



1                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 20.43, F.S.; renaming the Office of Minority Health  
4           within the department; specifying that the office  
5           shall be headed by a Senior Health Equity Officer and  
6           prescribing his or her duties; amending s. 215.5602,  
7           F.S.; revising the reporting requirements for the  
8           Biomedical Research Advisory Council under the James  
9           and Esther King Biomedical Research program; revising  
10          the reporting requirements for certain entities that  
11          perform or are associated with cancer research or  
12          care; amending s. 381.0034, F.S.; deleting the  
13          requirement that applicants making initial application  
14          for certain licensure complete certain courses;  
15          amending s. 381.7355, F.S.; revising the review  
16          criteria for Closing the Gap grant proposals; amending  
17          s. 381.82, F.S.; revising the reporting requirements  
18          for the Alzheimer's Disease Research Grant Advisory  
19          Board under the Ed and Ethel Moore Alzheimer's Disease  
20          Research Program; providing for the carryforward for a  
21          limited period of any unexpended balance of an  
22          appropriation for the program; amending s. 381.877,  
23          F.S.; providing that a pharmacist may dispense an  
24          emergency opioid antagonist pursuant to a prescription  
25          or a non-patient specific standing order for an auto  
26          injection delivery system or an intranasal delivery



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



53 | that applicants successfully complete a certification  
54 | examination within a specified timeframe; amending s.  
55 | 456.013, F.S.; revising course requirements for  
56 | renewing a certain license; amending s. 456.024, F.S.;  
57 | revising the eligibility criteria for a member of the  
58 | United States Armed Forces, the United States Reserve  
59 | Forces, or the National Guard and the spouse of an  
60 | active duty military member to be issued a license to  
61 | practice as a health care practitioner in this state;  
62 | deleting provisions relating to temporary professional  
63 | licensure for spouses of active duty members of the  
64 | United States Armed Forces; creating s. 456.0241,  
65 | F.S.; providing definitions; providing for issuance of  
66 | a temporary certificate under certain conditions for  
67 | certain military health care practitioners; providing  
68 | for the automatic expiration of the temporary  
69 | certificate unless renewed; providing for application  
70 | and renewal fees; requiring the department to adopt  
71 | rules; creating s. 456.0361, F.S.; requiring the  
72 | department to establish an electronic continuing  
73 | education tracking system; prohibiting the department  
74 | from renewing a license unless the licensee has  
75 | complied with all continuing education requirements;  
76 | authorizing the department to adopt rules; amending s.  
77 | 456.057, F.S.; requiring a person or entity appointed  
78 | by the board as a custodian of medical records to be



79 approved by the department; authorizing the department  
80 to contract with a third party to provide custodial  
81 services; amending s. 456.0635, F.S.; deleting a  
82 provision on applicability relating to the issuance of  
83 licenses; amending s. 457.107, F.S.; deleting a  
84 provision authorizing the Board of Acupuncture to  
85 request certain documentation from applicants;  
86 amending s. 458.347, F.S.; deleting a requirement that  
87 a physician assistant file a signed affidavit with the  
88 department; amending s. 459.022, F.S.; deleting a  
89 requirement that a physician assistant file a signed  
90 affidavit with the department; amending s. 460.402,  
91 F.S.; providing an additional exception to licensure  
92 requirements for chiropractic physicians; amending s.  
93 463.007, F.S.; making technical changes; amending s.  
94 464.203, F.S.; revising inservice training  
95 requirements for certified nursing assistants;  
96 repealing s. 464.2085, F.S., relating to the Council  
97 on Certified Nursing Assistants; amending s. 465.009,  
98 providing training requirements for pharmacists  
99 related to opioid antagonist dispensing; authorizing  
100 the department to adopt rules; amending 465.027, F.S.;  
101 providing an additional exception to pharmacy  
102 regulations for manufacturers of dialysis drugs or  
103 supplies; amending s. 465.0275, F.S.; revising the  
104 amount of emergency prescription refill authorized to



105 | be dispensed by a pharmacist; amending s. 465.0276,  
106 | F.S.; deleting a requirement that the department  
107 | inspect certain facilities; amending s. 466.0135,  
108 | F.S.; deleting a requirement that a dentist file a  
109 | signed affidavit with the department; deleting a  
110 | provision authorizing the Board of Dentistry to  
111 | request certain documentation from applicants;  
112 | amending s. 466.014, F.S.; deleting a requirement that  
113 | a dental hygienist file a signed affidavit with the  
114 | department; deleting a provision authorizing the board  
115 | to request certain documentation from applicants;  
116 | amending s. 466.032, F.S.; deleting a requirement that  
117 | a dental laboratory file a signed affidavit with the  
118 | department; deleting a provision authorizing the  
119 | department to request certain documentation from  
120 | applicants; repealing s. 468.1201, F.S., relating to a  
121 | requirement for instruction on human immunodeficiency  
122 | virus and acquired immune deficiency syndrome;  
123 | amending s. 483.901, F.S.; deleting provisions  
124 | relating to the Advisory Council of Medical  
125 | Physicists; authorizing the department to issue  
126 | temporary licenses in certain circumstances;  
127 | authorizing the department to adopt rules; amending s.  
128 | 484.047, F.S.; deleting a requirement for a written  
129 | statement from an applicant in certain circumstances;  
130 | amending s. 486.102, F.S.; revising accrediting



131 agencies that may approve physical therapy assistant  
132 programs for purposes of licensing; amending s.  
133 486.109, F.S.; deleting a provision authorizing the  
134 department to conduct a random audit of certain  
135 information; amending ss. 499.028, 893.04, and  
136 921.0022, F.S.; conforming provisions and cross-  
137 references; providing an effective date.

138

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

140

141 Section 1. Subsection (9) of section 20.43, Florida  
142 Statutes, is amended to read:

143 20.43 Department of Health.—There is created a Department  
144 of Health.

145 (9) There is established within the Department of Health  
146 the Office of Minority Health and Health Equity, which shall be  
147 headed by a Senior Health Equity Officer. The Senior Health  
148 Equity Officer shall administer the Closing the Gap grant  
149 program established under ss. 381.7351-381.7356 in a manner that  
150 maximizes the impact of the grants in achieving health equity.  
151 The Senior Health Equity Officer shall evaluate the awarded  
152 grants to assess the effectiveness and efficiency of the use of  
153 funds and to determine best practices. The Senior Health Equity  
154 Officer shall disseminate information on best practices to  
155 stakeholders and shall ensure that the assessments inform future  
156 grant award decisions.



157 Section 2. Subsections (10) and (12) of section 215.5602,  
158 Florida Statutes, are amended to read:

159 215.5602 James and Esther King Biomedical Research  
160 Program.—

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

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

168 1.(b) A summary list of the research project and results  
169 or expected results of the research ~~recipients of program grants~~  
170 ~~or fellowships.~~

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

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

175 4.(c) A list of principal investigators under the research  
176 project.

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

181 6.(d) The source and amount of any federal, state, or  
182 local government grants or donations or private grants or



183 donations generated as a result of the research project.

184 7. The status of a patent, if any, generated from the  
185 research project and an economic analysis of the impact of the  
186 resulting patent.

187 8. A list of postsecondary educational institutions  
188 involved in the research project, a description of each  
189 postsecondary educational institution's involvement in the  
190 research project, and the number of students receiving training  
191 or performing research under the research project.

192 (b) The state ranking and total amount of biomedical  
193 research funding currently flowing into the state from the  
194 National Institutes of Health.

195 ~~(c) New grants for biomedical research which were funded~~  
196 ~~based on research supported by grants or fellowships awarded~~  
197 ~~under the program.~~

198 (c)~~(f)~~ Progress towards programmatic goals, particularly  
199 in the prevention, diagnosis, treatment, and cure of diseases  
200 related to tobacco use, including cancer, cardiovascular  
201 disease, stroke, and pulmonary disease.

202 (d)~~(g)~~ Recommendations to further the mission of the  
203 programs.

