132 ~~or fellowships.~~

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

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

137 4.-(e) A list of principal investigators under the research  
138 project.

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

143 6.-(d) The source and amount of any federal, state, or  
144 local government grants or donations or private grants or  
145 donations generated as a result of the research project.

146 7. The status of a patent, if any, generated from the  
147 research project and an economic analysis of the impact of the  
148 resulting patent.

149 8. A list of postsecondary educational institutions  
150 involved in the research project, a description of each  
151 postsecondary educational institution's involvement in the  
152 research project, and the number of students receiving training  
153 or performing research under the research project.

154 (b) The state ranking and total amount of biomedical  
155 research funding currently flowing into the state from the  
156 National Institutes of Health.

157 ~~(e) New grants for biomedical research which were funded~~  
158 ~~based on research supported by grants or fellowships awarded~~  
159 ~~under the program.~~

160 (c)(f) Progress towards programmatic goals, particularly  
161 in the prevention, diagnosis, treatment, and cure of diseases  
162 related to tobacco use, including cancer, cardiovascular  
163 disease, stroke, and pulmonary disease.

164 (d)(g) Recommendations to further the mission of the  
165 programs.

166 (12) (a) Each ~~Beginning in the 2011-2012~~ fiscal year ~~and~~  
167 ~~thereafter~~, \$25 million from the revenue deposited into the  
168 Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7)  
169 shall be reserved for research of tobacco-related or cancer-  
170 related illnesses. Of the revenue deposited in the Health Care  
171 Trust Fund pursuant to this section, \$25 million shall be  
172 transferred to the Biomedical Research Trust Fund within the  
173 Department of Health. Subject to annual appropriations in the  
174 General Appropriations Act, \$5 million shall be appropriated to  
175 the James and Esther King Biomedical Research Program, and \$5  
176 million shall be appropriated to the William G. "Bill" Bankhead,  
177 Jr., and David Coley Cancer Research Program created under s.  
178 381.922.

179 (b) ~~Beginning July 1, 2014,~~ An entity that ~~which~~ performs  
180 or is associated with cancer research or care that receives a  
181 specific appropriation for biomedical research, research-related  
182 functions, operations or other supportive functions, or

183 expansion of operations in the General Appropriations Act  
184 without statutory reporting requirements for the receipt of  
185 those funds, must submit an annual fiscal-year progress report  
186 to the President of the Senate and the Speaker of the House of  
187 Representatives by December 15. The report must:

188 1. Describe the general use of the funds.

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

191 a. Status of the research, including whether the research  
192 has concluded.

193 b. Results or expected results of the research.

194 c. Names of principal investigators performing the  
195 research.

196 d. Title, citation, and summary of findings of a  
197 publication in a peer-reviewed journal resulting from the  
198 research.

199 e. Status of a patent, if any, generated from the research  
200 and an economic analysis of the impact of the resulting patent.

201 f. List of postsecondary educational institutions involved  
202 in the research, a description of each postsecondary educational  
203 institution's involvement in the research, and the number of  
204 students receiving training or performing research.

205 3. Describe any fixed capital outlay project funded by the  
206 appropriation, the need for the project, how the project will be  
207 utilized, and the timeline for and status of the project, if  
208 applicable.



209 4. Identify any federal, state, or local government grants  
 210 or donations or private grants or donations generated as a  
 211 result of the appropriation or activities funded by the  
 212 appropriation, if applicable and traceable.

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

215 381.0034 Requirement for instruction on HIV and AIDS.—

216 (3) The department shall require, as a condition of  
 217 granting a license under chapter 467 or part III of chapter 483  
 218 ~~the chapters specified in subsection (1)~~, that an applicant  
 219 making initial application for licensure complete an educational  
 220 course acceptable to the department on human immunodeficiency  
 221 virus and acquired immune deficiency syndrome. Upon submission  
 222 of an affidavit showing good cause, an applicant who has not  
 223 taken a course at the time of licensure shall, ~~upon an affidavit~~  
 224 ~~showing good cause~~, be allowed 6 months to complete this  
 225 requirement.

226 Section 3. Subsection (4) of section 381.82, Florida  
 227 Statutes, is amended, and subsection (8) is added to that  
 228 section, to read:

229 381.82 Ed and Ethel Moore Alzheimer's Disease Research  
 230 Program.—

231 (4) The board shall submit a fiscal-year progress report  
 232 on the programs under its purview annually to the Governor, the  
 233 President of the Senate, the Speaker of the House of  
 234 Representatives, and the State Surgeon General by February 15.

235 The report must include:

236 (a) For each ~~A list of~~ research project ~~projects~~ supported  
237 by grants or fellowships awarded under the program:-

238 1.~~(b)~~ A summary list of the research project and results  
239 or expected results of the research ~~recipients of program grants~~  
240 ~~or fellowships.~~

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

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

245 4.~~(c)~~ A list of principal investigators under the research  
246 project.

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

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

254 7. The status of a patent, if any, generated from the  
255 research project and an economic analysis of the impact of the  
256 resulting patent.

257 8. A list of postsecondary educational institutions  
258 involved in the research project, a description of each  
259 postsecondary educational institution's involvement in the  
260 research project, and the number of students receiving training

261 or performing research under the research project.

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

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

268 (c)~~(f)~~ Progress toward programmatic goals, particularly in  
269 the prevention, diagnosis, treatment, and cure of Alzheimer's  
270 disease.

271 (d)~~(g)~~ Recommendations to further the mission of the  
272 program.

273 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,  
274 the balance of any appropriation from the General Revenue Fund  
275 for the Ed and Ethel Moore Alzheimer's Disease Research Program  
276 which is not disbursed but which is obligated pursuant to  
277 contract or committed to be expended by June 30 of the fiscal  
278 year in which the funds are appropriated may be carried forward  
279 for up to 5 years after the effective date of the original  
280 appropriation.

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

283 381.922 William G. "Bill" Bankhead, Jr., and David Coley  
284 Cancer Research Program.—

285 (6) The Biomedical Research Advisory Council shall submit  
286 a report relating to grants awarded under the program to the

287 Governor, the President of the Senate, and the Speaker of the  
288 House of Representatives by December 15 each year. The report  
289 must include:

290 (a) For each research project supported by grants or  
291 fellowships awarded under the program:

292 1. A summary of the research project and results or  
293 expected results of the research.

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

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

298 4. A list of principal investigators under the research  
299 project.

300 5. The title, citation, and summary of findings of a  
301 publication in a peer-reviewed journal resulting from the  
302 research.

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

306 7. The status of a patent, if any, generated from the  
307 research project and an economic analysis of the impact of the  
308 resulting patent.

309 8. A list of postsecondary educational institutions  
310 involved in the research project, a description of each  
311 postsecondary educational institution's involvement in the  
312 research project, and the number of students receiving training

313 or performing research under the research project.

314 (b) The state ranking and total amount of cancer research  
315 funding currently flowing into the state from the National  
316 Institutes of Health.

