



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. 381.7355, F.S.; revising the
12 review criteria for Closing the Gap grant proposals;
13 amending s. 381.82, F.S.; revising the reporting
14 requirements for the Alzheimer's Disease Research
15 Grant Advisory Board under the Ed and Ethel Moore
16 Alzheimer's Disease Research Program; providing for
17 the carryforward for a limited period of any
18 unexpended balance of an appropriation for the
19 program; amending s. 381.877, F.S.; providing that a
20 pharmacist may dispense an emergency opioid antagonist
21 pursuant to a prescription or a non-patient specific
22 standing order for an auto injection delivery system
23 or an intranasal delivery system; prohibiting health
24 care practitioners employed by the pharmacist from
25 issuing a non-patient specific standing order for an
26 emergency opioid antagonist; prohibiting a health care



27 | practitioner from receiving remuneration for issuing a
28 | non-patient specific standing order for an emergency
29 | opioid antagonist; requiring pharmacists dispensing
30 | emergency opioid antagonists to provide certain
31 | information to the patient or caregiver; amending s.
32 | 381.922, F.S.; providing reporting requirements for
33 | the Biomedical Research Advisory Council under the
34 | William G. "Bill" Bankhead, Jr., and David Coley
35 | Cancer Research Program; amending s. 382.0255, F.S.;;
36 | prohibiting a fee for a determination or medical
37 | certification of the cause of death under certain
38 | provisions; amending s. 384.23, F.S.; revising the
39 | factors to be considered in designating a condition as
40 | a sexually transmissible disease; amending s. 384.27,
41 | F.S.; authorizing certain health care practitioners to
42 | provide partner therapy under certain conditions;
43 | authorizing the department to adopt rules; amending s.
44 | 401.27, F.S.; increasing the length of time that an
45 | emergency medical technician or paramedic certificate
46 | may remain in an inactive status; revising the
47 | requirements for reactivating and renewing such a
48 | certificate; revising eligibility for certification;
49 | deleting a requirement that applicants successfully
50 | complete a certification examination within a
51 | specified timeframe; amending s. 456.013, F.S.;;
52 | revising course requirements for renewing a certain



53 license; amending s. 456.024, F.S.; revising the
54 eligibility criteria for a member of the United States
55 Armed Forces, the United States Reserve Forces, or the
56 National Guard and the spouse of an active duty
57 military member to be issued a license to practice as
58 a health care practitioner in this state; deleting
59 provisions relating to temporary professional
60 licensure for spouses of active duty members of the
61 United States Armed Forces; creating s. 456.0241,
62 F.S.; providing definitions; providing for issuance of
63 a temporary certificate under certain conditions for
64 certain military health care practitioners; providing
65 for the automatic expiration of the temporary
66 certificate unless renewed; providing for application
67 and renewal fees; requiring the department to adopt
68 rules; creating s. 456.0361, F.S.; requiring the
69 department to establish an electronic continuing
70 education tracking system; prohibiting the department
71 from renewing a license unless the licensee has
72 complied with all continuing education requirements;
73 authorizing the department to adopt rules; amending s.
74 456.057, F.S.; requiring a person or entity appointed
75 by the board as a custodian of medical records to be
76 approved by the department; authorizing the department
77 to contract with a third party to provide custodial
78 services; amending s. 456.0635, F.S.; deleting a



79 | provision on applicability relating to the issuance of
80 | licenses; amending s. 457.107, F.S.; deleting a
81 | provision authorizing the Board of Acupuncture to
82 | request certain documentation from applicants;
83 | amending s. 458.347, F.S.; deleting a requirement that
84 | a physician assistant file a signed affidavit with the
85 | department; amending s. 459.022, F.S.; deleting a
86 | requirement that a physician assistant file a signed
87 | affidavit with the department; amending s. 460.402,
88 | F.S.; providing an additional exception to licensure
89 | requirements for chiropractic physicians; amending s.
90 | 463.007, F.S.; making technical changes; amending s.
91 | 464.203, F.S.; revising inservice training
92 | requirements for certified nursing assistants;
93 | repealing s. 464.2085, F.S., relating to the Council
94 | on Certified Nursing Assistants; amending s. 465.009,
95 | providing training requirements for pharmacists
96 | related to opioid antagonist dispensing; authorizing
97 | the department to adopt rules; amending 465.027, F.S.;
98 | providing an additional exception to pharmacy
99 | regulations for manufacturers of dialysis drugs or
100 | supplies; amending s. 465.0275, F.S.; revising the
101 | amount of emergency prescription refill authorized to
102 | be dispensed by a pharmacist; amending s. 465.0276,
103 | F.S.; deleting a requirement that the department
104 | inspect certain facilities; amending s. 466.0135,



105 F.S.; deleting a requirement that a dentist file a
106 signed affidavit with the department; deleting a
107 provision authorizing the Board of Dentistry to
108 request certain documentation from applicants;
109 amending s. 466.014, F.S.; deleting a requirement that
110 a dental hygienist file a signed affidavit with the
111 department; deleting a provision authorizing the board
112 to request certain documentation from applicants;
113 amending s. 466.032, F.S.; deleting a requirement that
114 a dental laboratory file a signed affidavit with the
115 department; deleting a provision authorizing the
116 department to request certain documentation from
117 applicants; repealing s. 468.1201, F.S., relating to a
118 requirement for instruction on human immunodeficiency
119 virus and acquired immune deficiency syndrome;
120 amending s. 483.901, F.S.; deleting provisions
121 relating to the Advisory Council of Medical
122 Physicists; authorizing the department to issue
123 temporary licenses in certain circumstances;
124 authorizing the department to adopt rules; amending s.
125 484.047, F.S.; deleting a requirement for a written
126 statement from an applicant in certain circumstances;
127 amending s. 486.102, F.S.; revising accrediting
128 agencies that may approve physical therapy assistant
129 programs for purposes of licensing; amending s.
130 486.109, F.S.; deleting a provision authorizing the



131 department to conduct a random audit of certain
 132 information; amending ss. 499.028, 893.04, and
 133 921.0022, F.S.; conforming provisions and cross-
 134 references; providing an effective date.

135
 136 Be It Enacted by the Legislature of the State of Florida:

137
 138 Section 1. Subsections (10) and (12) of section 215.5602,
 139 Florida Statutes, are amended to read:

140 215.5602 James and Esther King Biomedical Research
 141 Program.—

142 (10) The council shall submit a fiscal-year progress
 143 report on the programs under its purview to the Governor, the
 144 State Surgeon General, the President of the Senate, and the
 145 Speaker of the House of Representatives by December 15. The
 146 report must include:

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

149 1. (b) A summary list of the research project and results
 150 or expected results of the research recipients of program grants
 151 or fellowships.

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

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

156 4. (e) A list of principal investigators under the research



157 project.

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

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

165 7. The status of a patent, if any, generated from the
166 research project and an economic analysis of the impact of the
167 resulting patent.

168 8. A list of postsecondary educational institutions
169 involved in the research project, a description of each
170 postsecondary educational institution's involvement in the
171 research project, and the number of students receiving training
172 or performing research under the research project.

173 (b) The state ranking and total amount of biomedical
174 research funding currently flowing into the state from the
175 National Institutes of Health.

176 ~~(e) New grants for biomedical research which were funded~~
177 ~~based on research supported by grants or fellowships awarded~~
178 ~~under the program.~~

179 (c)~~(f)~~ Progress towards programmatic goals, particularly
180 in the prevention, diagnosis, treatment, and cure of diseases
181 related to tobacco use, including cancer, cardiovascular
182 disease, stroke, and pulmonary disease.



183 ~~(d)(g)~~ Recommendations to further the mission of the
 184 programs.

185 (12) (a) Each ~~Beginning in the 2011-2012~~ fiscal year ~~and~~
 186 ~~thereafter~~, \$25 million from the revenue deposited into the
 187 Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7)
 188 shall be reserved for research of tobacco-related or cancer-
 189 related illnesses. Of the revenue deposited in the Health Care
 190 Trust Fund pursuant to this section, \$25 million shall be
 191 transferred to the Biomedical Research Trust Fund within the
 192 Department of Health. Subject to annual appropriations in the
 193 General Appropriations Act, \$5 million shall be appropriated to
 194 the James and Esther King Biomedical Research Program, and \$5
 195 million shall be appropriated to the William G. "Bill" Bankhead,
 196 Jr., and David Coley Cancer Research Program created under s.
 197 381.922.

198 (b) ~~Beginning July 1, 2014,~~ An entity that ~~which~~ performs
 199 or is associated with cancer research or care that receives a
 200 specific appropriation for biomedical research, research-related
 201 functions, operations or other supportive functions, or
 202 expansion of operations in the General Appropriations Act
 203 without statutory reporting requirements for the receipt of
 204 those funds, must submit an annual fiscal-year progress report
 205 to the President of the Senate and the Speaker of the House of
 206 Representatives by December 15. The report must:

- 207 1. Describe the general use of the funds.
- 208 2. Summarize ~~Specify~~ the research, if any, funded by the



209 appropriation and provide the:

210 a. Status of the research, including whether the research
211 has concluded.

212 b. Results or expected results of the research.

213 c. Names of principal investigators performing the
214 research.