204 (12) (a) Each ~~Beginning in the 2011-2012 fiscal year and~~  
205 ~~thereafter~~, \$25 million from the revenue deposited into the  
206 Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7)  
207 shall be reserved for research of tobacco-related or cancer-  
208 related illnesses. Of the revenue deposited in the Health Care





209 Trust Fund pursuant to this section, \$25 million shall be  
210 transferred to the Biomedical Research Trust Fund within the  
211 Department of Health. Subject to annual appropriations in the  
212 General Appropriations Act, \$5 million shall be appropriated to  
213 the James and Esther King Biomedical Research Program, and \$5  
214 million shall be appropriated to the William G. "Bill" Bankhead,  
215 Jr., and David Coley Cancer Research Program created under s.  
216 381.922.

217 (b) ~~Beginning July 1, 2014,~~ An entity that ~~which~~ performs  
218 or is associated with cancer research or care that receives a  
219 specific appropriation for biomedical research, research-related  
220 functions, operations or other supportive functions, or  
221 expansion of operations in the General Appropriations Act  
222 without statutory reporting requirements for the receipt of  
223 those funds, ~~7~~ must submit an annual fiscal-year progress report  
224 to the President of the Senate and the Speaker of the House of  
225 Representatives by December 15. The report must:

226 1. Describe the general use of the funds.

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

229 a. Status of the research, including whether the research  
230 has concluded.

231 b. Results or expected results of the research.

232 c. Names of principal investigators performing the  
233 research.

234 d. Title, citation, and summary of findings of a



235 publication in a peer-reviewed journal resulting from the  
236 research.

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

239 f. List of postsecondary educational institutions involved  
240 in the research, a description of each postsecondary educational  
241 institution's involvement in the research, and the number of  
242 students receiving training or performing research.

243 3. Describe any fixed capital outlay project funded by the  
244 appropriation, the need for the project, how the project will be  
245 utilized, and the timeline for and status of the project, if  
246 applicable.

247 4. Identify any federal, state, or local government grants  
248 or donations or private grants or donations generated as a  
249 result of the appropriation or activities funded by the  
250 appropriation, if applicable and traceable.

251 Section 3. Subsection (3) of section 381.0034, Florida  
252 Statutes, is amended to read:

253 381.0034 Requirement for instruction on HIV and AIDS.—

254 (3) The department shall require, as a condition of  
255 granting a license under chapter 467 or part III of chapter 483  
256 ~~the chapters specified in subsection (1),~~ that an applicant  
257 making initial application for licensure complete an educational  
258 course acceptable to the department on human immunodeficiency  
259 virus and acquired immune deficiency syndrome. Upon submission  
260 of an affidavit showing good cause, an applicant who has not



261 taken a course at the time of licensure shall, ~~upon an affidavit~~  
262 ~~showing good cause,~~ be allowed 6 months to complete this  
263 requirement.

264 Section 4. Paragraph (a) of subsection (2) of section  
265 381.7355, Florida Statutes, is amended, and paragraph (i) is  
266 added to subsection (3) of that section, to read:

267 381.7355 Project requirements; review criteria.—

268 (2) A proposal must include each of the following  
269 elements:

270 (a) The purpose and objectives of the proposal, including  
271 identification of the particular racial or ethnic disparity the  
272 project will address. The proposal must address one or more of  
273 the following priority areas:

274 1. Decreasing racial and ethnic disparities in maternal  
275 and infant mortality rates.

276 2. Decreasing racial and ethnic disparities in morbidity  
277 and mortality rates relating to cancer.

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

280 4. Decreasing racial and ethnic disparities in morbidity  
281 and mortality rates relating to cardiovascular disease.

282 5. Decreasing racial and ethnic disparities in morbidity  
283 and mortality rates relating to diabetes.

284 6. Increasing adult and child immunization rates in  
285 certain racial and ethnic populations.

286 7. Decreasing racial and ethnic disparities in oral health



287 care.

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

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

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

295 (i) Incorporate policy approaches to achieve sustainable  
296 long-term improvement.

297 Section 5. Subsection (4) of section 381.82, Florida  
298 Statutes, is amended, and subsection (8) is added to that  
299 section, to read:

300 381.82 Ed and Ethel Moore Alzheimer's Disease Research  
301 Program.—

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

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

309 1. (b) A summary list of the research project and results  
310 or expected results of the research ~~recipients of program grants~~  
311 ~~or fellowships.~~

312 2. The status of the research project, including whether



313 it has concluded or the estimated date of completion.

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

316 4. ~~(e)~~ A list of principal investigators under the research  
317 project.

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

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

325 7. The status of a patent, if any, generated from the  
326 research project and an economic analysis of the impact of the  
327 resulting patent.

328 8. A list of postsecondary educational institutions  
329 involved in the research project, a description of each  
330 postsecondary educational institution's involvement in the  
331 research project, and the number of students receiving training  
332 or performing research under the research project.

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

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



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

342        ~~(d)(g)~~ Recommendations to further the mission of the  
343 program.

344        (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,  
345 the balance of any appropriation from the General Revenue Fund  
346 for the Ed and Ethel Moore Alzheimer's Disease Research Program  
347 which is not disbursed but which is obligated pursuant to  
348 contract or committed to be expended by June 30 of the fiscal  
349 year in which the funds are appropriated may be carried forward  
350 for up to 5 years after the effective date of the original  
351 appropriation.

352        Section 6. Subsection (3) of section 381.887, Florida  
353 Statutes, is amended to read:

354        381.887 Emergency treatment for suspected opioid  
355 overdose.—

356        (3) An authorized health care practitioner may prescribe  
357 and dispense an emergency opioid antagonist to a patient or  
358 caregiver for use in accordance with this section, and  
359 pharmacists may dispense an emergency opioid antagonist labeled  
360 for administration by a patient or caregiver in a nonmedically  
361 supervised environment pursuant to such a prescription or  
362 pursuant to a nonpatient-specific standing order which must be  
363 ~~issued in the name of the patient or caregiver, which is~~  
364 appropriately labeled with instructions for use.



365 (a) A nonpatient-specific standing order may not be valid  
366 for more than 48 months and may not be issued by an authorized  
367 health care practitioner employed by the dispensing pharmacist  
368 or pharmacy. A health care practitioner may not be remunerated  
369 by the dispensing pharmacist or pharmacy for issuing the  
370 standing order.

371 (b) When dispensing an emergency opioid antagonist to a  
372 patient or caregiver, a pharmacist licensed under chapter 465  
373 must provide information that includes, but is not limited to,  
374 opioid overdose prevention, recognition, and response; safe  
375 administration and potential side effects or adverse effects of  
376 administering an emergency opioid antagonist; and the importance  
377 of seeking emergency medical care after administration.

378 (c) Such patient or caregiver is authorized to store and  
379 possess approved emergency opioid antagonists and, in an  
380 emergency situation when a physician is not immediately  
381 available, administer the emergency opioid antagonist to a  
382 person believed in good faith to be experiencing an opioid  
383 overdose, regardless of whether that person has a prescription  
384 for an emergency opioid antagonist.

385 Section 7. Subsection (6) is added to section 381.922,  
386 Florida Statutes, to read:

387 381.922 William G. "Bill" Bankhead, Jr., and David Coley  
388 Cancer Research Program.—

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



391 Governor, the President of the Senate, and the Speaker of the  
392 House of Representatives by December 15 each year. The report  
393 must include:

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

396 1. A summary of the research project and results or  
397 expected results of the research.

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

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

402 4. A list of principal investigators under the research  
403 project.

404 5. The title, citation, and summary of findings of a  
405 publication in a peer-reviewed journal resulting from the  
406 research.

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

410 7. The status of a patent, if any, generated from the  
411 research project and an economic analysis of the impact of the  
412 resulting patent.

413 8. A list of postsecondary educational institutions  
414 involved in the research project, a description of each  
415 postsecondary educational institution's involvement in the  
416 research project, and the number of students receiving training





417 or performing research under the research project.

418 (b) The state ranking and total amount of cancer research  
419 funding currently flowing into the state from the National  
420 Institutes of Health.