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

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

320 Section 5. Subsections (8) and (12) of section 401.27,  
321 Florida Statutes, are amended to read:

322 401.27 Personnel; standards and certification.—

323 (8) Each emergency medical technician certificate and each  
324 paramedic certificate will expire automatically and may be  
325 renewed if the holder meets the qualifications for renewal as  
326 established by the department. A certificate that is not renewed  
327 at the end of the 2-year period will automatically revert to an  
328 inactive status for a period not to exceed two renewal periods  
329 ~~180 days~~. Such certificate may be reactivated and renewed within  
330 the two renewal periods ~~180 days~~ if the certificateholder meets  
331 all other qualifications for renewal, including completion of  
332 education requirements and passage of the state certification  
333 examination, and pays a \$25 late fee. Reactivation shall be in a  
334 manner and on forms prescribed by department rule.

335 (12) An applicant for certification as an emergency  
336 medical technician or paramedic who is trained outside the state  
337 or who is militarily trained must provide proof of current  
338 emergency medical technician or paramedic certification or

339 registration that is nationally recognized and based upon  
 340 successful completion of a training program approved by the  
 341 department as equivalent to the most recent EMT-Basic or EMT-  
 342 Paramedic National Standard Curriculum or the National EMS  
 343 Education Standards of the United States Department of  
 344 Transportation and hold a current certificate of successful  
 345 course completion in cardiopulmonary resuscitation (CPR) or  
 346 advanced cardiac life support for emergency medical technicians  
 347 or paramedics, respectively, to be eligible for ~~the~~  
 348 certification ~~examination~~. ~~The applicant must successfully~~  
 349 ~~complete the certification examination within 2 years after the~~  
 350 ~~date of the receipt of his or her application by the department.~~  
 351 ~~After 2 years, the applicant must submit a new application, meet~~  
 352 ~~all eligibility requirements, and submit all fees to reestablish~~  
 353 ~~eligibility to take the certification examination.~~

354 Section 6. Subsection (7) of section 456.013, Florida  
 355 Statutes, is amended to read:

356 456.013 Department; general licensing provisions.—

357 (7) The boards, or the department when there is no board,  
 358 shall require the completion of a 2-hour course relating to  
 359 prevention of medical errors as part of the biennial licensure  
 360 ~~and~~ renewal process. The 2-hour course counts toward ~~shall count~~  
 361 ~~towards~~ the total number of continuing education hours required  
 362 for the profession. The course must ~~shall~~ be approved by the  
 363 board or department, as appropriate, and must ~~shall~~ include a  
 364 study of root-cause analysis, error reduction and prevention,

365 and patient safety. In addition, the course approved by the  
 366 Board of Medicine and the Board of Osteopathic Medicine must  
 367 ~~shall~~ include information relating to the five most misdiagnosed  
 368 conditions during the previous biennium, as determined by the  
 369 board. If the course is being offered by a facility licensed  
 370 pursuant to chapter 395 for its employees, the board may approve  
 371 up to 1 hour of the 2-hour course to be specifically related to  
 372 error reduction and prevention methods used in that facility.

373 Section 7. Subsections (3) and (4) of section 456.024,  
 374 Florida Statutes, are amended to read:

375 456.024 Members of Armed Forces in good standing with  
 376 administrative boards or the department; spouses; licensure.—

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

379 1. who Serves or has served as a health care practitioner  
 380 in the United States Armed Forces, the United States Reserve  
 381 Forces, or the National Guard;

382 2. or a person who Serves or has served on active duty  
 383 with the United States Armed Forces as a health care  
 384 practitioner in the United States Public Health Service; or

385 3. Is a health care practitioner in another state, the  
 386 District of Columbia, or a possession or territory of the United  
 387 States and is the spouse of a person who serves on active duty  
 388 with the United States Armed Forces is eligible for licensure in  
 389 ~~this state.~~

390

391 The department shall develop an application form, and each  
 392 board, or the department if there is no board, shall waive the  
 393 application fee, licensure fee, and unlicensed activity fee for  
 394 such applicants. For purposes of this subsection, "health care  
 395 practitioner" means a health care practitioner as defined in s.  
 396 456.001 and a person licensed under part III of chapter 401 or  
 397 part IV of chapter 468.

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

400 1. Submits a complete application.

401 2. If a member of the military, submits proof that he or  
 402 she has received ~~Receives~~ an honorable discharge within 6 months  
 403 before, or will receive an honorable discharge within 6 months  
 404 after, the date of submission of the application.

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

410 b. Is a military health care practitioner in a profession  
 411 for which licensure in a state or jurisdiction is not required  
 412 to practice in the United States Armed Forces, if the applicant  
 413 submits to the department evidence of military training or  
 414 experience substantially equivalent to the requirements for  
 415 licensure in this state in that profession and evidence that the  
 416 applicant has obtained a passing score on the appropriate



417 examination of a national or regional standards organization if  
418 required for licensure in this state; or

419 c. Is the spouse of a person serving on active duty in the  
420 United States Armed Forces and is a health care practitioner in  
421 a profession for which licensure in another state or  
422 jurisdiction may not be required, if the applicant submits to  
423 the department evidence of training or experience substantially  
424 equivalent to the requirements for licensure in this state in  
425 that profession and evidence that the applicant has obtained a  
426 passing score on the appropriate examination of a national or  
427 regional standards organization if required for licensure in  
428 this state.

429 4. Attests that he or she is not, at the time of  
430 submission, the subject of a disciplinary proceeding in a  
431 jurisdiction in which he or she holds a license or by the United  
432 States Department of Defense for reasons related to the practice  
433 of the profession for which he or she is applying.

434 5. Actively practiced the profession for which he or she  
435 is applying for the 3 years preceding the date of submission of  
436 the application.

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

440

441 The department shall verify information submitted by the  
442 applicant under this subsection using the National Practitioner

443 Data Bank.

444 (c)~~(b)~~ Each applicant who meets the requirements of this  
 445 subsection shall be licensed with all rights and  
 446 responsibilities as defined by law. The applicable board, or  
 447 department if there is no board, may deny an application if the  
 448 applicant has been convicted of or pled guilty or nolo  
 449 contendere to, regardless of adjudication, any felony or  
 450 misdemeanor related to the practice of a health care profession  
 451 regulated by this state.

452 (d)~~(e)~~ An applicant for initial licensure under this  
 453 subsection must submit the information required by ss.  
 454 456.039(1) and 456.0391(1) no later than 1 year after the  
 455 license is issued.

456 ~~(4)(a) The board, or the department if there is no board,~~  
 457 ~~may issue a temporary professional license to the spouse of an~~  
 458 ~~active duty member of the Armed Forces of the United States who~~  
 459 ~~submits to the department:~~

460 ~~1. A completed application upon a form prepared and~~  
 461 ~~furnished by the department in accordance with the board's~~  
 462 ~~rules;~~

463 ~~2. The required application fee;~~

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

466 ~~4. Proof that the applicant holds a valid license for the~~  
 467 ~~profession issued by another state, the District of Columbia, or~~  
 468 ~~a possession or territory of the United States, and is not the~~

469 ~~subject of any disciplinary proceeding in any jurisdiction in~~  
470 ~~which the applicant holds a license to practice a profession~~  
471 ~~regulated by this chapter;~~

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

475 ~~6. Proof that the applicant would otherwise be entitled to~~  
476 ~~full licensure under the appropriate practice act, and is~~  
477 ~~eligible to take the respective licensure examination as~~  
478 ~~required in Florida.~~

479 ~~(b) The applicant must also submit to the Department of~~  
480 ~~Law Enforcement a complete set of fingerprints. The Department~~  
481 ~~of Law Enforcement shall conduct a statewide criminal history~~  
482 ~~check and forward the fingerprints to the Federal Bureau of~~  
483 ~~Investigation for a national criminal history check.~~