215 d. Title, citation, and summary of findings of a
216 publication in a peer-reviewed journal resulting from the
217 research.

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

220 f. List of postsecondary educational institutions involved
221 in the research, a description of each postsecondary educational
222 institution's involvement in the research, and the number of
223 students receiving training or performing research.

224 3. Describe any fixed capital outlay project funded by the
225 appropriation, the need for the project, how the project will be
226 utilized, and the timeline for and status of the project, if
227 applicable.

228 4. Identify any federal, state, or local government grants
229 or donations or private grants or donations generated as a
230 result of the appropriation or activities funded by the
231 appropriation, if applicable and traceable.

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

234 381.0034 Requirement for instruction on HIV and AIDS.—



235 (3) The department shall require, as a condition of
236 granting a license under chapter 467 or part III of chapter 483
237 ~~the chapters specified in subsection (1)~~, that an applicant
238 making initial application for licensure complete an educational
239 course acceptable to the department on human immunodeficiency
240 virus and acquired immune deficiency syndrome. Upon submission
241 of an affidavit showing good cause, an applicant who has not
242 taken a course at the time of licensure shall, ~~upon an affidavit~~
243 ~~showing good cause~~, be allowed 6 months to complete this
244 requirement.

245 Section 3. Paragraph (a) of subsection (2) of section
246 381.7355, Florida Statutes, is amended, and paragraph (i) is
247 added to subsection (3) of that section, to read:

248 381.7355 Project requirements; review criteria.—

249 (2) A proposal must include each of the following
250 elements:

251 (a) The purpose and objectives of the proposal, including
252 identification of the particular racial or ethnic disparity the
253 project will address. The proposal must address one or more of
254 the following priority areas:

255 1. Decreasing racial and ethnic disparities in maternal
256 and infant mortality rates.

257 2. Decreasing racial and ethnic disparities in morbidity
258 and mortality rates relating to cancer.

259 3. Decreasing racial and ethnic disparities in morbidity
260 and mortality rates relating to HIV/AIDS.



261 4. Decreasing racial and ethnic disparities in morbidity
262 and mortality rates relating to cardiovascular disease.

263 5. Decreasing racial and ethnic disparities in morbidity
264 and mortality rates relating to diabetes.

265 6. Increasing adult and child immunization rates in
266 certain racial and ethnic populations.

267 7. Decreasing racial and ethnic disparities in oral health
268 care.

269 8. Decreasing racial and ethnic disparities in morbidity
270 and mortality rates relating to sickle cell disease.

271 9. Improve neighborhood social determinants of health,
272 such as transportation, safety, and food access, as outlined by
273 the Centers for Disease Control and Prevention's "Tools for
274 Putting Social Determinants of Health into Action."

275 (3) Priority shall be given to proposals that:

276 (i) Incorporate policy approaches to achieve sustainable
277 long-term improvement.

278 Section 4. Subsection (4) of section 381.82, Florida
279 Statutes, is amended, and subsection (8) is added to that
280 section, to read:

281 381.82 Ed and Ethel Moore Alzheimer's Disease Research
282 Program.—

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



287 The report must include:

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

290 1. ~~(b)~~ A summary list of the research project and results
291 or expected results of the research recipients of program grants
292 or fellowships.

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

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

297 4. ~~(c)~~ A list of principal investigators under the research
298 project.

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

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)~~(d)~~ The state ranking and total amount of Alzheimer's
315 disease research funding currently flowing into the state from
316 the National Institutes of Health.

317 ~~(e) New grants for Alzheimer's disease research which were~~
318 ~~funded based on research supported by grants or fellowships~~
319 ~~awarded under the program.~~

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

323 (d)~~(g)~~ Recommendations to further the mission of the
324 program.

325 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
326 the balance of any appropriation from the General Revenue Fund
327 for the Ed and Ethel Moore Alzheimer's Disease Research Program
328 which is not disbursed but which is obligated pursuant to
329 contract or committed to be expended by June 30 of the fiscal
330 year in which the funds are appropriated may be carried forward
331 for up to 5 years after the effective date of the original
332 appropriation.

333 Section 5. Subsection (3) of section 381.887, Florida
334 Statutes, is amended to read:

335 381.887 Emergency treatment for suspected opioid
336 overdose.—

337 (3) An authorized health care practitioner may prescribe
338 and dispense an emergency opioid antagonist to a patient or



339 caregiver for use in accordance with this section, and
340 pharmacists may dispense an emergency opioid antagonist labeled
341 for administration by a patient or caregiver in a nonmedically
342 supervised environment pursuant to such a prescription or
343 pursuant to a nonpatient-specific standing order which must be
344 ~~issued in the name of the patient or caregiver, which is~~
345 appropriately labeled with instructions for use.

346 (a) A nonpatient-specific standing order may not be valid
347 for more than 48 months and may not be issued by an authorized
348 health care practitioner employed by the dispensing pharmacist
349 or pharmacy. A health care practitioner may not be remunerated
350 by the dispensing pharmacist or pharmacy for issuing the
351 standing order.

352 (b) When dispensing an emergency opioid antagonist to a
353 patient or caregiver, a pharmacist licensed under chapter 465
354 must provide information that includes, but is not limited to,
355 opioid overdose prevention, recognition, and response; safe
356 administration and potential side effects or adverse effects of
357 administering an emergency opioid antagonist; and the importance
358 of seeking emergency medical care after administration.

359 (c) Such patient or caregiver is authorized to store and
360 possess approved emergency opioid antagonists and, in an
361 emergency situation when a physician is not immediately
362 available, administer the emergency opioid antagonist to a
363 person believed in good faith to be experiencing an opioid
364 overdose, regardless of whether that person has a prescription



365 | for an emergency opioid antagonist.

366 | Section 6. Subsection (6) is added to section 381.922,
367 | Florida Statutes, to read:

368 | 381.922 William G. "Bill" Bankhead, Jr., and David Coley
369 | Cancer Research Program.—

370 | (6) The Biomedical Research Advisory Council shall submit
371 | a report relating to grants awarded under the program to the
372 | Governor, the President of the Senate, and the Speaker of the
373 | House of Representatives by December 15 each year. The report
374 | must include:

375 | (a) For each research project supported by grants or
376 | fellowships awarded under the program:

377 | 1. A summary of the research project and results or
378 | expected results of the research.

379 | 2. The status of the research project, including whether
380 | it has concluded or the estimated date of completion.

381 | 3. The amount of the grant or fellowship awarded and the
382 | estimated or actual cost of the research project.

383 | 4. A list of principal investigators under the research
384 | project.

385 | 5. The title, citation, and summary of findings of a
386 | publication in a peer-reviewed journal resulting from the
387 | research.

388 | 6. The source and amount of any federal, state, or local
389 | government grants or donations or private grants or donations
390 | generated as a result of the research project.



391 7. The status of a patent, if any, generated from the
392 research project and an economic analysis of the impact of the
393 resulting patent.

394 8. A list of postsecondary educational institutions
395 involved in the research project, a description of each
396 postsecondary educational institution's involvement in the
397 research project, and the number of students receiving training
398 or performing research under the research project.

399 (b) The state ranking and total amount of cancer research
400 funding currently flowing into the state from the National
401 Institutes of Health.

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

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

405 Section 7. Subsection (5) is added to section 382.0255,
406 Florida Statutes, to read:

407 382.0255 Fees.—

408 (5) Notwithstanding s. 406.06(3), a fee may not be charged
409 for any determination of the cause of death under s. 406.11 or
410 for any medical certification of cause of death under s.
411 382.008(3).

412 Section 8. Subsection (3) of section 384.23, Florida
413 Statutes, is amended to read:

414 384.23 Definitions.—

415 (3) "Sexually transmissible disease" means a bacterial,
416 viral, fungal, or parasitic disease, determined by rule of the



417 department to be sexually transmissible, to be a threat to the
418 public health and welfare, and to be a disease for which a
419 legitimate public interest will be served by providing for
420 prevention, elimination, control, ~~regulation~~ and treatment. The
421 department must, by rule, determine ~~In considering~~ which
422 diseases are to be designated as sexually transmissible
423 ~~diseases, the department shall consider such diseases as~~
424 ~~chaneroid, gonorrhoea, granuloma inguinale, lymphogranuloma~~
425 ~~venereum, genital herpes simplex, chlamydia, nongonococcal~~
426 ~~urethritis (NGU), pelvic inflammatory disease (PID)/acute~~
427 ~~salpingitis, syphilis, and human immune deficiency virus~~
428 ~~infection for designation,~~ and shall consider the
429 recommendations and classifications of the Centers for Disease
430 Control and Prevention and other nationally recognized medical
431 authorities in that determination. Not all diseases that are
432 sexually transmissible need be designated for the purposes of
433 this act.

434 Section 9. Subsection (7) is added to section 384.27,
435 Florida Statutes, to read:

436 384.27 Physical examination and treatment.—

437 (7) (a) A health care practitioner licensed under chapter
438 458 or chapter 459 or certified under s. 464.012 may provide
439 expedited partner therapy if the following requirements are met:

440 1. The patient has a laboratory-confirmed or suspected
441 clinical diagnosis of a sexually transmissible disease.