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

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

424 Section 8. Subsection (5) is added to section 382.0255,  
425 Florida Statutes, to read:

426 382.0255 Fees.—

427 (5) Notwithstanding s. 406.06(3), a fee may not be charged  
428 for any determination of the cause of death under s. 406.11 or  
429 for any medical certification of cause of death under s.  
430 382.008(3).

431 Section 9. Subsection (3) of section 384.23, Florida  
432 Statutes, is amended to read:

433 384.23 Definitions.—

434 (3) "Sexually transmissible disease" means a bacterial,  
435 viral, fungal, or parasitic disease, ~~determined~~ determined by rule of the  
436 department to be sexually transmissible, to be a threat to the  
437 public health and welfare, and to be a disease for which a  
438 legitimate public interest will be served by providing for  
439 prevention, elimination, control, ~~regulation~~ and treatment. The  
440 department must, by rule, determine ~~In considering~~ which  
441 diseases are to be designated as sexually transmissible  
442 diseases, ~~the department shall consider such diseases as~~



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443 ~~chaneroid, gonorrhea, granuloma inguinale, lymphogranuloma~~  
444 ~~venericum, genital herpes simplex, chlamydia, nongonococcal~~  
445 ~~urethritis (NGU), pelvic inflammatory disease (PID)/acute~~  
446 ~~salpingitis, syphilis, and human immune deficiency virus~~  
447 ~~infection for designation,~~ and shall consider the  
448 recommendations and classifications of the Centers for Disease  
449 Control and Prevention and other nationally recognized medical  
450 authorities in that determination. Not all diseases that are  
451 sexually transmissible need be designated for the purposes of  
452 this act.

453 Section 10. Subsection (7) is added to section 384.27,  
454 Florida Statutes, to read:

455 384.27 Physical examination and treatment.—

456 (7) (a) A health care practitioner licensed under chapter  
457 458 or chapter 459 or certified under s. 464.012 may provide  
458 expedited partner therapy if the following requirements are met:

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

461 2. The patient indicates that he or she has a partner with  
462 whom he or she engaged in sexual activity before the diagnosis  
463 of the sexually transmissible disease.

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

466 (b) A pharmacist licensed under chapter 465 may dispense  
467 medication to a person diagnosed with a sexually transmissible  
468 disease pursuant to a prescription for the purpose of treating



469 that person's partner, regardless of whether the person's  
470 partner has been personally examined by the prescribing health  
471 care practitioner.

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

476 (d) The department may adopt rules to implement this  
477 subsection.

478 Section 11. Subsections (8) and (12) of section 401.27,  
479 Florida Statutes, are amended to read:

480 401.27 Personnel; standards and certification.—

481 (8) Each emergency medical technician certificate and each  
482 paramedic certificate will expire automatically and may be  
483 renewed if the holder meets the qualifications for renewal as  
484 established by the department. A certificate that is not renewed  
485 at the end of the 2-year period will automatically revert to an  
486 inactive status for a period not to exceed two renewal periods  
487 ~~180 days~~. Such certificate may be reactivated and renewed within  
488 the two renewal periods ~~180 days~~ if the certificateholder meets  
489 all other qualifications for renewal, including continuing  
490 education requirements, and pays a \$25 late fee. The  
491 certificateholder also must pass the certification examination  
492 to reactivate the certificate during the second of the two  
493 renewal periods. Reactivation shall be in a manner and on forms  
494 prescribed by department rule.



495 (12) An applicant for certification as an emergency  
496 medical technician or paramedic who is trained outside the  
497 state, or trained in the military, must provide proof of a  
498 current, nationally recognized emergency medical technician or  
499 paramedic certification or registration that is recognized by  
500 the department and based upon successful completion of a  
501 training program approved by the department as being equivalent  
502 to the most recent EMT-Basic or EMT-Paramedic National Standard  
503 Curriculum or the National EMS Education Standards of the United  
504 States Department of Transportation and hold a current  
505 certificate of successful course completion in cardiopulmonary  
506 resuscitation (CPR) or advanced cardiac life support for  
507 emergency medical technicians or paramedics, respectively, to be  
508 eligible for the certification ~~examination. The applicant must~~  
509 ~~successfully complete the certification examination within 2~~  
510 ~~years after the date of the receipt of his or her application by~~  
511 ~~the department. After 2 years, the applicant must submit a new~~  
512 ~~application, meet all eligibility requirements, and submit all~~  
513 ~~fees to reestablish eligibility to take the certification~~  
514 ~~examination.~~

515 Section 12. Subsection (7) of section 456.013, Florida  
516 Statutes, is amended to read:

517 456.013 Department; general licensing provisions.—

518 (7) The boards, or the department when there is no board,  
519 shall require the completion of a 2-hour course relating to  
520 prevention of medical errors as part of the biennial licensure



521 ~~and~~ renewal process. The 2-hour course counts toward ~~shall count~~  
 522 ~~towards~~ the total number of continuing education hours required  
 523 for the profession. The course must ~~shall~~ be approved by the  
 524 board or department, as appropriate, and must ~~shall~~ include a  
 525 study of root-cause analysis, error reduction and prevention,  
 526 and patient safety. In addition, the course approved by the  
 527 Board of Medicine and the Board of Osteopathic Medicine must  
 528 ~~shall~~ include information relating to the five most misdiagnosed  
 529 conditions during the previous biennium, as determined by the  
 530 board. If the course is being offered by a facility licensed  
 531 pursuant to chapter 395 for its employees, the board may approve  
 532 up to 1 hour of the 2-hour course to be specifically related to  
 533 error reduction and prevention methods used in that facility.

534 Section 13. Subsections (3) and (4) of section 456.024,  
 535 Florida Statutes, are amended to read:

536 456.024 Members of United States Armed Forces in good  
 537 standing with administrative boards or the department; spouses;  
 538 licensure.-

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

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

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



547       3. Is a health care practitioner in another state, the  
548 District of Columbia, or a possession or territory of the United  
549 States and is the spouse of a person serving on active duty with  
550 the United States Armed Forces ~~is eligible for licensure in this~~  
551 ~~state.~~

552  
553 The department shall develop an application form, and each  
554 board, or the department if there is no board, shall waive the  
555 application fee, licensure fee, and unlicensed activity fee for  
556 such applicants. For purposes of this subsection, "health care  
557 practitioner" means a health care practitioner as defined in s.  
558 456.001 and a person licensed under part III of chapter 401 or  
559 part IV of chapter 468.

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

562       1. Submits a complete application.

563       2. If he or she is member of the United States Armed  
564 Forces, submits proof that he or she has received ~~Receives~~ an  
565 honorable discharge within 6 months before, or will receive an  
566 honorable discharge within 6 months after, the date of  
567 submission of the application.

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



573        b. Is a military health care practitioner in a profession  
574 for which licensure in a state or jurisdiction is not required  
575 to practice in the United States Armed Forces, if he or she  
576 submits to the department evidence of military training or  
577 experience substantially equivalent to the requirements for  
578 licensure in this state in that profession and evidence that he  
579 or she has obtained a passing score on the appropriate  
580 examination of a national or regional standards organization if  
581 required for licensure in this state; or

582        c. Is the spouse of a person serving on active duty in the  
583 United States Armed Forces and is a health care practitioner in  
584 a profession for which licensure in another state or  
585 jurisdiction is not required, if he or she submits to the  
586 department evidence of training or experience substantially  
587 equivalent to the requirements for licensure in this state in  
588 that profession and evidence that he or she has obtained a  
589 passing score on the appropriate examination of a national or  
590 regional standards organization if required for licensure in  
591 this state.

592        4. Attests that he or she is not, at the time of  
593 submission of the application, the subject of a disciplinary  
594 proceeding in a jurisdiction in which he or she holds a license  
595 or by the United States Department of Defense for reasons  
596 related to the practice of the profession for which he or she is  
597 applying.

598        5. Actively practiced the profession for which he or she



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599 is applying for the 3 years preceding the date of submission of  
600 the application.