484 ~~(c) Each board, or the department if there is no board,~~  
485 ~~shall review the results of the state and federal criminal~~  
486 ~~history checks according to the level 2 screening standards in~~  
487 ~~s. 435.04 when granting an exemption and when granting or~~  
488 ~~denying the temporary license.~~

489 ~~(d) The applicant shall pay the cost of fingerprint~~  
490 ~~processing. If the fingerprints are submitted through an~~  
491 ~~authorized agency or vendor, the agency or vendor shall collect~~  
492 ~~the required processing fees and remit the fees to the~~  
493 ~~Department of Law Enforcement.~~

494 ~~(e) The department shall set an application fee, which may~~

495 ~~not exceed the cost of issuing the license.~~

496 ~~(f) A temporary license expires 12 months after the date~~  
497 ~~of issuance and is not renewable.~~

498 ~~(g) An applicant for a temporary license under this~~  
499 ~~subsection is subject to the requirements under s. 456.013(3)(a)~~  
500 ~~and (c).~~

501 ~~(h) An applicant shall be deemed ineligible for a~~  
502 ~~temporary license pursuant to this section if the applicant:~~

503 ~~1. Has been convicted of or pled nolo contendere to,~~  
504 ~~regardless of adjudication, any felony or misdemeanor related to~~  
505 ~~the practice of a health care profession;~~

506 ~~2. Has had a health care provider license revoked or~~  
507 ~~suspended from another of the United States, the District of~~  
508 ~~Columbia, or a United States territory;~~

509 ~~3. Has been reported to the National Practitioner Data~~  
510 ~~Bank, unless the applicant has successfully appealed to have his~~  
511 ~~or her name removed from the data bank; or~~

512 ~~4. Has previously failed the Florida examination required~~  
513 ~~to receive a license to practice the profession for which the~~  
514 ~~applicant is seeking a license.~~

515 ~~(i) The board, or department if there is no board, may~~  
516 ~~revoke a temporary license upon finding that the individual~~  
517 ~~violated the profession's governing practice act.~~

518 ~~(j) An applicant who is issued a temporary professional~~  
519 ~~license to practice as a dentist pursuant to this section must~~  
520 ~~practice under the indirect supervision, as defined in s.~~

521 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

522 Section 8. Section 456.0241, Florida Statutes, is created  
523 to read:

524 456.0241 Temporary certificate for active duty military  
525 health care practitioners.-

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

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

528 1. A person practicing as a health care practitioner as  
529 defined in s. 456.001, as a person licensed under part III of  
530 chapter 401, or as a person licensed under part IV of chapter  
531 468, who is serving on active duty in the United States Armed  
532 Forces, United States Reserve Forces, or National Guard; or

533 2. A person who is serving on active duty in the United  
534 States Armed Forces and serving in the United States Public  
535 Health Service.

536 (b) "Military platform" means a military training  
537 agreement with a nonmilitary health care provider which is  
538 designed to develop and support medical, surgical, or other  
539 health care treatment opportunities in the nonmilitary health  
540 care provider setting to allow a military health care  
541 practitioner to develop and maintain the technical proficiency  
542 necessary to meet the present and future health care needs of  
543 the United States Armed Forces. Such agreements may include  
544 Training Affiliation Agreements and External Resourcing Sharing  
545 Agreements.

546 (2) The department may issue a temporary certificate to an

547 active duty military health care practitioner to practice in a  
548 regulated profession if the applicant:

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

551 (b) Submits a complete application and a nonrefundable  
552 application fee.

553 (c) Holds a valid and unencumbered license to practice as  
554 a health care professional in another state, the District of  
555 Columbia, or a possession or territory of the United States or  
556 is a military health care practitioner in a profession for which  
557 licensure in a state or jurisdiction is not required for  
558 practice in the United States Armed Forces and who provides  
559 evidence of military training and experience substantially  
560 equivalent to the requirements for licensure in this state in  
561 that profession.

562 (d) Attests that he or she is not, at the time of  
563 submission, the subject of a disciplinary proceeding in a  
564 jurisdiction in which he or she holds a license, or by the  
565 United States Department of Defense, for reasons related to the  
566 practice of the profession for which he or she is applying.

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

569 (f) Submits a set of fingerprints for a background  
570 screening pursuant to s. 456.0135 if required for the profession  
571 for which he or she is applying.

572

573 The department shall verify information submitted by the  
574 applicant under this subsection using the National Practitioner  
575 Data Bank.

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

581 (4) A military health care practitioner applying under  
582 this section is exempt from ss. 456.039-456.046. All other  
583 provisions of this chapter apply.

584 (5) An applicant for a temporary certificate under this  
585 section is deemed ineligible if the applicant:

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

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

592 (c) Has failed the Florida examination required to receive  
593 a license to practice the profession for which he or she is  
594 applying; or

595 (d) Is under investigation in another jurisdiction for an  
596 act that would constitute a violation of the applicable  
597 licensing chapter or this chapter until the investigation is  
598 complete and all charges against the applicant are disposed of

599 by dismissal, nolle prosequi, or acquittal.

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

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

604 (8) The department shall adopt rules to implement this  
605 section.

606 Section 9. Subsections (3) through (11) of section  
607 456.025, Florida Statutes, are renumbered as subsections (2)  
608 through (10), respectively, and present subsections (2), (3),  
609 (7), and (8) of that section are amended to read:

610 456.025 Fees; receipts; disposition.-

611 ~~(2) The chairpersons of the boards and councils listed in~~  
612 ~~s. 20.43(3)(g) shall meet annually at division headquarters to~~  
613 ~~review the long-range policy plan required by s. 456.005 and~~  
614 ~~current and proposed fee schedules. The chairpersons shall make~~  
615 ~~recommendations for any necessary statutory changes relating to~~  
616 ~~fees and fee caps. Such recommendations shall be compiled by the~~  
617 ~~Department of Health and be included in the annual report to the~~  
618 ~~Legislature required by s. 456.026 as well as be included in the~~  
619 ~~long-range policy plan required by s. 456.005.~~

620 (2)(3) Each board within the jurisdiction of the  
621 department, or the department when there is no board, shall  
622 determine by rule the amount of license fees for the profession  
623 it regulates, based upon long-range estimates prepared by the  
624 department of the revenue required to implement laws relating to



625 the regulation of professions by the department and the board.  
626 Each board, or the department if there is no board, shall ensure  
627 that license fees are adequate to cover all anticipated costs  
628 and to maintain a reasonable cash balance, as determined by rule  
629 of the agency, with advice of the applicable board. ~~If~~  
630 ~~sufficient action is not taken by a board within 1 year after~~  
631 ~~notification by the department that license fees are projected~~  
632 ~~to be inadequate, the department shall set license fees on~~  
633 ~~behalf of the applicable board to cover anticipated costs and to~~  
634 ~~maintain the required cash balance. The department shall include~~  
635 ~~recommended fee cap increases in its annual report to the~~  
636 ~~Legislature.~~ Further, it is the legislative intent of the  
637 Legislature that a ~~no~~ regulated profession not operate with a  
638 negative cash balance. If, however, a profession's fees are at  
639 their statutory fee cap and the requirements of subsections (1)  
640 and (4) are met, a profession may operate at a deficit until the  
641 deficit is eliminated ~~The department may provide by rule for~~  
642 ~~advancing sufficient funds to any profession operating with a~~  
643 ~~negative cash balance. The advancement may be for a period not~~  
644 ~~to exceed 2 consecutive years, and the regulated profession must~~  
645 ~~pay interest. Interest shall be calculated at the current rate~~  
646 ~~earned on investments of a trust fund used by the department to~~  
647 ~~implement this chapter. Interest earned shall be allocated to~~  
648 ~~the various funds in accordance with the allocation of~~  
649 ~~investment earnings during the period of the advance.~~  
650 (6)-(7) Each board, or the department if there is no board,