442 2. The patient indicates that he or she has a partner with



443 whom he or she engaged in sexual activity before the diagnosis
444 of the sexually transmissible disease.

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

447 (b) A pharmacist licensed under chapter 465 may dispense
448 medication to a person diagnosed with a sexually transmissible
449 disease pursuant to a prescription for the purpose of treating
450 that person's partner, regardless of whether the person's
451 partner has been personally examined by the prescribing health
452 care practitioner.

453 (c) A pharmacist or health care practitioner must check
454 for potential allergic reactions, in accordance with the
455 prevailing professional standard of care, before dispensing a
456 prescription or providing a medication under this subsection.

457 (d) The department may adopt rules to implement this
458 subsection.

459 Section 10. Subsections (8) and (12) of section 401.27,
460 Florida Statutes, are amended to read:

461 401.27 Personnel; standards and certification.—

462 (8) Each emergency medical technician certificate and each
463 paramedic certificate will expire automatically and may be
464 renewed if the holder meets the qualifications for renewal as
465 established by the department. A certificate that is not renewed
466 at the end of the 2-year period will automatically revert to an
467 inactive status for a period not to exceed two renewal periods
468 ~~180 days~~. Such certificate may be reactivated and renewed within



469 the two renewal periods ~~180 days~~ if the certificateholder meets
470 all other qualifications for renewal, including continuing
471 education requirements, and pays a \$25 late fee. The
472 certificateholder also must pass the certification examination
473 to reactivate the certificate during the second of the two
474 renewal periods. Reactivation shall be in a manner and on forms
475 prescribed by department rule.

476 (12) An applicant for certification as an emergency
477 medical technician or paramedic who is trained outside the
478 state, or trained in the military, must provide proof of a
479 current, nationally recognized emergency medical technician or
480 paramedic certification or registration that is recognized by
481 the department and based upon successful completion of a
482 training program approved by the department as being equivalent
483 to the most recent EMT-Basic or EMT-Paramedic National Standard
484 Curriculum or the National EMS Education Standards of the United
485 States Department of Transportation and hold a current
486 certificate of successful course completion in cardiopulmonary
487 resuscitation (CPR) or advanced cardiac life support for
488 emergency medical technicians or paramedics, respectively, to be
489 eligible for the certification ~~examination. The applicant must~~
490 ~~successfully complete the certification examination within 2~~
491 ~~years after the date of the receipt of his or her application by~~
492 ~~the department. After 2 years, the applicant must submit a new~~
493 ~~application, meet all eligibility requirements, and submit all~~
494 ~~fees to reestablish eligibility to take the certification~~



495 ~~examination.~~

496 Section 11. Subsection (7) of section 456.013, Florida
497 Statutes, is amended to read:

498 456.013 Department; general licensing provisions.—

499 (7) The boards, or the department when there is no board,
500 shall require the completion of a 2-hour course relating to
501 prevention of medical errors as part of the biennial licensure
502 ~~and~~ renewal process. The 2-hour course counts toward ~~shall count~~
503 ~~towards~~ the total number of continuing education hours required
504 for the profession. The course must ~~shall~~ be approved by the
505 board or department, as appropriate, and must ~~shall~~ include a
506 study of root-cause analysis, error reduction and prevention,
507 and patient safety. In addition, the course approved by the
508 Board of Medicine and the Board of Osteopathic Medicine must
509 ~~shall~~ include information relating to the five most misdiagnosed
510 conditions during the previous biennium, as determined by the
511 board. If the course is being offered by a facility licensed
512 pursuant to chapter 395 for its employees, the board may approve
513 up to 1 hour of the 2-hour course to be specifically related to
514 error reduction and prevention methods used in that facility.

515 Section 12. Subsections (3) and (4) of section 456.024,
516 Florida Statutes, are amended to read:

517 456.024 Members of United States Armed Forces in good
518 standing with administrative boards or the department; spouses;
519 licensure.—

520 (3) (a) A person is eligible for licensure as a health care



521 practitioner in this state if he or she:

522 1. who Serves or has served as a health care practitioner
523 in the United States Armed Forces, the United States Reserve
524 Forces, or the National Guard;

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

528 3. Is a health care practitioner in another state, the
529 District of Columbia, or a possession or territory of the United
530 States and is the spouse of a person serving on active duty with
531 the United States Armed Forces ~~is eligible for licensure in this~~
532 ~~state.~~

533
534 The department shall develop an application form, and each
535 board, or the department if there is no board, shall waive the
536 application fee, licensure fee, and unlicensed activity fee for
537 such applicants. For purposes of this subsection, "health care
538 practitioner" means a health care practitioner as defined in s.
539 456.001 and a person licensed under part III of chapter 401 or
540 part IV of chapter 468.

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

543 1. Submits a complete application.

544 2. If he or she is member of the United States Armed
545 Forces, submits proof that he or she has received ~~Receives~~ an
546 honorable discharge within 6 months before, or will receive an



547 | honorable discharge within 6 months after, the date of
548 | submission of the application.

549 | 3.a. Holds an active, unencumbered license issued by
550 | another state, the District of Columbia, or a possession or
551 | territory of the United States and who has not had disciplinary
552 | action taken against him or her in the 5 years preceding the
553 | date of submission of the application;

554 | b. Is a military health care practitioner in a profession
555 | for which licensure in a state or jurisdiction is not required
556 | to practice in the United States Armed Forces, if he or she
557 | submits to the department evidence of military training or
558 | experience substantially equivalent to the requirements for
559 | licensure in this state in that profession and evidence that he
560 | or she has obtained a passing score on the appropriate
561 | examination of a national or regional standards organization if
562 | required for licensure in this state; or

563 | c. Is the spouse of a person serving on active duty in the
564 | United States Armed Forces and is a health care practitioner in
565 | a profession for which licensure in another state or
566 | jurisdiction is not required, if he or she submits to the
567 | department evidence of training or experience substantially
568 | equivalent to the requirements for licensure in this state in
569 | that profession and evidence that he or she has obtained a
570 | passing score on the appropriate examination of a national or
571 | regional standards organization if required for licensure in
572 | this state.



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573 4. Attests that he or she is not, at the time of
574 submission of the application, the subject of a disciplinary
575 proceeding in a jurisdiction in which he or she holds a license
576 or by the United States Department of Defense for reasons
577 related to the practice of the profession for which he or she is
578 applying.

579 5. Actively practiced the profession for which he or she
580 is applying for the 3 years preceding the date of submission of
581 the application.

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

585
586 The department shall verify information submitted by the
587 applicant under this subsection using the National Practitioner
588 Data Bank.

589 (c)~~(b)~~ Each applicant who meets the requirements of this
590 subsection shall be licensed with all rights and
591 responsibilities as defined by law. The applicable board, or the
592 department if there is no board, may deny an application if the
593 applicant has been convicted of or pled guilty or nolo
594 contendere to, regardless of adjudication, any felony or
595 misdemeanor related to the practice of a health care profession
596 regulated by this state.

597 (d)~~(e)~~ An applicant for initial licensure under this
598 subsection must submit the information required by ss.



599 456.039(1) and 456.0391(1) no later than 1 year after the
600 license is issued.

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

605 ~~1. A completed application upon a form prepared and~~
606 ~~furnished by the department in accordance with the board's~~
607 ~~rules;~~

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

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

611 ~~4. Proof that the applicant holds a valid license for the~~
612 ~~profession issued by another state, the District of Columbia, or~~
613 ~~a possession or territory of the United States, and is not the~~
614 ~~subject of any disciplinary proceeding in any jurisdiction in~~
615 ~~which the applicant holds a license to practice a profession~~
616 ~~regulated by this chapter;~~

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

620 ~~6. Proof that the applicant would otherwise be entitled to~~
621 ~~full licensure under the appropriate practice act, and is~~
622 ~~eligible to take the respective licensure examination as~~
623 ~~required in Florida.~~

624 ~~(b) The applicant must also submit to the Department of~~



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625 ~~Law Enforcement a complete set of fingerprints. The Department~~
626 ~~of Law Enforcement shall conduct a statewide criminal history~~
627 ~~check and forward the fingerprints to the Federal Bureau of~~
628 ~~Investigation for a national criminal history check.~~

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

634 ~~(d) The applicant shall pay the cost of fingerprint~~
635 ~~processing. If the fingerprints are submitted through an~~
636 ~~authorized agency or vendor, the agency or vendor shall collect~~
637 ~~the required processing fees and remit the fees to the~~
638 ~~Department of Law Enforcement.~~

639 ~~(e) The department shall set an application fee, which may~~
640 ~~not exceed the cost of issuing the license.~~

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

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

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

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



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

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

657 ~~4. Has previously failed the Florida examination required~~
658 ~~to receive a license to practice the profession for which the~~
659 ~~applicant is seeking a license.~~

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

663 ~~(j) An applicant who is issued a temporary professional~~
664 ~~license to practice as a dentist pursuant to this section must~~
665 ~~practice under the indirect supervision, as defined in s.~~
666 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

667 Section 13. Section 456.0241, Florida Statutes, is created
668 to read:

669 456.0241 Temporary certificate for active duty military
670 health care practitioners.-

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

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

673 1. A person practicing as a health care practitioner as
674 defined in s. 456.001, as a person licensed under part III of
675 chapter 401, or as a person licensed under part IV of chapter
676 468 who is serving on active duty in the United States Armed



677 Forces, the United States Reserve Forces, or the National Guard;
678 or

679 2. A person who is serving on active duty in the United
680 States Armed Forces and serving in the United States Public
681 Health Service.