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

604  
605 The department shall verify information submitted by the  
606 applicant under this subsection using the National Practitioner  
607 Data Bank.

608 (c)~~(b)~~ Each applicant who meets the requirements of this  
609 subsection shall be licensed with all rights and  
610 responsibilities as defined by law. The applicable board, or the  
611 department if there is no board, may deny an application if the  
612 applicant has been convicted of or pled guilty or nolo  
613 contendere to, regardless of adjudication, any felony or  
614 misdemeanor related to the practice of a health care profession  
615 regulated by this state.

616 (d)~~(e)~~ An applicant for initial licensure under this  
617 subsection must submit the information required by ss.  
618 456.039(1) and 456.0391(1) no later than 1 year after the  
619 license is issued.

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

624 ~~1. A completed application upon a form prepared and~~





625 ~~furnished by the department in accordance with the board's~~  
626 ~~rules;~~

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

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

630 ~~4. Proof that the applicant holds a valid license for the~~  
631 ~~profession issued by another state, the District of Columbia, or~~  
632 ~~a possession or territory of the United States, and is not the~~  
633 ~~subject of any disciplinary proceeding in any jurisdiction in~~  
634 ~~which the applicant holds a license to practice a profession~~  
635 ~~regulated by this chapter;~~

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

639 ~~6. Proof that the applicant would otherwise be entitled to~~  
640 ~~full licensure under the appropriate practice act, and is~~  
641 ~~eligible to take the respective licensure examination as~~  
642 ~~required in Florida.~~

643 ~~(b) The applicant must also submit to the Department of~~  
644 ~~Law Enforcement a complete set of fingerprints. The Department~~  
645 ~~of Law Enforcement shall conduct a statewide criminal history~~  
646 ~~check and forward the fingerprints to the Federal Bureau of~~  
647 ~~Investigation for a national criminal history check.~~

648 ~~(c) Each board, or the department if there is no board,~~  
649 ~~shall review the results of the state and federal criminal~~  
650 ~~history checks according to the level 2 screening standards in~~



651 ~~s. 435.04 when granting an exemption and when granting or~~  
652 ~~denying the temporary license.~~

653 ~~(d) The applicant shall pay the cost of fingerprint~~  
654 ~~processing. If the fingerprints are submitted through an~~  
655 ~~authorized agency or vendor, the agency or vendor shall collect~~  
656 ~~the required processing fees and remit the fees to the~~  
657 ~~Department of Law Enforcement.~~

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

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

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

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

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

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

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

676 ~~4. Has previously failed the Florida examination required~~



677 ~~to receive a license to practice the profession for which the~~  
678 ~~applicant is seeking a license.~~

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

682 ~~(j) An applicant who is issued a temporary professional~~  
683 ~~license to practice as a dentist pursuant to this section must~~  
684 ~~practice under the indirect supervision, as defined in s.~~  
685 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

686 Section 14. Section 456.0241, Florida Statutes, is created  
687 to read:

688 456.0241 Temporary certificate for active duty military  
689 health care practitioners.-

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

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

692 1. A person practicing as a health care practitioner as  
693 defined in s. 456.001, as a person licensed under part III of  
694 chapter 401, or as a person licensed under part IV of chapter  
695 468 who is serving on active duty in the United States Armed  
696 Forces, the United States Reserve Forces, or the National Guard;  
697 or

698 2. A person who is serving on active duty in the United  
699 States Armed Forces and serving in the United States Public  
700 Health Service.

701 (b) "Military platform" means a military training  
702 agreement with a nonmilitary health care provider that is



703 designed to develop and support medical, surgical, or other  
704 health care treatment opportunities in a nonmilitary health care  
705 provider setting to authorize a military health care  
706 practitioner to develop and maintain the technical proficiency  
707 necessary to meet the present and future health care needs of  
708 the United States Armed Forces. Such agreements may include  
709 Training Affiliation Agreements and External Resource Sharing  
710 Agreements.

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

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

716 (b) Submits a complete application and a nonrefundable  
717 application fee.

718 (c) Holds an active, unencumbered license to practice as a  
719 health care professional issued by another state, the District  
720 of Columbia, or a possession or territory of the United States  
721 or is a military health care practitioner in a profession for  
722 which licensure in a state or jurisdiction is not required for  
723 practice in the United States Armed Forces and provides evidence  
724 of military training and experience substantially equivalent to  
725 the requirements for licensure in this state in that profession.

726 (d) Attests that he or she is not, at the time of  
727 submission of the application, the subject of a disciplinary  
728 proceeding in a jurisdiction in which he or she holds a license



729 or by the United States Department of Defense for reasons  
730 related to the practice of the profession for which he or she is  
731 applying.

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

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

737  
738 The department shall verify information submitted by the  
739 applicant under this subsection using the National Practitioner  
740 Data Bank.

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

746 (4) A military health care practitioner applying for a  
747 temporary certificate under this section is exempt from ss.  
748 456.039-456.046. All other provisions of this chapter apply to  
749 such military health care practitioner.

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

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



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

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

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

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

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

770 (8) The department shall adopt rules to implement this  
771 section.

772 Section 15. Section 456.0361, Florida Statutes, is created  
773 to read:

774 456.0361 Compliance with continuing education  
775 requirements.—

776 (1) The department shall establish an electronic  
777 continuing education tracking system to monitor licensee  
778 compliance with applicable continuing education requirements and  
779 to determine whether a licensee is in full compliance with the  
780 requirements at the time of his or her application for license



781 renewal. The tracking system shall be integrated into the  
782 department's licensure and renewal process.

783 (2) The department may not renew a license until the  
784 licensee complies with all applicable continuing education  
785 requirements. This subsection does not prohibit the department  
786 or the boards from imposing additional penalties under the  
787 applicable professional practice act or applicable rules for  
788 failure to comply with continuing education requirements.

789 (3) The department may adopt rules to implement this  
790 section.

791 Section 16. Subsection (20) of section 456.057, Florida  
792 Statutes, is amended to read:

793 456.057 Ownership and control of patient records; report  
794 or copies of records to be furnished; disclosure of  
795 information.—

796 (20) The board with department approval, or the department  
797 when there is no board, may temporarily or permanently appoint a  
798 person or entity as a custodian of medical records in the event  
799 of the death of a practitioner, the mental or physical  
800 incapacitation of a ~~the~~ practitioner, or the abandonment of  
801 medical records by a practitioner. Such ~~The~~ custodian ~~appointed~~  
802 shall comply with ~~all provisions of~~ this section. The department  
803 may contract with a third party to provide these services under  
804 the confidentiality and disclosure requirements of this section,  
805 ~~including the release of patient records.~~

806 Section 17. Subsection (2) of section 456.0635, Florida



807 Statutes, is amended to read:

808 456.0635 Health care fraud; disqualification for license,  
809 certificate, or registration.—

810 (2) Each board within the jurisdiction of the department,  
811 or the department if there is no board, shall refuse to admit a  
812 candidate to any examination and refuse to issue a license,  
813 certificate, or registration to any applicant if the candidate  
814 or applicant or any principal, officer, agent, managing  
815 employee, or affiliated person of the applicant:

816 (a) Has been convicted of, or entered a plea of guilty or  
817 nolo contendere to, regardless of adjudication, a felony under  
818 chapter 409, chapter 817, or chapter 893, or a similar felony  
819 offense committed in another state or jurisdiction, unless the  
820 candidate or applicant has successfully completed a drug court  
821 program for that felony and provides proof that the plea has  
822 been withdrawn or the charges have been dismissed. Any such  
823 conviction or plea shall exclude the applicant or candidate from  
824 licensure, examination, certification, or registration unless  
825 the sentence and any subsequent period of probation for such  
826 conviction or plea ended:

827 1. For felonies of the first or second degree, more than  
828 15 years before the date of application.