651 shall establish, by rule, a fee of up to ~~not to exceed~~ \$250 for  
652 anyone seeking ~~approval~~ to provide continuing education courses  
653 or programs and ~~shall establish by rule~~ a biennial renewal fee  
654 of up to ~~not to exceed~~ \$250 for the renewal of an approval to  
655 provide providership of such courses. The fees collected ~~from~~  
656 ~~continuing education providers~~ shall be used for the purposes of  
657 reviewing course provider applications, monitoring the integrity  
658 of the courses provided, covering legal expenses incurred as a  
659 result of not granting or renewing an approval ~~a providership~~,  
660 and developing and maintaining an electronic continuing  
661 education tracking system pursuant to s. 456.0361. ~~The~~  
662 ~~department shall implement an electronic continuing education~~  
663 ~~tracking system for each new biennial renewal cycle for which~~  
664 ~~electronic renewals are implemented after the effective date of~~  
665 ~~this act and shall integrate such system into the licensure and~~  
666 ~~renewal system~~. All approved continuing education providers  
667 shall provide information on course attendance to the department  
668 necessary to implement the electronic tracking system. The  
669 department shall, by rule, specify the form and procedures by  
670 which the information is to be submitted.

671 (7) ~~(8)~~ All moneys collected by the department from fees or  
672 fines or from costs awarded to the agency by a court shall be  
673 paid into a trust fund used by the department to implement this  
674 chapter. The Legislature shall appropriate funds from this trust  
675 fund sufficient to administer ~~carry out~~ this chapter and the  
676 provisions of law with respect to professions regulated by the

677 Division of Medical Quality Assurance within the department and  
678 the boards. The department may contract with public and private  
679 entities to receive and deposit revenue pursuant to this  
680 section. The department shall maintain separate accounts in the  
681 trust fund used by the department to implement this chapter for  
682 every profession within the department. To the maximum extent  
683 possible, the department shall directly charge all expenses to  
684 the account of each regulated profession. For the purpose of  
685 this subsection, direct charge expenses include, but are not  
686 limited to, costs for investigations, examinations, and legal  
687 services. For expenses that cannot be charged directly, the  
688 department shall provide for the proportionate allocation among  
689 the accounts of expenses incurred by the department in the  
690 performance of its duties with respect to each regulated  
691 profession. If a profession has established renewal fees that  
692 meet the requirements of subsection (1), has fees that are at  
693 the statutory fee cap, and has been operating in a deficit for 2  
694 or more fiscal years, the department may waive allocated  
695 administrative and operational indirect costs until such time as  
696 the profession has a positive cash balance. The costs related to  
697 administration and operations include, but are not limited to,  
698 the costs of the director's office and the costs of system  
699 support, communications, central records, and other such  
700 administrative functions. Such waived costs shall be allocated  
701 to the other professions that must meet the requirements of this  
702 section, and cash in the unlicensed activity account under s.

703 456.065 of the profession whose costs have been waived shall be  
704 transferred to the operating account in an amount not to exceed  
705 the amount of the deficit. The regulation by the department of  
706 professions, as defined in this chapter, must ~~shall~~ be financed  
707 solely from revenue collected by the department ~~it~~ from fees and  
708 other charges and deposited in the Medical Quality Assurance  
709 Trust Fund, and all such revenue is hereby appropriated to the  
710 department, which. ~~However, it is legislative intent that each~~  
711 ~~profession shall operate within its anticipated fees. The~~  
712 ~~department may not expend funds from the account of a profession~~  
713 ~~to pay for the expenses incurred on behalf of another~~  
714 ~~profession, except that the Board of Nursing must pay for any~~  
715 ~~costs incurred in the regulation of certified nursing~~  
716 ~~assistants. The department shall maintain adequate records to~~  
717 support its allocation of agency expenses. The department shall  
718 provide any board with reasonable access to these records upon  
719 request. On or before October 1 of each year, the department  
720 shall provide each board an annual report of revenue and direct  
721 and allocated expenses related to the operation of that  
722 profession. The board shall use these reports and the  
723 department's adopted long-range plan to determine the amount of  
724 license fees. ~~A condensed version of this information, with the~~  
725 ~~department's recommendations, shall be included in the annual~~  
726 ~~report to the Legislature prepared under s. 456.026.~~

727 Section 10. Section 456.0361, Florida Statutes, is created  
728 to read:

729 456.0361 Compliance with continuing education  
730 requirements.—

731 (1) The department shall establish an electronic  
732 continuing education tracking system to monitor licensee  
733 compliance with applicable continuing education requirements and  
734 to determine whether a licensee is in full compliance with the  
735 requirements at the time of his or her application for license  
736 renewal. The tracking system shall be integrated into the  
737 department's licensure and renewal process.

738 (2) The department may not renew a license until the  
739 licensee complies with all applicable continuing education  
740 requirements. This subsection does not prohibit the department  
741 or the boards from imposing additional penalties under the  
742 applicable professional practice act or applicable rules for  
743 failure to comply with continuing education requirements.

744 (3) The department may adopt rules to implement this  
745 section.

746 Section 11. Subsection (20) of section 456.057, Florida  
747 Statutes, is amended to read:

748 456.057 Ownership and control of patient records; report  
749 or copies of records to be furnished; disclosure of  
750 information.—

751 (20) The board with department approval, or the department  
752 when there is no board, may temporarily or permanently appoint a  
753 person or entity as a custodian of medical records in the event  
754 of the death of a practitioner, the mental or physical

755 incapacitation of a ~~the~~ practitioner, or the abandonment of  
756 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~  
757 shall comply with ~~all provisions of~~ this section. The department  
758 may contract with a third party to provide these services under  
759 the confidentiality and disclosure requirements of this section,  
760 ~~including the release of patient records.~~

761 Section 12. Subsection (2) of section 456.0635, Florida  
762 Statutes, is amended to read:

763 456.0635 Health care fraud; disqualification for license,  
764 certificate, or registration.—

765 (2) Each board within the jurisdiction of the department,  
766 or the department if there is no board, shall refuse to admit a  
767 candidate to any examination and refuse to issue a license,  
768 certificate, or registration to any applicant if the candidate  
769 or applicant or any principal, officer, agent, managing  
770 employee, or affiliated person of the applicant:

771 (a) Has been convicted of, or entered a plea of guilty or  
772 nolo contendere to, regardless of adjudication, a felony under  
773 chapter 409, chapter 817, or chapter 893, or a similar felony  
774 offense committed in another state or jurisdiction, unless the  
775 candidate or applicant has successfully completed a drug court  
776 program for that felony and provides proof that the plea has  
777 been withdrawn or the charges have been dismissed. Any such  
778 conviction or plea shall exclude the applicant or candidate from  
779 licensure, examination, certification, or registration unless  
780 the sentence and any subsequent period of probation for such

781 conviction or plea ended:

782 1. For felonies of the first or second degree, more than  
783 15 years before the date of application.