682 (b) "Military platform" means a military training
683 agreement with a nonmilitary health care provider that is
684 designed to develop and support medical, surgical, or other
685 health care treatment opportunities in a nonmilitary health care
686 provider setting to authorize a military health care
687 practitioner to develop and maintain the technical proficiency
688 necessary to meet the present and future health care needs of
689 the United States Armed Forces. Such agreements may include
690 Training Affiliation Agreements and External Resource Sharing
691 Agreements.

692 (2) The department may issue a temporary certificate to an
693 active duty military health care practitioner to practice in a
694 regulated profession in this state if the applicant:

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

697 (b) Submits a complete application and a nonrefundable
698 application fee.

699 (c) Holds an active, unencumbered license to practice as a
700 health care professional issued by another state, the District
701 of Columbia, or a possession or territory of the United States
702 or is a military health care practitioner in a profession for



703 which licensure in a state or jurisdiction is not required for
704 practice in the United States Armed Forces and provides evidence
705 of military training and experience substantially equivalent to
706 the requirements for licensure in this state in that profession.

707 (d) Attests that he or she is not, at the time of
708 submission of the application, the subject of a disciplinary
709 proceeding in a jurisdiction in which he or she holds a license
710 or by the United States Department of Defense for reasons
711 related to the practice of the profession for which he or she is
712 applying.

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

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

718
719 The department shall verify information submitted by the
720 applicant under this subsection using the National Practitioner
721 Data Bank.

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

727 (4) A military health care practitioner applying for a
728 temporary certificate under this section is exempt from ss.



729 456.039-456.046. All other provisions of this chapter apply to
730 such military health care practitioner.

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

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

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

739 (c) Has failed to obtain a passing score on the Florida
740 examination required to receive a license to practice the
741 profession for which he or she is applying; or

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

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

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

751 (8) The department shall adopt rules to implement this
752 section.

753 Section 14. Section 456.0361, Florida Statutes, is created
754 to read:



755 456.0361 Compliance with continuing education
756 requirements.-

757 (1) The department shall establish an electronic
758 continuing education tracking system to monitor licensee
759 compliance with applicable continuing education requirements and
760 to determine whether a licensee is in full compliance with the
761 requirements at the time of his or her application for license
762 renewal. The tracking system shall be integrated into the
763 department's licensure and renewal process.

764 (2) The department may not renew a license until the
765 licensee complies with all applicable continuing education
766 requirements. This subsection does not prohibit the department
767 or the boards from imposing additional penalties under the
768 applicable professional practice act or applicable rules for
769 failure to comply with continuing education requirements.

770 (3) The department may adopt rules to implement this
771 section.

772 Section 15. Subsection (20) of section 456.057, Florida
773 Statutes, is amended to read:

774 456.057 Ownership and control of patient records; report
775 or copies of records to be furnished; disclosure of
776 information.-

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



781 incapacitation of a ~~the~~ practitioner, or the abandonment of
782 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~
783 shall comply with ~~all provisions of~~ this section. The department
784 may contract with a third party to provide these services under
785 the confidentiality and disclosure requirements of this section,
786 ~~including the release of patient records.~~

787 Section 16. Subsection (2) of section 456.0635, Florida
788 Statutes, is amended to read:

789 456.0635 Health care fraud; disqualification for license,
790 certificate, or registration.—

791 (2) Each board within the jurisdiction of the department,
792 or the department if there is no board, shall refuse to admit a
793 candidate to any examination and refuse to issue a license,
794 certificate, or registration to any applicant if the candidate
795 or applicant or any principal, officer, agent, managing
796 employee, or affiliated person of the applicant:

797 (a) Has been convicted of, or entered a plea of guilty or
798 nolo contendere to, regardless of adjudication, a felony under
799 chapter 409, chapter 817, or chapter 893, or a similar felony
800 offense committed in another state or jurisdiction, unless the
801 candidate or applicant has successfully completed a drug court
802 program for that felony and provides proof that the plea has
803 been withdrawn or the charges have been dismissed. Any such
804 conviction or plea shall exclude the applicant or candidate from
805 licensure, examination, certification, or registration unless
806 the sentence and any subsequent period of probation for such



807 conviction or plea ended:

808 1. For felonies of the first or second degree, more than
809 15 years before the date of application.

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

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

815 (b) Has been convicted of, or entered a plea of guilty or
816 nolo contendere to, regardless of adjudication, a felony under
817 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the
818 sentence and any subsequent period of probation for such
819 conviction or plea ended more than 15 years before the date of
820 the application;

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

825 (d) Has been terminated for cause, pursuant to the appeals
826 procedures established by the state, from any other state
827 Medicaid program, unless the candidate or applicant has been in
828 good standing with a state Medicaid program for the most recent
829 5 years and the termination occurred at least 20 years before
830 the date of the application; or

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



833 Excluded Individuals and Entities.

834

835 ~~This subsection does not apply to candidates or applicants for~~
836 ~~initial licensure or certification who were enrolled in an~~
837 ~~educational or training program on or before July 1, 2009, which~~
838 ~~was recognized by a board or, if there is no board, recognized~~
839 ~~by the department, and who applied for licensure after July 1,~~
840 ~~2012.~~

841 Section 17. Subsection (3) of section 457.107, Florida
842 Statutes, is amended to read:

843 457.107 Renewal of licenses; continuing education.—

844 (3) The board shall ~~by rule~~ prescribe by rule continuing
845 education requirements of up to, ~~not to exceed~~ 30 hours
846 biennially, as a condition for renewal of a license. All
847 education programs that contribute to the advancement,
848 extension, or enhancement of professional skills and knowledge
849 related to the practice of acupuncture, whether conducted by a
850 nonprofit or profitmaking entity, are eligible for approval. The
851 continuing professional education requirements must be in
852 acupuncture or oriental medicine subjects, including, but not
853 limited to, anatomy, biological sciences, adjunctive therapies,
854 sanitation and sterilization, emergency protocols, and diseases.
855 The board may ~~shall have the authority to~~ set a fee of up to,
856 ~~not to exceed~~ \$100, for each continuing education provider. The
857 licensee shall retain in his or her records the certificates of
858 completion of continuing professional education requirements ~~to~~



859 ~~prove compliance with this subsection. The board may request~~
860 ~~such documentation without cause from applicants who are~~
861 ~~selected at random.~~ All national and state acupuncture and
862 oriental medicine organizations and acupuncture and oriental
863 medicine schools are approved to provide continuing professional
864 education in accordance with this subsection.

865 Section 18. Paragraph (e) of subsection (4) of section
866 458.347, Florida Statutes, is amended to read:

867 458.347 Physician assistants.—

868 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

869 (e) A supervisory physician may delegate to a fully
870 licensed physician assistant the authority to prescribe or
871 dispense any medication used in the supervisory physician's
872 practice unless such medication is listed on the formulary
873 created pursuant to paragraph (f). A fully licensed physician
874 assistant may only prescribe or dispense such medication under
875 the following circumstances:

876 1. A physician assistant must clearly identify to the
877 patient that he or she is a physician assistant and.
878 ~~Furthermore, the physician assistant must~~ inform the patient
879 that the patient has the right to see the physician before a
880 ~~prior to any~~ prescription is being prescribed or dispensed by
881 the physician assistant.

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



885 any change in prescriptive privileges of the physician
886 assistant. Authority to dispense may be delegated only by a
887 supervising physician who is registered as a dispensing
888 practitioner in compliance with s. 465.0276.

889 3. The physician assistant must complete ~~file with the~~
890 ~~department a signed affidavit that he or she has completed a~~
891 minimum of 10 continuing medical education hours in the
892 specialty practice in which the physician assistant has
893 prescriptive privileges with each licensure renewal ~~application~~.

894 4. The department may issue a prescriber number to the
895 physician assistant granting authority for the prescribing of
896 medicinal drugs authorized within this paragraph upon completion
897 of the ~~foregoing~~ requirements of this paragraph. The physician
898 assistant is ~~shall~~ not be required to independently register
899 pursuant to s. 465.0276.

900 5. The prescription must be written in a form that
901 complies with chapter 499 and, in addition to the supervisory
902 physician's name, address, and telephone number, must contain,
903 ~~in addition to the supervisory physician's name, address, and~~
904 ~~telephone number,~~ the physician assistant's prescriber number.
905 Unless it is a drug or drug sample dispensed by the physician
906 assistant, the prescription must be filled in a pharmacy
907 permitted under chapter 465 and must be dispensed in that
908 pharmacy by a pharmacist licensed under chapter 465. The
909 inclusion ~~appearance~~ of the prescriber number creates a
910 presumption that the physician assistant is authorized to



911 prescribe the medicinal drug and the prescription is valid.