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

832 3. For felonies of the third degree under s. 893.13(6)(a),





833 | more than 5 years before the date of application;

834 |       (b) Has been convicted of, or entered a plea of guilty or  
 835 | nolo contendere to, regardless of adjudication, a felony under  
 836 | 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the  
 837 | sentence and any subsequent period of probation for such  
 838 | conviction or plea ended more than 15 years before the date of  
 839 | the application;

840 |       (c) Has been terminated for cause from the Florida  
 841 | Medicaid program pursuant to s. 409.913, unless the candidate or  
 842 | applicant has been in good standing with the Florida Medicaid  
 843 | program for the most recent 5 years;

844 |       (d) Has been terminated for cause, pursuant to the appeals  
 845 | procedures established by the state, from any other state  
 846 | Medicaid program, unless the candidate or applicant has been in  
 847 | good standing with a state Medicaid program for the most recent  
 848 | 5 years and the termination occurred at least 20 years before  
 849 | the date of the application; or

850 |       (e) Is currently listed on the United States Department of  
 851 | Health and Human Services Office of Inspector General's List of  
 852 | Excluded Individuals and Entities.

853 |  
 854 | ~~This subsection does not apply to candidates or applicants for~~  
 855 | ~~initial licensure or certification who were enrolled in an~~  
 856 | ~~educational or training program on or before July 1, 2009, which~~  
 857 | ~~was recognized by a board or, if there is no board, recognized~~  
 858 | ~~by the department, and who applied for licensure after July 1,~~



859 ~~2012.~~

860 Section 18. Subsection (3) of section 457.107, Florida  
 861 Statutes, is amended to read:

862 457.107 Renewal of licenses; continuing education.—

863 (3) The board shall ~~by rule~~ prescribe by rule continuing  
 864 education requirements of up to, ~~not to exceed~~ 30 hours  
 865 biennially, as a condition for renewal of a license. All  
 866 education programs that contribute to the advancement,  
 867 extension, or enhancement of professional skills and knowledge  
 868 related to the practice of acupuncture, whether conducted by a  
 869 nonprofit or profitmaking entity, are eligible for approval. The  
 870 continuing professional education requirements must be in  
 871 acupuncture or oriental medicine subjects, including, but not  
 872 limited to, anatomy, biological sciences, adjunctive therapies,  
 873 sanitation and sterilization, emergency protocols, and diseases.  
 874 The board may ~~shall have the authority to~~ set a fee of up to,  
 875 ~~not to exceed~~ \$100, for each continuing education provider. The  
 876 licensee shall retain in his or her records the certificates of  
 877 completion of continuing professional education requirements ~~to~~  
 878 ~~prove compliance with this subsection. The board may request~~  
 879 ~~such documentation without cause from applicants who are~~  
 880 ~~selected at random.~~ All national and state acupuncture and  
 881 oriental medicine organizations and acupuncture and oriental  
 882 medicine schools are approved to provide continuing professional  
 883 education in accordance with this subsection.

884 Section 19. Paragraph (e) of subsection (4) of section



885 458.347, Florida Statutes, is amended to read:

886 458.347 Physician assistants.—

887 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

888 (e) A supervisory physician may delegate to a fully  
889 licensed physician assistant the authority to prescribe or  
890 dispense any medication used in the supervisory physician's  
891 practice unless such medication is listed on the formulary  
892 created pursuant to paragraph (f). A fully licensed physician  
893 assistant may only prescribe or dispense such medication under  
894 the following circumstances:

895 1. A physician assistant must clearly identify to the  
896 patient that he or she is a physician assistant and.  
897 ~~Furthermore, the physician assistant must~~ inform the patient  
898 that the patient has the right to see the physician before a  
899 ~~prior to any~~ prescription is being prescribed or dispensed by  
900 the physician assistant.

901 2. The supervisory physician must notify the department of  
902 his or her intent to delegate, on a department-approved form,  
903 before delegating such authority and ~~notify the department~~ of  
904 any change in prescriptive privileges of the physician  
905 assistant. Authority to dispense may be delegated only by a  
906 supervising physician who is registered as a dispensing  
907 practitioner in compliance with s. 465.0276.

908 3. The physician assistant must complete ~~file with the~~  
909 ~~department a signed affidavit that he or she has completed~~ a  
910 minimum of 10 continuing medical education hours in the



911 specialty practice in which the physician assistant has  
912 prescriptive privileges with each licensure renewal application.

913 4. The department may issue a prescriber number to the  
914 physician assistant granting authority for the prescribing of  
915 medicinal drugs authorized within this paragraph upon completion  
916 of the ~~foregoing~~ requirements of this paragraph. The physician  
917 assistant is ~~shall~~ not be required to independently register  
918 pursuant to s. 465.0276.

919 5. The prescription must be written in a form that  
920 complies with chapter 499 and, in addition to the supervisory  
921 physician's name, address, and telephone number, must contain,  
922 ~~in addition to the supervisory physician's name, address, and~~  
923 ~~telephone number,~~ the physician assistant's prescriber number.  
924 Unless it is a drug or drug sample dispensed by the physician  
925 assistant, the prescription must be filled in a pharmacy  
926 permitted under chapter 465 and must be dispensed in that  
927 pharmacy by a pharmacist licensed under chapter 465. The  
928 inclusion ~~appearance~~ of the prescriber number creates a  
929 presumption that the physician assistant is authorized to  
930 prescribe the medicinal drug and the prescription is valid.

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

933 Section 20. Paragraph (e) of subsection (4) of section  
934 459.022, Florida Statutes, is amended to read:

935 459.022 Physician assistants.—

936 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—



937 (e) A supervisory physician may delegate to a fully  
938 licensed physician assistant the authority to prescribe or  
939 dispense any medication used in the supervisory physician's  
940 practice unless such medication is listed on the formulary  
941 created pursuant to s. 458.347. A fully licensed physician  
942 assistant may only prescribe or dispense such medication under  
943 the following circumstances:

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

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

957 3. The physician assistant must complete ~~file with the~~  
958 ~~department a signed affidavit that she or he has completed a~~  
959 minimum of 10 continuing medical education hours in the  
960 specialty practice in which the physician assistant has  
961 prescriptive privileges with each licensure renewal ~~application~~.

962 4. The department may issue a prescriber number to the



963 physician assistant granting authority for the prescribing of  
964 medicinal drugs authorized within this paragraph upon completion  
965 of the ~~foregoing~~ requirements of this paragraph. The physician  
966 assistant is ~~shall~~ not be required to independently register  
967 pursuant to s. 465.0276.

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

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

982 Section 21. Subsection (7) is added to section 460.402,  
983 Florida Statutes, to read:

984 460.402 Exceptions.—The provisions of this chapter shall  
985 not apply to:

986 (7) A chiropractic physician who holds an active license  
987 in another state, the District of Columbia, or a possession or  
988 territory of the United States and is performing chiropractic



989 procedures or demonstrating equipment or supplies for  
 990 educational purposes at a board-approved continuing education  
 991 program.

992 Section 22. Subsection (3) of section 463.007, Florida  
 993 Statutes, is amended to read:

994 463.007 Renewal of license; continuing education.—

995 (3) As a condition of license renewal, a licensee must  
 996 ~~Unless otherwise provided by law, the board shall require~~  
 997 ~~licensees to periodically demonstrate his or her their~~  
 998 ~~professional competence, as a condition of renewal of a license,~~  
 999 by completing up to 30 hours of continuing education during the  
 1000 2-year period preceding license renewal. For certified  
 1001 optometrists, the 30-hour continuing education requirement  
 1002 includes ~~shall include~~ 6 or more hours of approved transcript-  
 1003 quality coursework in ocular and systemic pharmacology and the  
 1004 diagnosis, treatment, and management of ocular and systemic  
 1005 conditions and diseases during the 2-year period preceding  
 1006 application for license renewal.

1007 Section 23. Subsection (7) of section 464.203, Florida  
 1008 Statutes, is amended to read:

1009 464.203 Certified nursing assistants; certification  
 1010 requirement.—

1011 (7) A certified nursing assistant shall complete 24 ~~12~~  
 1012 hours of inservice training during each biennium ~~calendar year~~.  
 1013 The certified nursing assistant shall maintain ~~be responsible~~  
 1014 ~~for maintaining~~ documentation demonstrating compliance with



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1015 ~~these provisions. The Council on Certified Nursing Assistants,~~  
1016 ~~in accordance with s. 464.2085(2)(b), shall propose rules to~~  
1017 ~~implement~~ this subsection.