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

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

789 (b) Has been convicted of, or entered a plea of guilty or  
790 nolo contendere to, regardless of adjudication, a felony under  
791 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the  
792 sentence and any subsequent period of probation for such  
793 conviction or plea ended more than 15 years before the date of  
794 the application;

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

799 (d) Has been terminated for cause, pursuant to the appeals  
800 procedures established by the state, from any other state  
801 Medicaid program, unless the candidate or applicant has been in  
802 good standing with a state Medicaid program for the most recent  
803 5 years and the termination occurred at least 20 years before  
804 the date of the application; or

805 (e) Is currently listed on the United States Department of  
806 Health and Human Services Office of Inspector General's List of

807 Excluded Individuals and Entities.

808

809 ~~This subsection does not apply to candidates or applicants for~~  
 810 ~~initial licensure or certification who were enrolled in an~~  
 811 ~~educational or training program on or before July 1, 2009, which~~  
 812 ~~was recognized by a board or, if there is no board, recognized~~  
 813 ~~by the department, and who applied for licensure after July 1,~~  
 814 ~~2012.~~

815 Section 13. Subsection (3) of section 457.107, Florida  
 816 Statutes, is amended to read:

817 457.107 Renewal of licenses; continuing education.—

818 (3) The board shall ~~by rule prescribe~~ by rule continuing  
 819 education requirements of up to, ~~not to exceed~~ 30 hours  
 820 biennially, as a condition for renewal of a license. All  
 821 education programs that contribute to the advancement,  
 822 extension, or enhancement of professional skills and knowledge  
 823 related to the practice of acupuncture, whether conducted by a  
 824 nonprofit or profitmaking entity, are eligible for approval. The  
 825 continuing professional education requirements must be in  
 826 acupuncture or oriental medicine subjects, including, but not  
 827 limited to, anatomy, biological sciences, adjunctive therapies,  
 828 sanitation and sterilization, emergency protocols, and diseases.  
 829 The board may ~~shall have the authority to~~ set a fee of up to,  
 830 ~~not to exceed~~ \$100, for each continuing education provider. The  
 831 licensee shall retain in his or her records the certificates of  
 832 completion of continuing professional education requirements ~~to~~



833 ~~prove compliance with this subsection. The board may request~~  
834 ~~such documentation without cause from applicants who are~~  
835 ~~selected at random.~~ All national and state acupuncture and  
836 oriental medicine organizations and acupuncture and oriental  
837 medicine schools are approved to provide continuing professional  
838 education in accordance with this subsection.

839 Section 14. Paragraph (e) of subsection (4) of section  
840 458.347, Florida Statutes, is amended to read:

841 458.347 Physician assistants.—

842 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

843 (e) A supervisory physician may delegate to a fully  
844 licensed physician assistant the authority to prescribe or  
845 dispense any medication used in the supervisory physician's  
846 practice unless such medication is listed on the formulary  
847 created pursuant to paragraph (f). A fully licensed physician  
848 assistant may only prescribe or dispense such medication under  
849 the following circumstances:

850 1. A physician assistant must clearly identify to the  
851 patient that he or she is a physician assistant and.  
852 ~~Furthermore, the physician assistant must~~ inform the patient  
853 that the patient has the right to see the physician before a  
854 ~~prior to any~~ prescription is being prescribed or dispensed by  
855 the physician assistant.

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

859 any change in prescriptive privileges of the physician  
860 assistant. Authority to dispense may be delegated only by a  
861 supervising physician who is registered as a dispensing  
862 practitioner in compliance with s. 465.0276.

863 3. The physician assistant must complete ~~file with the~~  
864 ~~department a signed affidavit that he or she has completed a~~  
865 minimum of 10 continuing medical education hours in the  
866 specialty practice in which the physician assistant has  
867 prescriptive privileges with each licensure renewal ~~application.~~

868 4. The department may issue a prescriber number to the  
869 physician assistant granting authority for the prescribing of  
870 medicinal drugs authorized within this paragraph upon completion  
871 of the ~~foregoing~~ requirements of this paragraph. The physician  
872 assistant is ~~shall~~ not be required to independently register  
873 pursuant to s. 465.0276.

874 5. The prescription must be written in a form that  
875 complies with chapter 499 and, in addition to the supervisory  
876 physician's name, address, and telephone number, ~~must contain,~~  
877 ~~in addition to the supervisory physician's name, address, and~~  
878 ~~telephone number,~~ the physician assistant's prescriber number.  
879 Unless it is a drug or drug sample dispensed by the physician  
880 assistant, the prescription must be filled in a pharmacy  
881 permitted under chapter 465 and must be dispensed in that  
882 pharmacy by a pharmacist licensed under chapter 465. The  
883 inclusion ~~appearance~~ of the prescriber number creates a  
884 presumption that the physician assistant is authorized to

885 prescribe the medicinal drug and the prescription is valid.

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

888 Section 15. Subsection (3) of section 463.007, Florida  
889 Statutes, is amended to read:

890 463.007 Renewal of license; continuing education.—

891 (3) As a condition of license renewal, a licensee must  
892 ~~Unless otherwise provided by law, the board shall require~~  
893 ~~licensees to periodically demonstrate his or her their~~  
894 ~~professional competence, as a condition of renewal of a license,~~  
895 by completing up to 30 hours of continuing education during the  
896 2-year period preceding license renewal. For certified  
897 optometrists, the 30-hour continuing education requirement  
898 includes ~~shall include~~ 6 or more hours of approved transcript-  
899 quality coursework in ocular and systemic pharmacology and the  
900 diagnosis, treatment, and management of ocular and systemic  
901 conditions and diseases during the 2-year period preceding  
902 application for license renewal.

903 Section 16. Subsection (7) of section 464.203, Florida  
904 Statutes, is amended to read:

905 464.203 Certified nursing assistants; certification  
906 requirement.—

907 (7) A certified nursing assistant shall complete 24 ~~12~~  
908 hours of inservice training during each biennium ~~calendar year~~.  
909 The certified nursing assistant shall maintain ~~be responsible~~  
910 ~~for maintaining~~ documentation demonstrating compliance with

911 ~~these provisions. The Council on Certified Nursing Assistants,~~  
912 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~  
913 ~~implement~~ this subsection.

914 Section 17. Section 464.2085, Florida Statutes, is  
915 repealed.

916 Section 18. Paragraph (b) of subsection (1) and subsection  
917 (3) of section 465.0276, Florida Statutes, are amended to read:

918 465.0276 Dispensing practitioner.—

919 (1)

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

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

930 2. The dispensing of controlled substances in the health  
931 care system of the Department of Corrections.