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

914 Section 19. Paragraph (e) of subsection (4) of section
915 459.022, Florida Statutes, is amended to read:

916 459.022 Physician assistants.—

917 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

918 (e) A supervisory physician may delegate to a fully
919 licensed physician assistant the authority to prescribe or
920 dispense any medication used in the supervisory physician's
921 practice unless such medication is listed on the formulary
922 created pursuant to s. 458.347. A fully licensed physician
923 assistant may only prescribe or dispense such medication under
924 the following circumstances:

925 1. A physician assistant must clearly identify to the
926 patient that she or he is a physician assistant and—
927 ~~Furthermore, the physician assistant~~ must inform the patient
928 that the patient has the right to see the physician before a
929 ~~prior to any~~ prescription is being prescribed or dispensed by
930 the physician assistant.

931 2. The supervisory physician must notify the department of
932 her or his intent to delegate, on a department-approved form,
933 before delegating such authority and ~~notify the department~~ of
934 any change in prescriptive privileges of the physician
935 assistant. Authority to dispense may be delegated only by a
936 supervisory physician who is registered as a dispensing



937 practitioner in compliance with s. 465.0276.

938 3. The physician assistant must complete ~~file with the~~
939 ~~department a signed affidavit that she or he has completed a~~
940 minimum of 10 continuing medical education hours in the
941 specialty practice in which the physician assistant has
942 prescriptive privileges with each licensure renewal ~~application~~.

943 4. The department may issue a prescriber number to the
944 physician assistant granting authority for the prescribing of
945 medicinal drugs authorized within this paragraph upon completion
946 of the ~~foregoing~~ requirements of this paragraph. The physician
947 assistant is ~~shall~~ not be required to independently register
948 pursuant to s. 465.0276.

949 5. The prescription must be written in a form that
950 complies with chapter 499 and, in addition to the supervisory
951 physician's name, address, and telephone number, must contain,
952 ~~in addition to the supervisory physician's name, address, and~~
953 ~~telephone number,~~ the physician assistant's prescriber number.
954 Unless it is a drug or drug sample dispensed by the physician
955 assistant, the prescription must be filled in a pharmacy
956 permitted under chapter 465, and must be dispensed in that
957 pharmacy by a pharmacist licensed under chapter 465. The
958 inclusion ~~appearance~~ of the prescriber number creates a
959 presumption that the physician assistant is authorized to
960 prescribe the medicinal drug and the prescription is valid.

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



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963 Section 20. Subsection (7) is added to section 460.402,
964 Florida Statutes, to read:

965 460.402 Exceptions.—The provisions of this chapter shall
966 not apply to:

967 (7) A chiropractic physician who holds an active license
968 in another state, the District of Columbia, or a possession or
969 territory of the United States and is performing chiropractic
970 procedures or demonstrating equipment or supplies for
971 educational purposes at a board-approved continuing education
972 program.

973 Section 21. Subsection (3) of section 463.007, Florida
974 Statutes, is amended to read:

975 463.007 Renewal of license; continuing education.—

976 (3) As a condition of license renewal, a licensee must
977 ~~Unless otherwise provided by law, the board shall require~~
978 ~~licensees to periodically demonstrate his or her their~~
979 ~~professional competence, as a condition of renewal of a license,~~
980 by completing up to 30 hours of continuing education during the
981 2-year period preceding license renewal. For certified
982 optometrists, the 30-hour continuing education requirement
983 includes shall include 6 or more hours of approved transcript-
984 quality coursework in ocular and systemic pharmacology and the
985 diagnosis, treatment, and management of ocular and systemic
986 conditions and diseases during the 2-year period preceding
987 application for license renewal.

988 Section 22. Subsection (7) of section 464.203, Florida



989 Statutes, is amended to read:

990 464.203 Certified nursing assistants; certification
991 requirement.—

992 (7) A certified nursing assistant shall complete 24 ~~12~~
993 hours of inservice training during each biennium ~~calendar year~~.
994 The certified nursing assistant shall maintain ~~be responsible~~
995 ~~for maintaining~~ documentation demonstrating compliance with
996 ~~these provisions. The Council on Certified Nursing Assistants,~~
997 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~
998 ~~implement~~ this subsection.

999 Section 23. Section 464.2085, Florida Statutes, is
1000 repealed.

1001 Section 24. Subsection (1) of section 465.009, Florida
1002 Statutes, is amended to read:

1003 465.009 Continuing professional pharmaceutical education.—

1004 (1) No license renewal shall be issued by the department
1005 until the licensee submits proof satisfactory to the board that
1006 during the 2 years prior to her or his application for renewal
1007 the licensee has participated in not less than 30 hours of
1008 continuing professional pharmaceutical education in courses
1009 approved by the board.

1010 (a) Each pharmacist shall complete, as a part of the 30
1011 hours of continuing professional pharmaceutical education
1012 required for biennial licensure renewal, a training program
1013 approved by the board regarding, but not limited to, proper
1014 medical record documentation and patient education procedures



1015 relating to the dispensing of emergency opioid antagonists.

1016 (b) The board shall adopt rules regarding the content and
1017 length of the training program required in paragraph (a).

1018 Section 25. Section 465.027, Florida Statutes, is amended
1019 to read:

1020 465.027 Exceptions.—

1021 (1) This chapter shall not be construed to prohibit the
1022 sale of home remedies or preparations commonly known as patents
1023 or proprietary preparations, when ~~such are~~ sold only in original
1024 or unbroken packages, nor shall this chapter be construed to
1025 prevent businesses from engaging in the sale of sundries or
1026 patents or proprietary preparations.

1027 (2) This chapter shall not apply to a manufacturer, or its
1028 agent, holding an active permit as a manufacturer under chapter
1029 499 and engaged solely in the manufacture or distribution of
1030 dialysate, drugs, or devices necessary to perform home renal
1031 dialysis on patients with chronic kidney failure, if the
1032 dialysate, drugs, or devices are:

1033 (a) Approved or cleared by the United States Food and Drug
1034 Administration; and

1035 (b) Delivered in the original, sealed packaging after
1036 receipt of a physician's order to dispense to:

1037 1. A patient with chronic kidney failure, or the patient's
1038 designee, for the patient's self-administration of the dialysis
1039 therapy; or

1040 2. A health care practitioner or an institution for



1041 administration or delivery of the dialysis therapy to a patient
1042 with chronic kidney failure.

1043 Section 26. Section 465.0275, Florida Statutes, is amended
1044 to read:

1045 465.0275 Emergency prescription refill.—

1046 (1) In the event a pharmacist receives a request for a
1047 prescription refill and the pharmacist is unable to readily
1048 obtain refill authorization from the prescriber, the pharmacist
1049 may dispense:

1050 (a) A one-time emergency refill of up to a 72-hour supply
1051 of the prescribed medication; or

1052 (b) A one-time emergency refill of one vial of insulin to
1053 treat diabetes mellitus.

1054 (2) If the Governor issues, ~~with the exception of those~~
1055 ~~areas or counties included in an emergency order or proclamation~~
1056 ~~of a state of emergency declared by the Governor, in which the~~
1057 ~~executive order may authorize the pharmacist~~ may ~~to~~ dispense up
1058 to a 30-day supply in the areas or counties affected by the
1059 order or proclamation, provided ~~providing~~ that:

1060 (a) ~~(1)~~ The prescription is not for a medicinal drug listed
1061 in Schedule II appearing in chapter 893.

1062 (b) ~~(2)~~ The medication is essential to the maintenance of
1063 life or to the continuation of therapy in a chronic condition.

1064 (c) ~~(3)~~ In the pharmacist's professional judgment, the
1065 interruption of therapy might reasonably produce undesirable
1066 health consequences or may cause physical or mental discomfort.



1067 (d) ~~(4)~~ The dispensing pharmacist creates a written order
1068 containing all of the prescription information required by this
1069 chapter and chapters 499 and 893 and signs that order.

1070 (e) ~~(5)~~ The dispensing pharmacist notifies the prescriber
1071 of the emergency dispensing within a reasonable time after such
1072 dispensing.

1073 Section 27. Paragraph (b) of subsection (1) and subsection
1074 (3) of section 465.0276, Florida Statutes, are amended to read:

1075 465.0276 Dispensing practitioner.—

1076 (1)

1077 (b) A practitioner registered under this section may not
1078 dispense a controlled substance listed in Schedule II or
1079 Schedule III as provided in s. 893.03. This paragraph does not
1080 apply to:

1081 1. The dispensing of complimentary packages of medicinal
1082 drugs which are labeled as a drug sample or complimentary drug
1083 as defined in s. 499.028 to the practitioner's own patients in
1084 the regular course of her or his practice without the payment of
1085 a fee or remuneration of any kind, whether direct or indirect,
1086 as provided in subsection (4) ~~(5)~~.

1087 2. The dispensing of controlled substances in the health
1088 care system of the Department of Corrections.