1018 Section 24. Section 464.2085, Florida Statutes, is  
1019 repealed.

1020 Section 25. Subsection (1) of section 465.009, Florida  
1021 Statutes, is amended to read:

1022 465.009 Continuing professional pharmaceutical education.—

1023 (1) No license renewal shall be issued by the department  
1024 until the licensee submits proof satisfactory to the board that  
1025 during the 2 years prior to her or his application for renewal  
1026 the licensee has participated in not less than 30 hours of  
1027 continuing professional pharmaceutical education in courses  
1028 approved by the board.

1029 (a) Each pharmacist shall complete, as a part of the 30  
1030 hours of continuing professional pharmaceutical education  
1031 required for biennial licensure renewal, a training program  
1032 approved by the board regarding, but not limited to, proper  
1033 medical record documentation and patient education procedures  
1034 relating to the dispensing of emergency opioid antagonists.

1035 (b) The board shall adopt rules regarding the content and  
1036 length of the training program required in paragraph (a).

1037 Section 26. Section 465.027, Florida Statutes, is amended  
1038 to read:

1039 465.027 Exceptions.—

1040 (1) This chapter shall not be construed to prohibit the





1041 sale of home remedies or preparations commonly known as patents  
1042 or proprietary preparations, ~~when such are~~ sold only in original  
1043 or unbroken packages, nor shall this chapter be construed to  
1044 prevent businesses from engaging in the sale of sundries or  
1045 patents or proprietary preparations.

1046 (2) This chapter shall not apply to a manufacturer, or its  
1047 agent, holding an active permit as a manufacturer under chapter  
1048 499 and engaged solely in the manufacture or distribution of  
1049 dialysate, drugs, or devices necessary to perform home renal  
1050 dialysis on patients with chronic kidney failure, if the  
1051 dialysate, drugs, or devices are:

1052 (a) Approved or cleared by the United States Food and Drug  
1053 Administration; and

1054 (b) Delivered in the original, sealed packaging after  
1055 receipt of a physician's order to dispense to:

1056 1. A patient with chronic kidney failure, or the patient's  
1057 designee, for the patient's self-administration of the dialysis  
1058 therapy; or

1059 2. A health care practitioner or an institution for  
1060 administration or delivery of the dialysis therapy to a patient  
1061 with chronic kidney failure.

1062 Section 27. Section 465.0275, Florida Statutes, is amended  
1063 to read:

1064 465.0275 Emergency prescription refill.—

1065 (1) In the event a pharmacist receives a request for a  
1066 prescription refill and the pharmacist is unable to readily



1067 obtain refill authorization from the prescriber, the pharmacist  
 1068 may dispense:

1069 (a) A one-time emergency refill of up to a 72-hour supply  
 1070 of the prescribed medication; or

1071 (b) A one-time emergency refill of one vial of insulin to  
 1072 treat diabetes mellitus.

1073 (2) ~~If the Governor issues, with the exception of those~~  
 1074 ~~areas or counties included in an emergency order or proclamation~~  
 1075 ~~of a state of emergency declared by the Governor, in which the~~  
 1076 ~~executive order may authorize the pharmacist~~ may ~~to~~ dispense up  
 1077 to a 30-day supply in the areas or counties affected by the  
 1078 order or proclamation, provided ~~providing~~ that:

1079 (a) ~~(1)~~ The prescription is not for a medicinal drug listed  
 1080 in Schedule II appearing in chapter 893.

1081 (b) ~~(2)~~ The medication is essential to the maintenance of  
 1082 life or to the continuation of therapy in a chronic condition.

1083 (c) ~~(3)~~ In the pharmacist's professional judgment, the  
 1084 interruption of therapy might reasonably produce undesirable  
 1085 health consequences or may cause physical or mental discomfort.

1086 (d) ~~(4)~~ The dispensing pharmacist creates a written order  
 1087 containing all of the prescription information required by this  
 1088 chapter and chapters 499 and 893 and signs that order.

1089 (e) ~~(5)~~ The dispensing pharmacist notifies the prescriber  
 1090 of the emergency dispensing within a reasonable time after such  
 1091 dispensing.

1092 Section 28. Paragraph (b) of subsection (1) and subsection



1093 (3) of section 465.0276, Florida Statutes, are amended to read:

1094 465.0276 Dispensing practitioner.—

1095 (1)

1096 (b) A practitioner registered under this section may not  
 1097 dispense a controlled substance listed in Schedule II or  
 1098 Schedule III as provided in s. 893.03. This paragraph does not  
 1099 apply to:

1100 1. The dispensing of complimentary packages of medicinal  
 1101 drugs which are labeled as a drug sample or complimentary drug  
 1102 as defined in s. 499.028 to the practitioner's own patients in  
 1103 the regular course of her or his practice without the payment of  
 1104 a fee or remuneration of any kind, whether direct or indirect,  
 1105 as provided in subsection (4) ~~(5)~~.

1106 2. The dispensing of controlled substances in the health  
 1107 care system of the Department of Corrections.

1108 3. The dispensing of a controlled substance listed in  
 1109 Schedule II or Schedule III in connection with the performance  
 1110 of a surgical procedure. The amount dispensed pursuant to the  
 1111 subparagraph may not exceed a 14-day supply. This exception does  
 1112 not allow for the dispensing of a controlled substance listed in  
 1113 Schedule II or Schedule III more than 14 days after the  
 1114 performance of the surgical procedure. For purposes of this  
 1115 subparagraph, the term "surgical procedure" means any procedure  
 1116 in any setting which involves, or reasonably should involve:

1117 a. Perioperative medication and sedation that allows the  
 1118 patient to tolerate unpleasant procedures while maintaining



1119 adequate cardiorespiratory function and the ability to respond  
 1120 purposefully to verbal or tactile stimulation and makes intra-  
 1121 and postoperative monitoring necessary; or

1122 b. The use of general anesthesia or major conduction  
 1123 anesthesia and preoperative sedation.

1124 4. The dispensing of a controlled substance listed in  
 1125 Schedule II or Schedule III pursuant to an approved clinical  
 1126 trial. For purposes of this subparagraph, the term "approved  
 1127 clinical trial" means a clinical research study or clinical  
 1128 investigation that, in whole or in part, is state or federally  
 1129 funded or is conducted under an investigational new drug  
 1130 application that is reviewed by the United States Food and Drug  
 1131 Administration.

1132 5. The dispensing of methadone in a facility licensed  
 1133 under s. 397.427 where medication-assisted treatment for opiate  
 1134 addiction is provided.

1135 6. The dispensing of a controlled substance listed in  
 1136 Schedule II or Schedule III to a patient of a facility licensed  
 1137 under part IV of chapter 400.