932 3. The dispensing of a controlled substance listed in  
933 Schedule II or Schedule III in connection with the performance  
934 of a surgical procedure. The amount dispensed pursuant to the  
935 subparagraph may not exceed a 14-day supply. This exception does  
936 not allow for the dispensing of a controlled substance listed in

937 Schedule II or Schedule III more than 14 days after the  
 938 performance of the surgical procedure. For purposes of this  
 939 subparagraph, the term "surgical procedure" means any procedure  
 940 in any setting which involves, or reasonably should involve:

941 a. Perioperative medication and sedation that allows the  
 942 patient to tolerate unpleasant procedures while maintaining  
 943 adequate cardiorespiratory function and the ability to respond  
 944 purposefully to verbal or tactile stimulation and makes intra-  
 945 and postoperative monitoring necessary; or

946 b. The use of general anesthesia or major conduction  
 947 anesthesia and preoperative sedation.

948 4. The dispensing of a controlled substance listed in  
 949 Schedule II or Schedule III pursuant to an approved clinical  
 950 trial. For purposes of this subparagraph, the term "approved  
 951 clinical trial" means a clinical research study or clinical  
 952 investigation that, in whole or in part, is state or federally  
 953 funded or is conducted under an investigational new drug  
 954 application that is reviewed by the United States Food and Drug  
 955 Administration.

956 5. The dispensing of methadone in a facility licensed  
 957 under s. 397.427 where medication-assisted treatment for opiate  
 958 addiction is provided.

959 6. The dispensing of a controlled substance listed in  
 960 Schedule II or Schedule III to a patient of a facility licensed  
 961 under part IV of chapter 400.

962 ~~(3) The department shall inspect any facility where a~~

963 ~~practitioner dispenses medicinal drugs pursuant to subsection~~  
 964 ~~(2) in the same manner and with the same frequency as it~~  
 965 ~~inspects pharmacies for the purpose of determining whether the~~  
 966 ~~practitioner is in compliance with all statutes and rules~~  
 967 ~~applicable to her or his dispensing practice.~~

968 Section 19. Subsection (3) of section 466.0135, Florida  
 969 Statutes, is amended to read:

970 466.0135 Continuing education; dentists.—

971 (3) A ~~In applying for license renewal, the dentist shall~~  
 972 ~~complete~~ submit a sworn affidavit, on a form acceptable to the  
 973 ~~department, attesting that she or he has completed the required~~  
 974 continuing education as provided ~~required~~ in this section and ~~in~~  
 975 ~~accordance with the guidelines and provisions of this section~~  
 976 ~~and listing the date, location, sponsor, subject matter, and~~  
 977 ~~hours of completed continuing education courses. The applicant~~  
 978 ~~shall retain in her or his records any such~~ receipts, vouchers,  
 979 or certificates ~~as may be necessary to document completion of~~  
 980 such ~~the continuing education courses listed in accordance with~~  
 981 ~~this subsection. With cause, the board may request such~~  
 982 ~~documentation by the applicant, and the board may request such~~  
 983 ~~documentation from applicants selected at random without cause.~~

984 Section 20. Section 466.014, Florida Statutes, is amended  
 985 to read:

986 466.014 Continuing education; dental hygienists.—In  
 987 addition to the other requirements for relicensure for dental  
 988 hygienists set out in this chapter ~~act~~, the board shall require

989 each licensed dental hygienist to complete at least ~~not less~~  
 990 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing  
 991 professional education in dental subjects, biennially, in  
 992 programs prescribed or approved by the board or in equivalent  
 993 programs of continuing education. Programs of continuing  
 994 education approved by the board shall be programs of learning  
 995 which, in the opinion of the board, contribute directly to the  
 996 dental education of the dental hygienist. The board shall adopt  
 997 rules and guidelines to administer and enforce ~~the provisions of~~  
 998 this section. ~~In applying for license renewal,~~ The dental  
 999 hygienist shall ~~submit a sworn affidavit, on a form acceptable~~  
 1000 ~~to the department, attesting that she or he has completed the~~  
 1001 ~~continuing education required in this section in accordance with~~  
 1002 ~~the guidelines and provisions of this section and listing the~~  
 1003 ~~date, location, sponsor, subject matter, and hours of completed~~  
 1004 ~~continuing education courses. The applicant shall retain in her~~  
 1005 ~~or his records~~ any ~~such~~ receipts, vouchers, or certificates ~~as~~  
 1006 ~~may be~~ necessary to document completion of such ~~the~~ continuing  
 1007 education courses ~~listed in accordance with this section. With~~  
 1008 ~~cause, the board may request such documentation by the~~  
 1009 ~~applicant, and the board may request such documentation from~~  
 1010 ~~applicants selected at random without cause. Compliance with the~~  
 1011 continuing education requirements is ~~shall be~~ mandatory for  
 1012 issuance of the renewal certificate. The board may ~~shall have~~  
 1013 ~~the authority to~~ excuse licensees, as a group or as individuals,  
 1014 from all or part of the continuing education ~~educational~~

1015 requirements ~~if, or any part thereof, in the event~~ an unusual  
 1016 circumstance, emergency, or hardship has prevented compliance  
 1017 with this section.

1018 Section 21. Subsection (5) of section 466.032, Florida  
 1019 Statutes, is amended to read:

1020 466.032 Registration.—

1021 (5) A ~~The~~ dental laboratory owner or at least one employee  
 1022 of any dental laboratory renewing registration on or after July  
 1023 1, 2010, shall complete 18 hours of continuing education  
 1024 biennially. Programs of continuing education must ~~shall~~ be  
 1025 programs of learning that contribute directly to the education  
 1026 of the dental technician and may include, but are not limited  
 1027 to, attendance at lectures, study clubs, college courses, or  
 1028 scientific sessions of conventions and research.

1029 (a) The aim of continuing education for dental technicians  
 1030 is to improve dental health care delivery to the public as such  
 1031 is impacted through the design, manufacture, and use of  
 1032 artificial human oral prosthetics and related restorative  
 1033 appliances.

1034 (b) Continuing education courses shall address one or more  
 1035 of the following areas of professional development, including,  
 1036 but not limited to:

1037 1. Laboratory and technological subjects, including, but  
 1038 not limited to, laboratory techniques and procedures, materials,  
 1039 and equipment; and

1040 2. Subjects pertinent to oral health, infection control,



1041 and safety.

1042 (c) Programs that meet ~~meeting~~ the general requirements of  
1043 continuing education may be developed and offered to dental  
1044 technicians by the Florida Dental Laboratory Association and the  
1045 Florida Dental Association. Other organizations, schools, or  
1046 agencies may also be approved to develop and offer continuing  
1047 education in accordance with specific criteria established by  
1048 the department.

1049 ~~(d) Any dental laboratory renewing a registration on or~~  
1050 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~  
1051 ~~approved by the department, attesting that either the dental~~  
1052 ~~laboratory owner or one dental technician employed by the~~  
1053 ~~registered dental laboratory has completed the continuing~~  
1054 ~~education required in this subsection in accordance with the~~  
1055 ~~guidelines and provisions of this subsection and listing the~~  
1056 ~~date, location, sponsor, subject matter, and hours of completed~~  
1057 ~~continuing education courses. The dental laboratory shall retain~~  
1058 ~~in its records such receipts, vouchers, or certificates as may~~  
1059 ~~be necessary to document completion of the continuing education~~  
1060 ~~courses listed in accordance with this subsection. With cause,~~  
1061 ~~the department may request that the documentation be provided by~~  
1062 ~~the applicant. The department may also request the documentation~~  
1063 ~~from applicants selected at random without cause.~~

1064 (d)(e)1. This subsection does not apply to a dental  
1065 laboratory that is physically located within a dental practice  
1066 operated by a dentist licensed under this chapter.