1089 3. The dispensing of a controlled substance listed in
1090 Schedule II or Schedule III in connection with the performance
1091 of a surgical procedure. The amount dispensed pursuant to the
1092 subparagraph may not exceed a 14-day supply. This exception does



1093 | not allow for the dispensing of a controlled substance listed in
1094 | Schedule II or Schedule III more than 14 days after the
1095 | performance of the surgical procedure. For purposes of this
1096 | subparagraph, the term "surgical procedure" means any procedure
1097 | in any setting which involves, or reasonably should involve:
1098 | a. Perioperative medication and sedation that allows the
1099 | patient to tolerate unpleasant procedures while maintaining
1100 | adequate cardiorespiratory function and the ability to respond
1101 | purposefully to verbal or tactile stimulation and makes intra-
1102 | and postoperative monitoring necessary; or
1103 | b. The use of general anesthesia or major conduction
1104 | anesthesia and preoperative sedation.
1105 | 4. The dispensing of a controlled substance listed in
1106 | Schedule II or Schedule III pursuant to an approved clinical
1107 | trial. For purposes of this subparagraph, the term "approved
1108 | clinical trial" means a clinical research study or clinical
1109 | investigation that, in whole or in part, is state or federally
1110 | funded or is conducted under an investigational new drug
1111 | application that is reviewed by the United States Food and Drug
1112 | Administration.
1113 | 5. The dispensing of methadone in a facility licensed
1114 | under s. 397.427 where medication-assisted treatment for opiate
1115 | addiction is provided.
1116 | 6. The dispensing of a controlled substance listed in
1117 | Schedule II or Schedule III to a patient of a facility licensed
1118 | under part IV of chapter 400.



1119 ~~(3) The department shall inspect any facility where a~~
 1120 ~~practitioner dispenses medicinal drugs pursuant to subsection~~
 1121 ~~(2) in the same manner and with the same frequency as it~~
 1122 ~~inspects pharmacies for the purpose of determining whether the~~
 1123 ~~practitioner is in compliance with all statutes and rules~~
 1124 ~~applicable to her or his dispensing practice.~~

1125 Section 28. Subsection (3) of section 466.0135, Florida
 1126 Statutes, is amended to read:

1127 466.0135 Continuing education; dentists.—

1128 (3) A ~~In applying for license renewal,~~ the dentist shall
 1129 complete ~~submit a sworn affidavit, on a form acceptable to the~~
 1130 ~~department, attesting that she or he has completed the~~ required
 1131 continuing education as provided ~~required~~ in this section and ~~in~~
 1132 ~~accordance with the guidelines and provisions of this section~~
 1133 ~~and listing the date, location, sponsor, subject matter, and~~
 1134 ~~hours of completed continuing education courses. The applicant~~
 1135 ~~shall retain in her or his records~~ any such receipts, vouchers,
 1136 ~~or certificates as may be necessary to document completion of~~
 1137 such ~~the continuing education courses listed in accordance with~~
 1138 ~~this subsection. With cause, the board may request such~~
 1139 ~~documentation by the applicant, and the board may request such~~
 1140 ~~documentation from applicants selected at random without cause.~~

1141 Section 29. Section 466.014, Florida Statutes, is amended
 1142 to read:

1143 466.014 Continuing education; dental hygienists.—In
 1144 addition to the other requirements for relicensure for dental



1145 | hygienists set out in this chapter ~~act~~, the board shall require
 1146 | each licensed dental hygienist to complete at least ~~not less~~
 1147 | ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing
 1148 | professional education in dental subjects, biennially, in
 1149 | programs prescribed or approved by the board or in equivalent
 1150 | programs of continuing education. Programs of continuing
 1151 | education approved by the board shall be programs of learning
 1152 | which, in the opinion of the board, contribute directly to the
 1153 | dental education of the dental hygienist. The board shall adopt
 1154 | rules and guidelines to administer and enforce ~~the provisions of~~
 1155 | this section. ~~In applying for license renewal,~~ The dental
 1156 | hygienist shall ~~submit a sworn affidavit, on a form acceptable~~
 1157 | ~~to the department, attesting that she or he has completed the~~
 1158 | ~~continuing education required in this section in accordance with~~
 1159 | ~~the guidelines and provisions of this section and listing the~~
 1160 | ~~date, location, sponsor, subject matter, and hours of completed~~
 1161 | ~~continuing education courses. The applicant shall retain in her~~
 1162 | or his records any such receipts, vouchers, or certificates ~~as~~
 1163 | ~~may be necessary to document completion of~~ such ~~the~~ continuing
 1164 | education courses ~~listed in accordance with this section. With~~
 1165 | ~~cause, the board may request such documentation by the~~
 1166 | ~~applicant, and the board may request such documentation from~~
 1167 | ~~applicants selected at random without cause. Compliance with the~~
 1168 | continuing education requirements is ~~shall be~~ mandatory for
 1169 | issuance of the renewal certificate. The board may ~~shall have~~
 1170 | ~~the authority to~~ excuse licensees, as a group or as individuals,



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1171 from all or part of the continuing education ~~educational~~
1172 requirements ~~if, or any part thereof, in the event~~ an unusual
1173 circumstance, emergency, or hardship has prevented compliance
1174 with this section.

1175 Section 30. Subsection (5) of section 466.032, Florida
1176 Statutes, is amended to read:

1177 466.032 Registration.—

1178 (5) A ~~The~~ dental laboratory owner or at least one employee
1179 of any dental laboratory renewing registration on or after July
1180 1, 2010, shall complete 18 hours of continuing education
1181 biennially. Programs of continuing education must ~~shall~~ be
1182 programs of learning that contribute directly to the education
1183 of the dental technician and may include, but are not limited
1184 to, attendance at lectures, study clubs, college courses, or
1185 scientific sessions of conventions and research.

1186 (a) The aim of continuing education for dental technicians
1187 is to improve dental health care delivery to the public as such
1188 is impacted through the design, manufacture, and use of
1189 artificial human oral prosthetics and related restorative
1190 appliances.

1191 (b) Continuing education courses shall address one or more
1192 of the following areas of professional development, including,
1193 but not limited to:

1194 1. Laboratory and technological subjects, including, but
1195 not limited to, laboratory techniques and procedures, materials,
1196 and equipment; and



1197 2. Subjects pertinent to oral health, infection control,
1198 and safety.

1199 (c) Programs that meet ~~meeting~~ the general requirements of
1200 continuing education may be developed and offered to dental
1201 technicians by the Florida Dental Laboratory Association and the
1202 Florida Dental Association. Other organizations, schools, or
1203 agencies may also be approved to develop and offer continuing
1204 education in accordance with specific criteria established by
1205 the department.

1206 ~~(d) Any dental laboratory renewing a registration on or~~
1207 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~
1208 ~~approved by the department, attesting that either the dental~~
1209 ~~laboratory owner or one dental technician employed by the~~
1210 ~~registered dental laboratory has completed the continuing~~
1211 ~~education required in this subsection in accordance with the~~
1212 ~~guidelines and provisions of this subsection and listing the~~
1213 ~~date, location, sponsor, subject matter, and hours of completed~~
1214 ~~continuing education courses. The dental laboratory shall retain~~
1215 ~~in its records such receipts, vouchers, or certificates as may~~
1216 ~~be necessary to document completion of the continuing education~~
1217 ~~courses listed in accordance with this subsection. With cause,~~
1218 ~~the department may request that the documentation be provided by~~
1219 ~~the applicant. The department may also request the documentation~~
1220 ~~from applicants selected at random without cause.~~

1221 (d)-(e)1. This subsection does not apply to a dental
1222 laboratory that is physically located within a dental practice



1223 operated by a dentist licensed under this chapter.

1224 2. A dental laboratory in another state or country which
1225 provides service to a dentist licensed under this chapter is not
1226 required to register with the state and may continue to provide
1227 services to such dentist with a proper prescription. However, a
1228 dental laboratory in another state or country, ~~however~~, may
1229 voluntarily comply with this subsection.

1230 Section 31. Section 468.1201, Florida Statutes, is
1231 repealed.

1232 Section 32. Paragraph (a) of subsection (3), subsections
1233 (4) and (5), paragraphs (a) and (e) of present subsection (6),
1234 and present subsection (7) of section 483.901, Florida Statutes,
1235 are amended, and paragraph (k) is added to present subsection
1236 (6) of that section, to read:

1237 483.901 Medical physicists; definitions; licensure.—

1238 (3) DEFINITIONS.—As used in this section, the term:

1239 ~~(a) "Council" means the Advisory Council of Medical~~
1240 ~~Physicists in the Department of Health.~~

1241 ~~(4) COUNCIL.—The Advisory Council of Medical Physicists is~~
1242 ~~created in the Department of Health to advise the department in~~
1243 ~~regulating the practice of medical physics in this state.~~

1244 ~~(a) The council shall be composed of nine members~~
1245 ~~appointed by the State Surgeon General as follows:~~

1246 1. ~~A licensed medical physicist who specializes in~~
1247 ~~diagnostic radiological physics.~~

1248 2. ~~A licensed medical physicist who specializes in~~



1249 ~~therapeutic radiological physics.~~

1250 ~~3. A licensed medical physicist who specializes in medical~~
1251 ~~nuclear radiological physics.~~

1252 ~~4. A physician who is board certified by the American~~
1253 ~~Board of Radiology or its equivalent.~~

1254 ~~5. A physician who is board certified by the American~~
1255 ~~Osteopathic Board of Radiology or its equivalent.~~

1256 ~~6. A chiropractic physician who practices radiology.~~

1257 ~~7. Three consumer members who are not, and have never~~
1258 ~~been, licensed as a medical physicist or licensed in any closely~~
1259 ~~related profession.~~