1138 ~~(3) The department shall inspect any facility where a~~  
 1139 ~~practitioner dispenses medicinal drugs pursuant to subsection~~  
 1140 ~~(2) in the same manner and with the same frequency as it~~  
 1141 ~~inspects pharmacies for the purpose of determining whether the~~  
 1142 ~~practitioner is in compliance with all statutes and rules~~  
 1143 ~~applicable to her or his dispensing practice.~~

1144 Section 29. Subsection (3) of section 466.0135, Florida



1145 Statutes, is amended to read:

1146 466.0135 Continuing education; dentists.—

1147 (3) A ~~In applying for license renewal,~~ the dentist shall  
 1148 complete ~~submit a sworn affidavit, on a form acceptable to the~~  
 1149 ~~department, attesting that she or he has completed the~~ required  
 1150 continuing education as provided ~~required~~ in this section and ~~in~~  
 1151 ~~accordance with the guidelines and provisions of this section~~  
 1152 ~~and listing the date, location, sponsor, subject matter, and~~  
 1153 ~~hours of completed continuing education courses. The applicant~~  
 1154 shall retain in her or his records any such ~~such~~ receipts, vouchers,  
 1155 or certificates ~~as may be necessary to document completion of~~  
 1156 such ~~the continuing education courses listed in accordance with~~  
 1157 ~~this subsection. With cause, the board may request such~~  
 1158 ~~documentation by the applicant, and the board may request such~~  
 1159 ~~documentation from applicants selected at random without cause.~~

1160 Section 30. Section 466.014, Florida Statutes, is amended  
 1161 to read:

1162 466.014 Continuing education; dental hygienists.—In  
 1163 addition to the other requirements for relicensure for dental  
 1164 hygienists set out in this chapter ~~act~~, the board shall require  
 1165 each licensed dental hygienist to complete at least ~~not less~~  
 1166 ~~than~~ 24 hours but not ~~or~~ more than 36 hours of continuing  
 1167 professional education in dental subjects, biennially, in  
 1168 programs prescribed or approved by the board or in equivalent  
 1169 programs of continuing education. Programs of continuing  
 1170 education approved by the board shall be programs of learning



1171 which, in the opinion of the board, contribute directly to the  
1172 dental education of the dental hygienist. The board shall adopt  
1173 rules and guidelines to administer and enforce ~~the provisions of~~  
1174 this section. ~~In applying for license renewal,~~ The dental  
1175 hygienist shall ~~submit a sworn affidavit, on a form acceptable~~  
1176 ~~to the department, attesting that she or he has completed the~~  
1177 ~~continuing education required in this section in accordance with~~  
1178 ~~the guidelines and provisions of this section and listing the~~  
1179 ~~date, location, sponsor, subject matter, and hours of completed~~  
1180 ~~continuing education courses. The applicant shall retain in her~~  
1181 or his records any such receipts, vouchers, or certificates ~~as~~  
1182 ~~may be necessary to document completion of such the~~ continuing  
1183 education ~~courses listed in accordance with this section. With~~  
1184 ~~cause, the board may request such documentation by the~~  
1185 ~~applicant, and the board may request such documentation from~~  
1186 ~~applicants selected at random without cause. Compliance with the~~  
1187 continuing education requirements is ~~shall be~~ mandatory for  
1188 issuance of the renewal certificate. The board may ~~shall have~~  
1189 ~~the authority to~~ excuse licensees, as a group or as individuals,  
1190 from all or part of the continuing education ~~educational~~  
1191 requirements if, ~~or any part thereof, in the event~~ an unusual  
1192 circumstance, emergency, or hardship has prevented compliance  
1193 with this section.

1194 Section 31. Subsection (5) of section 466.032, Florida  
1195 Statutes, is amended to read:

1196 466.032 Registration.—



1197 (5) A ~~The~~ dental laboratory owner or at least one employee  
1198 of any dental laboratory renewing registration on or after July  
1199 1, 2010, shall complete 18 hours of continuing education  
1200 biennially. Programs of continuing education must ~~shall~~ be  
1201 programs of learning that contribute directly to the education  
1202 of the dental technician and may include, but are not limited  
1203 to, attendance at lectures, study clubs, college courses, or  
1204 scientific sessions of conventions and research.

1205 (a) The aim of continuing education for dental technicians  
1206 is to improve dental health care delivery to the public as such  
1207 is impacted through the design, manufacture, and use of  
1208 artificial human oral prosthetics and related restorative  
1209 appliances.

1210 (b) Continuing education courses shall address one or more  
1211 of the following areas of professional development, including,  
1212 but not limited to:

1213 1. Laboratory and technological subjects, including, but  
1214 not limited to, laboratory techniques and procedures, materials,  
1215 and equipment; and

1216 2. Subjects pertinent to oral health, infection control,  
1217 and safety.

1218 (c) Programs that meet ~~meeting~~ the general requirements of  
1219 continuing education may be developed and offered to dental  
1220 technicians by the Florida Dental Laboratory Association and the  
1221 Florida Dental Association. Other organizations, schools, or  
1222 agencies may also be approved to develop and offer continuing



1223 education in accordance with specific criteria established by  
1224 the department.

1225 ~~(d) Any dental laboratory renewing a registration on or~~  
1226 ~~after July 1, 2010, shall submit a sworn affidavit, on a form~~  
1227 ~~approved by the department, attesting that either the dental~~  
1228 ~~laboratory owner or one dental technician employed by the~~  
1229 ~~registered dental laboratory has completed the continuing~~  
1230 ~~education required in this subsection in accordance with the~~  
1231 ~~guidelines and provisions of this subsection and listing the~~  
1232 ~~date, location, sponsor, subject matter, and hours of completed~~  
1233 ~~continuing education courses. The dental laboratory shall retain~~  
1234 ~~in its records such receipts, vouchers, or certificates as may~~  
1235 ~~be necessary to document completion of the continuing education~~  
1236 ~~courses listed in accordance with this subsection. With cause,~~  
1237 ~~the department may request that the documentation be provided by~~  
1238 ~~the applicant. The department may also request the documentation~~  
1239 ~~from applicants selected at random without cause.~~

1240 (d)~~(e)~~1. This subsection does not apply to a dental  
1241 laboratory that is physically located within a dental practice  
1242 operated by a dentist licensed under this chapter.

1243 2. A dental laboratory in another state or country which  
1244 provides service to a dentist licensed under this chapter is not  
1245 required to register with the state and may continue to provide  
1246 services to such dentist with a proper prescription. However, a  
1247 dental laboratory in another state or country, ~~however,~~ may  
1248 voluntarily comply with this subsection.





1249           Section 32. Section 468.1201, Florida Statutes, is  
1250 repealed.

1251           Section 33. Paragraph (a) of subsection (3), subsections  
1252 (4) and (5), paragraphs (a) and (e) of present subsection (6),  
1253 and present subsection (7) of section 483.901, Florida Statutes,  
1254 are amended, and paragraph (k) is added to present subsection  
1255 (6) of that section, to read:

1256           483.901 Medical physicists; definitions; licensure.—

1257           (3) DEFINITIONS.—As used in this section, the term:

1258           ~~(a) "Council" means the Advisory Council of Medical~~  
1259 ~~Physicists in the Department of Health.~~

1260           ~~(4) COUNCIL. The Advisory Council of Medical Physicists is~~  
1261 ~~created in the Department of Health to advise the department in~~  
1262 ~~regulating the practice of medical physics in this state.~~

1263           ~~(a) The council shall be composed of nine members~~  
1264 ~~appointed by the State Surgeon General as follows:~~

1265           ~~1. A licensed medical physicist who specializes in~~  
1266 ~~diagnostic radiological physics.~~

1267           ~~2. A licensed medical physicist who specializes in~~  
1268 ~~therapeutic radiological physics.~~

1269           ~~3. A licensed medical physicist who specializes in medical~~  
1270 ~~nuclear radiological physics.~~

1271           ~~4. A physician who is board certified by the American~~  
1272 ~~Board of Radiology or its equivalent.~~

1273           ~~5. A physician who is board certified by the American~~  
1274 ~~Osteopathic Board of Radiology or its equivalent.~~



1275           ~~6. A chiropractic physician who practices radiology.~~  
 1276           ~~7. Three consumer members who are not, and have never~~  
 1277 ~~been, licensed as a medical physicist or licensed in any closely~~  
 1278 ~~related profession.~~  
 1279           ~~(b) The State Surgeon General shall appoint the medical~~  
 1280 ~~physicist members of the council from a list of candidates who~~  
 1281 ~~are licensed to practice medical physics.~~  
 1282           ~~(c) The State Surgeon General shall appoint the physician~~  
 1283 ~~members of the council from a list of candidates who are~~  
 1284 ~~licensed to practice medicine in this state and are board~~  
 1285 ~~certified in diagnostic radiology, therapeutic radiology, or~~  
 1286 ~~radiation oncology.~~  
 1287           ~~(d) The State Surgeon General shall appoint the public~~  
 1288 ~~members of the council.~~  
 1289           ~~(e) As the term of each member expires, the State Surgeon~~  
 1290 ~~General shall appoint the successor for a term of 4 years. A~~  
 1291 ~~member shall serve until the member's successor is appointed,~~  
 1292 ~~unless physically unable to do so.~~  
 1293           ~~(f) An individual is ineligible to serve more than two~~  
 1294 ~~full consecutive 4-year terms.~~  
 1295           ~~(g) If a vacancy on the council occurs, the State Surgeon~~  
 1296 ~~General shall appoint a member to serve for a 4-year term.~~  
 1297           ~~(h) A council member must be a United States citizen and~~  
 1298 ~~must have been a resident of this state for 2 consecutive years~~  
 1299 ~~immediately before being appointed.~~  
 1300           ~~1. A member of the council who is a medical physicist must~~