1067 2. A dental laboratory in another state or country which  
 1068 provides service to a dentist licensed under this chapter is not  
 1069 required to register with the state and may continue to provide  
 1070 services to such dentist with a proper prescription. However, a  
 1071 dental laboratory in another state or country, ~~however,~~ may  
 1072 voluntarily comply with this subsection.

1073 Section 22. Section 468.1201, Florida Statutes, is  
 1074 repealed.

1075 Section 23. Paragraph (a) of subsection (3), subsections  
 1076 (4) and (5), paragraphs (a) and (e) of present subsection (6),  
 1077 and present subsection (7) of section 483.901, Florida Statutes,  
 1078 are amended, and paragraph (k) is added to present subsection  
 1079 (6) of that section, to read:

1080 483.901 Medical physicists; definitions; licensure.—

1081 (3) DEFINITIONS.—As used in this section, the term:

1082 ~~(a) "Council" means the Advisory Council of Medical~~  
 1083 ~~Physicists in the Department of Health.~~

1084 ~~(4) COUNCIL.—The Advisory Council of Medical Physicists is~~  
 1085 ~~created in the Department of Health to advise the department in~~  
 1086 ~~regulating the practice of medical physics in this state.~~

1087 ~~(a) The council shall be composed of nine members~~  
 1088 ~~appointed by the State Surgeon General as follows:~~

1089 1. ~~A licensed medical physicist who specializes in~~  
 1090 ~~diagnostic radiological physics.~~

1091 2. ~~A licensed medical physicist who specializes in~~  
 1092 ~~therapeutic radiological physics.~~

1093           ~~3. A licensed medical physicist who specializes in medical~~  
 1094 ~~nuclear radiological physics.~~

1095           ~~4. A physician who is board certified by the American~~  
 1096 ~~Board of Radiology or its equivalent.~~

1097           ~~5. A physician who is board certified by the American~~  
 1098 ~~Osteopathic Board of Radiology or its equivalent.~~

1099           ~~6. A chiropractic physician who practices radiology.~~

1100           ~~7. Three consumer members who are not, and have never~~  
 1101 ~~been, licensed as a medical physicist or licensed in any closely~~  
 1102 ~~related profession.~~

1103           ~~(b) The State Surgeon General shall appoint the medical~~  
 1104 ~~physicist members of the council from a list of candidates who~~  
 1105 ~~are licensed to practice medical physics.~~

1106           ~~(c) The State Surgeon General shall appoint the physician~~  
 1107 ~~members of the council from a list of candidates who are~~  
 1108 ~~licensed to practice medicine in this state and are board~~  
 1109 ~~certified in diagnostic radiology, therapeutic radiology, or~~  
 1110 ~~radiation oncology.~~

1111           ~~(d) The State Surgeon General shall appoint the public~~  
 1112 ~~members of the council.~~

1113           ~~(e) As the term of each member expires, the State Surgeon~~  
 1114 ~~General shall appoint the successor for a term of 4 years. A~~  
 1115 ~~member shall serve until the member's successor is appointed,~~  
 1116 ~~unless physically unable to do so.~~

1117           ~~(f) An individual is ineligible to serve more than two~~  
 1118 ~~full consecutive 4-year terms.~~

1119 ~~(g) If a vacancy on the council occurs, the State Surgeon~~  
 1120 ~~General shall appoint a member to serve for a 4-year term.~~

1121 ~~(h) A council member must be a United States citizen and~~  
 1122 ~~must have been a resident of this state for 2 consecutive years~~  
 1123 ~~immediately before being appointed.~~

1124 ~~1. A member of the council who is a medical physicist must~~  
 1125 ~~have practiced for at least 6 years before being appointed or be~~  
 1126 ~~board certified for the specialty in which the member practices.~~

1127 ~~2. A member of the council who is a physician must be~~  
 1128 ~~licensed to practice medicine in this state and must have~~  
 1129 ~~practiced diagnostic radiology or radiation oncology in this~~  
 1130 ~~state for at least 2 years before being appointed.~~

1131 ~~3. The public members of the council must not have a~~  
 1132 ~~financial interest in any endeavor related to the practice of~~  
 1133 ~~medical physics.~~

1134 ~~(i) A council member may be removed from the council if~~  
 1135 ~~the member:~~

1136 ~~1. Did not have the required qualifications at the time of~~  
 1137 ~~appointment;~~

1138 ~~2. Does not maintain the required qualifications while~~  
 1139 ~~serving on the council; or~~

1140 ~~3. Fails to attend the regularly scheduled council~~  
 1141 ~~meetings in a calendar year as required by s. 456.011.~~

1142 ~~(j) Members of the council may not receive compensation~~  
 1143 ~~for their services; however, they are entitled to reimbursement,~~  
 1144 ~~from funds deposited in the Medical Quality Assurance Trust~~

1145 ~~Fund, for necessary travel expenses as specified in s. 112.061~~  
 1146 ~~for each day they engage in the business of the council.~~

1147 ~~(k) At the first regularly scheduled meeting of each~~  
 1148 ~~calendar year, the council shall elect a presiding officer and~~  
 1149 ~~an assistant presiding officer from among its members. The~~  
 1150 ~~council shall meet at least once each year and at other times in~~  
 1151 ~~accordance with department requirements.~~

1152 ~~(l) The department shall provide administrative support to~~  
 1153 ~~the council for all licensing activities.~~

1154 ~~(m) The council may conduct its meetings electronically.~~

1155 ~~(5) POWERS OF COUNCIL. The council shall:~~

1156 ~~(a) Recommend rules to administer this section.~~

1157 ~~(b) Recommend practice standards for the practice of~~  
 1158 ~~medical physics which are consistent with the Guidelines for~~  
 1159 ~~Ethical Practice for Medical Physicists prepared by the American~~  
 1160 ~~Association of Physicists in Medicine and disciplinary~~  
 1161 ~~guidelines adopted under s. 456.079.~~

1162 ~~(c) Develop and recommend continuing education~~  
 1163 ~~requirements for licensed medical physicists.~~

1164 ~~(4) (6) LICENSE REQUIRED.~~—An individual may not engage in  
 1165 the practice of medical physics, including the specialties of  
 1166 diagnostic radiological physics, therapeutic radiological  
 1167 physics, medical nuclear radiological physics, or medical health  
 1168 physics, without a license issued by the department for the  
 1169 appropriate specialty.

1170 (a) The department shall adopt rules to administer this

1171 section which specify license application and renewal fees,  
1172 continuing education requirements, and standards for practicing  
1173 medical physics. ~~The council shall recommend to the department~~  
1174 ~~continuing education requirements that shall be a condition of~~  
1175 ~~license renewal.~~ The department shall require a minimum of 24  
1176 hours per biennium of continuing education offered by an  
1177 organization ~~recommended by the council and~~ approved by the  
1178 department. The department, ~~upon recommendation of the council,~~  
1179 may adopt rules to specify continuing education requirements for  
1180 persons who hold a license in more than one specialty.