1260 ~~(b) The State Surgeon General shall appoint the medical~~
1261 ~~physicist members of the council from a list of candidates who~~
1262 ~~are licensed to practice medical physics.~~

1263 ~~(c) The State Surgeon General shall appoint the physician~~
1264 ~~members of the council from a list of candidates who are~~
1265 ~~licensed to practice medicine in this state and are board~~
1266 ~~certified in diagnostic radiology, therapeutic radiology, or~~
1267 ~~radiation oncology.~~

1268 ~~(d) The State Surgeon General shall appoint the public~~
1269 ~~members of the council.~~

1270 ~~(e) As the term of each member expires, the State Surgeon~~
1271 ~~General shall appoint the successor for a term of 4 years. A~~
1272 ~~member shall serve until the member's successor is appointed,~~
1273 ~~unless physically unable to do so.~~

1274 ~~(f) An individual is ineligible to serve more than two~~



1275 ~~full consecutive 4-year terms.~~

1276 ~~(g) If a vacancy on the council occurs, the State Surgeon~~
 1277 ~~General shall appoint a member to serve for a 4-year term.~~

1278 ~~(h) A council member must be a United States citizen and~~
 1279 ~~must have been a resident of this state for 2 consecutive years~~
 1280 ~~immediately before being appointed.~~

1281 ~~1. A member of the council who is a medical physicist must~~
 1282 ~~have practiced for at least 6 years before being appointed or be~~
 1283 ~~board certified for the specialty in which the member practices.~~

1284 ~~2. A member of the council who is a physician must be~~
 1285 ~~licensed to practice medicine in this state and must have~~
 1286 ~~practiced diagnostic radiology or radiation oncology in this~~
 1287 ~~state for at least 2 years before being appointed.~~

1288 ~~3. The public members of the council must not have a~~
 1289 ~~financial interest in any endeavor related to the practice of~~
 1290 ~~medical physics.~~

1291 ~~(i) A council member may be removed from the council if~~
 1292 ~~the member:~~

1293 ~~1. Did not have the required qualifications at the time of~~
 1294 ~~appointment;~~

1295 ~~2. Does not maintain the required qualifications while~~
 1296 ~~serving on the council; or~~

1297 ~~3. Fails to attend the regularly scheduled council~~
 1298 ~~meetings in a calendar year as required by s. 456.011.~~

1299 ~~(j) Members of the council may not receive compensation~~
 1300 ~~for their services; however, they are entitled to reimbursement,~~



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1301 ~~from funds deposited in the Medical Quality Assurance Trust~~
1302 ~~Fund, for necessary travel expenses as specified in s. 112.061~~
1303 ~~for each day they engage in the business of the council.~~

1304 ~~(k) At the first regularly scheduled meeting of each~~
1305 ~~calendar year, the council shall elect a presiding officer and~~
1306 ~~an assistant presiding officer from among its members. The~~
1307 ~~council shall meet at least once each year and at other times in~~
1308 ~~accordance with department requirements.~~

1309 ~~(l) The department shall provide administrative support to~~
1310 ~~the council for all licensing activities.~~

1311 ~~(m) The council may conduct its meetings electronically.~~

1312 ~~(5) POWERS OF COUNCIL. The council shall:~~

1313 ~~(a) Recommend rules to administer this section.~~

1314 ~~(b) Recommend practice standards for the practice of~~
1315 ~~medical physics which are consistent with the Guidelines for~~
1316 ~~Ethical Practice for Medical Physicists prepared by the American~~
1317 ~~Association of Physicists in Medicine and disciplinary~~
1318 ~~guidelines adopted under s. 456.079.~~

1319 ~~(c) Develop and recommend continuing education~~
1320 ~~requirements for licensed medical physicists.~~

1321 (4) ~~(6)~~ LICENSE REQUIRED.—An individual may not engage in
1322 the practice of medical physics, including the specialties of
1323 diagnostic radiological physics, therapeutic radiological
1324 physics, medical nuclear radiological physics, or medical health
1325 physics, without a license issued by the department for the
1326 appropriate specialty.



1327 (a) The department shall adopt rules to administer this
1328 section which specify license application and renewal fees,
1329 continuing education requirements, and standards for practicing
1330 medical physics. ~~The council shall recommend to the department~~
1331 ~~continuing education requirements that shall be a condition of~~
1332 ~~license renewal.~~ The department shall require a minimum of 24
1333 hours per biennium of continuing education offered by an
1334 organization ~~recommended by the council and~~ approved by the
1335 department. ~~The department, upon recommendation of the council,~~
1336 may adopt rules to specify continuing education requirements for
1337 persons who hold a license in more than one specialty.

1338 (e) Upon ~~On~~ receipt of an application and fee as specified
1339 in this section, the department may issue a license to practice
1340 medical physics in this state ~~on or after October 1, 1997,~~ to a
1341 person who is board certified in the medical physics specialty
1342 in which the applicant applies to practice by the American Board
1343 of Radiology for diagnostic radiological physics, therapeutic
1344 radiological physics, or medical nuclear radiological physics;
1345 by the American Board of Medical Physics for diagnostic
1346 radiological physics, therapeutic radiological physics, or
1347 medical nuclear radiological physics; or by the American Board
1348 of Health Physics or an equivalent certifying body approved by
1349 the department.

1350 (k) Upon proof of a completed residency program and
1351 receipt of the fee set forth by rule, the department may issue a
1352 temporary license for no more than 1 year. The department may



1353 adopt by rule requirements for temporary licensure and renewal
1354 of temporary licenses.

1355 (5) ~~(7)~~ FEES.—The fee for the initial license application
1356 shall be \$500 and is nonrefundable. The fee for license renewal
1357 may not be more than \$500. These fees may cover only the costs
1358 incurred by the department ~~and the council~~ to administer this
1359 section. By July 1 of each year, the department shall determine
1360 whether ~~advise the council~~ if the fees are insufficient to
1361 administer this section.

1362 Section 33. Subsection (2) of section 484.047, Florida
1363 Statutes, is amended to read:

1364 484.047 Renewal of license.—

1365 (2) In addition to the other requirements for renewal
1366 provided in this section and by the board, the department shall
1367 renew a license upon receipt of the renewal application and, the
1368 renewal fee, ~~and a written statement affirming compliance with~~
1369 ~~all other requirements set forth in this section and by the~~
1370 ~~board.~~ A licensee must maintain, if applicable, a certificate
1371 from a manufacturer or independent testing agent certifying that
1372 the testing room meets the requirements of s. 484.0501(6) and,
1373 if applicable, a certificate from a manufacturer or independent
1374 testing agent stating that all audiometric testing equipment
1375 used by the licensee has been calibrated acoustically to
1376 American National Standards Institute standards on an annual
1377 ~~basis acoustically to American National Standards Institute~~
1378 ~~standard specifications.~~ Possession of an applicable certificate



1379 is ~~the certificates shall be~~ a prerequisite to renewal.

1380 Section 34. Paragraph (a) of subsection (3) of section
1381 486.102, Florida Statutes, is amended to read:

1382 486.102 Physical therapist assistant; licensing
1383 requirements.—To be eligible for licensing by the board as a
1384 physical therapist assistant, an applicant must:

1385 (3) (a) Have been graduated from a school giving a course
1386 of not less than 2 years for physical therapist assistants,
1387 which has been approved for the educational preparation of
1388 physical therapist assistants by the appropriate accrediting
1389 agency recognized by the Commission on Recognition of
1390 Postsecondary Accreditation or the United States Department of
1391 Education, ~~which includes, but is not limited to, any regional
1392 or national institutional accrediting agencies recognized by the
1393 United States Department of Education or the Commission on
1394 Accreditation for Physical Therapy Education (CAPTE),~~ at the
1395 time of her or his graduation and have passed to the
1396 satisfaction of the board an examination to determine her or his
1397 fitness for practice as a physical therapist assistant as
1398 hereinafter provided;

1399 Section 35. Subsections (1) and (4) of section 486.109,
1400 Florida Statutes, are amended to read:

1401 486.109 Continuing education.—

1402 (1) The board shall require licensees to periodically
1403 demonstrate their professional competence as a condition of
1404 renewal of a license by completing 24 hours of continuing



1405 education biennially.

1406 (4) Each licensee shall maintain ~~be responsible for~~
1407 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~
1408 ~~which shall be subject to a random audit by the department to~~
1409 demonstrate ~~assure~~ compliance with this section.

1410 Section 36. Paragraph (a) of subsection (15) of section
1411 499.028, Florida Statutes, is amended to read:

1412 499.028 Drug samples or complimentary drugs; starter
1413 packs; permits to distribute.—

1414 (15) A person may not possess a prescription drug sample
1415 unless:

1416 (a) The drug sample was prescribed to her or him as
1417 evidenced by the label required in s. 465.0276(4) ~~465.0276(5)~~.

1418 Section 37. Subsection (3) of section 893.04, Florida
1419 Statutes, is amended to read:

1420 893.04 Pharmacist and practitioner.—

1421 (3) Notwithstanding subsection (1), a pharmacist may
1422 dispense a one-time emergency refill of up to a 72-hour supply
1423 of the prescribed medication for any medicinal drug other than a
1424 medicinal drug listed in Schedule II, or up to one vial of
1425 insulin to treat diabetes mellitus, in compliance with ~~the~~
1426 ~~provisions of~~ s. 465.0275.

1427 Section 38. Paragraph (g) of subsection (3) of section
1428 921.0022, Florida Statutes, is amended to read:

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



1431 (3) OFFENSE SEVERITY RANKING CHART

1432 (g) LEVEL 7

1433

| | | |
|---------|--------|-------------|
| Florida | Felony | |
| Statute | Degree | Description |

1434

| | | |
|-----------------|-----|---|
| 316.027 (2) (c) | 1st | Accident involving death, failure to stop; leaving scene. |
|-----------------|-----|---|

1435

| | | |
|--------------------|-----|---|
| 316.193 (3) (c) 2. | 3rd | DUI resulting in serious bodily injury. |
|--------------------|-----|---|

1436

| | | |
|------------------|-----|--|
| 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. |
|------------------|-----|--|

1437



| | | | |
|------|-------------------------|-----|--|
| 1438 | 327.35 (3) (c) 2. | 3rd | Vessel BUI resulting in serious bodily injury. |
| 1439 | 402.319 (2) | 2nd | Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death. |
| 1440 | 409.920 (2) (b) 1.a. | 3rd | Medicaid provider fraud; \$10,000 or less. |
| 1441 | 409.920 (2) (b) 1.b. | 2nd | Medicaid provider fraud; more than \$10,000, but less than \$50,000. |
| 1442 | 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 without a license. |
| 1444 | 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 | | | |



| | | | |
|------|---|-----|---|
| 1452 | 466.026 (1) | 3rd | Practicing dentistry or dental hygiene without a license. |
| 1453 | 467.201 | 3rd | Practicing midwifery without a license. |
| 1454 | 468.366 | 3rd | Delivering respiratory care services without a license. |
| 1455 | 483.828 (1) | 3rd | Practicing as clinical laboratory personnel without a license. |
| 1456 | <u>483.901 (7)</u> 483.901 (9) | 3rd | Practicing medical physics without a license. |
| 1457 | 484.013 (1) (c) | 3rd | Preparing or dispensing optical devices without a prescription. |
| 1458 | 484.053 | 3rd | Dispensing hearing aids without a license. |
| | 494.0018 (2) | 1st | Conviction of any violation of chapter 494 |



| | | | |
|------|--------------------|-----|---|
| 1459 | 560.123 (8) (b) 1. | 3rd | in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims. |
| 1460 | 560.125 (5) (a) | 3rd | Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business. |
| 1461 | 655.50 (10) (b) 1. | 3rd | Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000. |
| 1462 | 775.21 (10) (a) | 3rd | Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution. |
| | | | Sexual predator; failure to |



| | | | |
|------|-----------------|-----|---|
| 1463 | 775.21 (10) (b) | 3rd | register; failure to renew driver license or identification card; other registration violations. |
| 1464 | 775.21 (10) (g) | 3rd | Sexual predator working where children regularly congregate. |
| 1465 | 782.051 (3) | 2nd | Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator. |
| 1466 | 782.07 (1) | 2nd | Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony. |
| | | | 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 | 784.045 (1) (a) 1. | 2nd | Aggravated battery; intentionally causing great bodily harm or disfigurement. |
| 1470 | 784.045 (1) (a) 2. | 2nd | Aggravated battery; using deadly weapon. |
| 1471 | 784.045 (1) (b) | 2nd | Aggravated battery; perpetrator aware victim pregnant. |
| 1472 | 784.048 (4) | 3rd | Aggravated stalking; violation of injunction or |



| | | | |
|------|-----------------|-----|---|
| 1473 | | | court order. |
| | 784.048 (7) | 3rd | Aggravated stalking; violation of court order. |
| 1474 | | | |
| | 784.07 (2) (d) | 1st | Aggravated battery on law enforcement officer. |
| 1475 | | | |
| | 784.074 (1) (a) | 1st | Aggravated battery on sexually violent predators facility staff. |
| 1476 | | | |
| | 784.08 (2) (a) | 1st | Aggravated battery on a person 65 years of age or older. |
| 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 |



| | | | |
|------|-------------------|-----|--|
| 1480 | | | 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 under specified circumstances. |
| 1484 | 790.165 (2) | 2nd | Manufacture, sell, possess, or deliver hoax bomb. |
| 1485 | 790.165 (3) | 2nd | Possessing, displaying, or threatening to use any hoax |



| | | | |
|------|-------------|----------|--|
| 1486 | 790.166 (3) | 2nd | bomb while committing or attempting to commit a felony. 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. |
| 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. |



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|------|-------------------|-----|--|
| 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 molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or |



| | | | |
|------|--------------------|-----|---|
| 1495 | | | older; prior conviction for specified sex offense. |
| 1496 | 806.01 (2) | 2nd | Maliciously damage structure by fire or explosive. |
| 1497 | 810.02 (3) (a) | 2nd | Burglary of occupied dwelling; unarmed; no assault or battery. |
| 1498 | 810.02 (3) (b) | 2nd | Burglary of unoccupied dwelling; unarmed; no assault or battery. |
| 1499 | 810.02 (3) (d) | 2nd | Burglary of occupied conveyance; unarmed; no assault or battery. |
| 1500 | 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 |



| | | | |
|------|--------------------|-----|---|
| 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; |



| | | | |
|------|--------------------|-----|---|
| 1506 | 812.131 (2) (a) | 2nd | initiates, organizes, plans, etc., the theft of property and traffics in stolen property. 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; |



| | | | |
|------|-------------------------------|-----|---|
| 1512 | 817.2341 (2) (b) & (3) (b) | 1st | <p style="text-align: right;">property value \$100,000 or more.</p> <p>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.</p> |
| 1513 | 817.535 (2) (a) | 3rd | <p>Filing false lien or other unauthorized document.</p> |
| 1514 | 825.102 (3) (b) | 2nd | <p>Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.</p> |
| 1515 | 825.103 (3) (b) | 2nd | <p>Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than</p> |



| | | | |
|------|-----------------|-----|---|
| 1516 | | | \$50,000. |
| 1517 | 827.03 (2) (b) | 2nd | Neglect of a child causing great bodily harm, disability, or disfigurement. |
| 1518 | 827.04 (3) | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older. |
| 1519 | 837.05 (2) | 3rd | Giving false information about alleged capital felony to a law enforcement officer. |
| 1520 | 838.015 | 2nd | Bribery. |
| 1521 | 838.016 | 2nd | Unlawful compensation or reward for official behavior. |
| 1522 | 838.021 (3) (a) | 2nd | Unlawful harm to a public servant. |
| 1523 | 838.22 | 2nd | Bid tampering. |
| | 843.0855 (2) | 3rd | Impersonation of a public |



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| | | | 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. |
| 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, |



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893.13(1)(c)1.

1st

finances, directs, manages, or supervises criminal gang-related activity.

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.

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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



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| | | | 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 | 893.135 (1) (c) 1.a. | 1st | Trafficking in illegal drugs, more than 4 grams, less than 14 grams. |
| 1537 | 893.135 (1) (c) 2.a. | 1st | Trafficking in hydrocodone, 14 grams or more, less than 28 grams. |
| 1538 | 893.135 | 1st | Trafficking in hydrocodone, |



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| 1539 | (1) (c) 2.b. | | 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. |
| 1543 | 893.135 (1) (e) 1. | 1st | Trafficking in methaqualone, more than 200 grams, less than 5 kilograms. |
| 1544 | 893.135 (1) (f) 1. | 1st | Trafficking in amphetamine, more than 14 grams, less than 28 grams. |



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| 1545 | 893.135 (1) (g) 1.a. | 1st | Trafficking in flunitrazepam, 4 grams or more, less than 14 grams. |
| 1546 | 893.135 (1) (h) 1.a. | 1st | Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms. |
| 1547 | 893.135 (1) (j) 1.a. | 1st | Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms. |
| 1548 | 893.135 (1) (k) 2.a. | 1st | Trafficking in Phenethylamines, 10 grams or more, less than 200 grams. |
| 1549 | 893.1351 (2) | 2nd | Possession of place for trafficking in or manufacturing of controlled substance. |
| | 896.101 (5) (a) | 3rd | Money laundering, financial transactions exceeding \$300 but less |



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| 1550 | 896.104 (4) (a) 1. | 3rd | than \$20,000. Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000. |
| 1551 | 943.0435 (4) (c) | 2nd | Sexual offender vacating permanent residence; failure to comply with reporting requirements. |
| 1552 | 943.0435 (8) | 2nd | Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements. |
| 1553 | 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 | 943.0435 (14) | 3rd | <p>information about a sexual offender; harbor or conceal a sexual offender.</p> <p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p> |
| 1556 | 944.607 (9) | 3rd | <p>Sexual offender; failure to comply with reporting requirements.</p> |
| 1557 | 944.607 (10) (a) | 3rd | <p>Sexual offender; failure to submit to the taking of a digitized photograph.</p> |
| 1558 | 944.607 (12) | 3rd | <p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p> |



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| 1559 | 944.607(13) | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 1560 | 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 | | | |



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Section 39. This act shall take effect July 1, 2016.