1181 (e) Upon ~~On~~ receipt of an application and fee as specified  
1182 in this section, the department may issue a license to practice  
1183 medical physics in this state ~~on or after October 1, 1997,~~ to a  
1184 person who is board certified in the medical physics specialty  
1185 in which the applicant applies to practice by the American Board  
1186 of Radiology for diagnostic radiological physics, therapeutic  
1187 radiological physics, or medical nuclear radiological physics;  
1188 by the American Board of Medical Physics for diagnostic  
1189 radiological physics, therapeutic radiological physics, or  
1190 medical nuclear radiological physics; or by the American Board  
1191 of Health Physics or an equivalent certifying body approved by  
1192 the department.

1193 (k) Upon proof of a completed residency program and  
1194 receipt of the fee set forth by rule, the department may issue a  
1195 temporary license for no more than 1 year. The department may  
1196 adopt by rule requirements for temporary licensure and renewal

1197 of temporary licenses.

1198 (5)~~(7)~~ FEES.—The fee for the initial license application  
 1199 shall be \$500 and is nonrefundable. The fee for license renewal  
 1200 may not be more than \$500. These fees may cover only the costs  
 1201 incurred by the department ~~and the council~~ to administer this  
 1202 section. By July 1 of each year, the department shall determine  
 1203 whether ~~advise the council~~ if the fees are insufficient to  
 1204 administer this section.

1205 Section 24. Subsection (2) of section 484.047, Florida  
 1206 Statutes, is amended to read:

1207 484.047 Renewal of license.—

1208 (2) In addition to the other requirements for renewal  
 1209 provided in this section and by the board, the department shall  
 1210 renew a license upon receipt of the renewal application and, the  
 1211 renewal fee, ~~and a written statement affirming compliance with~~  
 1212 ~~all other requirements set forth in this section and by the~~  
 1213 ~~board.~~ A licensee must maintain, if applicable, a certificate  
 1214 from a manufacturer or independent testing agent certifying that  
 1215 the testing room meets the requirements of s. 484.0501(6) and,  
 1216 if applicable, a certificate from a manufacturer or independent  
 1217 testing agent stating that all audiometric testing equipment  
 1218 used by the licensee has been calibrated acoustically to  
 1219 American National Standards Institute standards on an annual  
 1220 basis ~~acoustically to American National Standards Institute~~  
 1221 ~~standard specifications.~~ Possession of an applicable certificate  
 1222 is ~~the certificates~~ shall be a prerequisite to renewal.

1223 Section 25. Subsections (1) and (4) of section 486.109,  
 1224 Florida Statutes, are amended to read:

1225 486.109 Continuing education.—

1226 (1) The board shall require licensees to ~~periodically~~  
 1227 demonstrate their professional competence as a condition of  
 1228 renewal of a license by completing 24 hours of continuing  
 1229 education biennially.

1230 (4) Each licensee shall maintain ~~be responsible for~~  
 1231 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~  
 1232 ~~which shall be subject to a random audit by the department to~~  
 1233 demonstrate ~~assure~~ compliance with this section.

1234 Section 26. Paragraph (a) of subsection (15) of section  
 1235 499.028, Florida Statutes, is amended to read:

1236 499.028 Drug samples or complimentary drugs; starter  
 1237 packs; permits to distribute.—

1238 (15) A person may not possess a prescription drug sample  
 1239 unless:

1240 (a) The drug sample was prescribed to her or him as  
 1241 evidenced by the label required in s. 465.0276(4) ~~465.0276(5)~~.

1242 Section 27. Paragraph (g) of subsection (3) of section  
 1243 921.0022, Florida Statutes, is amended to read:

1244 921.0022 Criminal Punishment Code; offense severity  
 1245 ranking chart.—

1246 (3) OFFENSE SEVERITY RANKING CHART

1247 (g) LEVEL 7

1248



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	Florida Statute	Felony Degree	Description
1249	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
1250	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1251	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 lights activated.
1252	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.

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1253	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1254	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1255	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1256	456.065 (2)	3rd	Practicing a health care profession without a license.
1257	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1258	458.327 (1)	3rd	Practicing medicine without a license.

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1259	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1260	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1261	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1262	462.17	3rd	Practicing naturopathy without a license.
1263	463.015 (1)	3rd	Practicing optometry without a license.
1264	464.016 (1)	3rd	Practicing nursing without a license.
1265	465.015 (2)	3rd	Practicing pharmacy without a license.
1266	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.

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1267	467.201	3rd	Practicing midwifery without a license.
1268	468.366	3rd	Delivering respiratory care services without a license.
1269	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1270	<u>483.901 (7)</u> <del>483.901 (9)</del>	3rd	Practicing medical physics without a license.
1271	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1272	484.053	3rd	Dispensing hearing aids without a license.
1273	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000

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1274	560.123 (8) (b) 1.	3rd	and there were five or more victims. Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1275	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1276	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1277	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other

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1278			registration violations.
	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1279			
	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1280			
	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1281			
	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1282			
	782.071	2nd	Killing of a human being or unborn child by the operation

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1283	782.072	2nd	of a motor vehicle in a reckless manner (vehicular homicide).
1284	784.045 (1) (a) 1.	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1285	784.045 (1) (a) 2.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1286	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1287	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1288	784.048 (7)	3rd	Aggravated stalking;

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1289			violation of court order.
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1290			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1291			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1292			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
1293			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1294			
	784.083 (1)	1st	Aggravated battery on code inspector.
1295			
	787.06 (3) (a) 2.	1st	Human trafficking using



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1296	787.06(3)(e)2.	1st	coercion for labor and services of an adult. Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1297	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1298	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1299	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1300	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

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1301	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1302	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1303	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1304	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.
1305	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.

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1306	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1307	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1308	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.
1309	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1310			

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1311	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1312	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1313	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1314	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1315	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.



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1321			stolen property.
1321	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1322	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1323	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1324	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1325	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1326	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1327			

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	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1328	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1329	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1330	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.
1331	827.03 (2) (b)	2nd	Neglect of a child causing

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1332	827.04 (3)	3rd	great bodily harm, disability, or disfigurement. Impregnation of a child under 16 years of age by person 21 years of age or older.
1333	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1334	838.015	2nd	Bribery.
1335	838.016	2nd	Unlawful compensation or reward for official behavior.
1336	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1337	838.22	2nd	Bid tampering.
1338	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1339	843.0855 (3)	3rd	Unlawful simulation of



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1340			legal process.
1341	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1342	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1343	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1344	872.06	2nd	Abuse of a dead human body.
1345	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related

1346	893.13(1)(c)1.	1st	<p>activity.</p> <p>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 municipal park or publicly owned recreational facility or community center.</p>
1347	893.13(1)(e)1.	1st	<p>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.</p>
1348			

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1349	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).
1350	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1351	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1352	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1353	893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1354	893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.

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1355	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1356	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1357	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1358	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1359	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

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1360	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1361	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1362	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1363	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1364	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1365	896.104 (4) (a) 1.	3rd	Structuring transactions

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1366	943.0435 (4) (c)	2nd	<p>to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.</p> <p>Sexual offender vacating permanent residence; failure to comply with reporting requirements.</p>
1367	943.0435 (8)	2nd	<p>Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.</p>
1368	943.0435 (9) (a)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
1369	943.0435 (13)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual</p>

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1370			offender.
1370	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1371	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1372	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1373	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1374	944.607 (13)	3rd	Sexual offender; failure to report and reregister;

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1375	985.4815(10)	3rd	failure to respond to address verification; providing false registration information.
1376	985.4815(12)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1377	985.4815(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1378			
1379	Section 28. This act shall take effect July 1, 2016.		