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1301 ~~have practiced for at least 6 years before being appointed or be~~  
1302 ~~board certified for the specialty in which the member practices.~~

1303 ~~2. A member of the council who is a physician must be~~  
1304 ~~licensed to practice medicine in this state and must have~~  
1305 ~~practiced diagnostic radiology or radiation oncology in this~~  
1306 ~~state for at least 2 years before being appointed.~~

1307 ~~3. The public members of the council must not have a~~  
1308 ~~financial interest in any endeavor related to the practice of~~  
1309 ~~medical physics.~~

1310 ~~(i) A council member may be removed from the council if~~  
1311 ~~the member:~~

1312 ~~1. Did not have the required qualifications at the time of~~  
1313 ~~appointment;~~

1314 ~~2. Does not maintain the required qualifications while~~  
1315 ~~serving on the council; or~~

1316 ~~3. Fails to attend the regularly scheduled council~~  
1317 ~~meetings in a calendar year as required by s. 456.011.~~

1318 ~~(j) Members of the council may not receive compensation~~  
1319 ~~for their services; however, they are entitled to reimbursement,~~  
1320 ~~from funds deposited in the Medical Quality Assurance Trust~~  
1321 ~~Fund, for necessary travel expenses as specified in s. 112.061~~  
1322 ~~for each day they engage in the business of the council.~~

1323 ~~(k) At the first regularly scheduled meeting of each~~  
1324 ~~calendar year, the council shall elect a presiding officer and~~  
1325 ~~an assistant presiding officer from among its members. The~~  
1326 ~~council shall meet at least once each year and at other times in~~



1327 ~~accordance with department requirements.~~

1328 ~~(1) The department shall provide administrative support to~~

1329 ~~the council for all licensing activities.~~

1330 ~~(m) The council may conduct its meetings electronically.~~

1331 ~~(5) POWERS OF COUNCIL. The council shall:~~

1332 ~~(a) Recommend rules to administer this section.~~

1333 ~~(b) Recommend practice standards for the practice of~~

1334 ~~medical physics which are consistent with the Guidelines for~~

1335 ~~Ethical Practice for Medical Physicists prepared by the American~~

1336 ~~Association of Physicists in Medicine and disciplinary~~

1337 ~~guidelines adopted under s. 456.079.~~

1338 ~~(c) Develop and recommend continuing education~~

1339 ~~requirements for licensed medical physicists.~~

1340 (4) ~~(6)~~ LICENSE REQUIRED.—An individual may not engage in

1341 the practice of medical physics, including the specialties of

1342 diagnostic radiological physics, therapeutic radiological

1343 physics, medical nuclear radiological physics, or medical health

1344 physics, without a license issued by the department for the

1345 appropriate specialty.

1346 (a) The department shall adopt rules to administer this

1347 section which specify license application and renewal fees,

1348 continuing education requirements, and standards for practicing

1349 medical physics. ~~The council shall recommend to the department~~

1350 ~~continuing education requirements that shall be a condition of~~

1351 ~~license renewal.~~ The department shall require a minimum of 24

1352 hours per biennium of continuing education offered by an



1353 organization ~~recommended by the council and~~ approved by the  
1354 department. The department, ~~upon recommendation of the council,~~  
1355 may adopt rules to specify continuing education requirements for  
1356 persons who hold a license in more than one specialty.

1357 (e) Upon ~~On~~ receipt of an application and fee as specified  
1358 in this section, the department may issue a license to practice  
1359 medical physics in this state ~~on or after October 1, 1997,~~ to a  
1360 person who is board certified in the medical physics specialty  
1361 in which the applicant applies to practice by the American Board  
1362 of Radiology for diagnostic radiological physics, therapeutic  
1363 radiological physics, or medical nuclear radiological physics;  
1364 by the American Board of Medical Physics for diagnostic  
1365 radiological physics, therapeutic radiological physics, or  
1366 medical nuclear radiological physics; or by the American Board  
1367 of Health Physics or an equivalent certifying body approved by  
1368 the department.

1369 (k) Upon proof of a completed residency program and  
1370 receipt of the fee set forth by rule, the department may issue a  
1371 temporary license for no more than 1 year. The department may  
1372 adopt by rule requirements for temporary licensure and renewal  
1373 of temporary licenses.

1374 (5)(7) FEES.—The fee for the initial license application  
1375 shall be \$500 and is nonrefundable. The fee for license renewal  
1376 may not be more than \$500. These fees may cover only the costs  
1377 incurred by the department ~~and the council~~ to administer this  
1378 section. By July 1 of each year, the department shall determine



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1379 ~~whether advise the council if~~ the fees are insufficient to  
1380 administer this section.

1381 Section 34. Subsection (2) of section 484.047, Florida  
1382 Statutes, is amended to read:

1383 484.047 Renewal of license.—

1384 (2) In addition to the other requirements for renewal  
1385 provided in this section and by the board, the department shall  
1386 renew a license upon receipt of the renewal application and, the  
1387 renewal fee, ~~and a written statement affirming compliance with~~  
1388 ~~all other requirements set forth in this section and by the~~  
1389 ~~board.~~ A licensee must maintain, if applicable, a certificate  
1390 from a manufacturer or independent testing agent certifying that  
1391 the testing room meets the requirements of s. 484.0501(6) and,  
1392 if applicable, a certificate from a manufacturer or independent  
1393 testing agent stating that all audiometric testing equipment  
1394 used by the licensee has been calibrated acoustically to  
1395 American National Standards Institute standards on an annual  
1396 basis ~~acoustically to American National Standards Institute~~  
1397 ~~standard specifications.~~ Possession of an applicable certificate  
1398 is ~~the certificates shall be~~ a prerequisite to renewal.

1399 Section 35. Paragraph (a) of subsection (3) of section  
1400 486.102, Florida Statutes, is amended to read:

1401 486.102 Physical therapist assistant; licensing  
1402 requirements.—To be eligible for licensing by the board as a  
1403 physical therapist assistant, an applicant must:

1404 (3) (a) Have been graduated from a school giving a course



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1405 of not less than 2 years for physical therapist assistants,  
1406 which has been approved for the educational preparation of  
1407 physical therapist assistants by the appropriate accrediting  
1408 agency recognized by the Commission on Recognition of  
1409 Postsecondary Accreditation or the United States Department of  
1410 Education, ~~which includes, but is not limited to, any regional~~  
1411 ~~or national institutional accrediting agencies recognized by the~~  
1412 ~~United States Department of Education or the Commission on~~  
1413 ~~Accreditation for Physical Therapy Education (CAPTE),~~ at the  
1414 time of her or his graduation and have passed to the  
1415 satisfaction of the board an examination to determine her or his  
1416 fitness for practice as a physical therapist assistant as  
1417 hereinafter provided;

1418 Section 36. Subsections (1) and (4) of section 486.109,  
1419 Florida Statutes, are amended to read:

1420 486.109 Continuing education.—

1421 (1) The board shall require licensees to ~~periodically~~  
1422 demonstrate their professional competence as a condition of  
1423 renewal of a license by completing 24 hours of continuing  
1424 education biennially.

1425 (4) Each licensee shall maintain ~~be responsible for~~  
1426 ~~maintaining~~ sufficient records ~~in a format as determined by rule~~  
1427 ~~which shall be subject to a random audit by the department to~~  
1428 demonstrate ~~assure~~ compliance with this section.

1429 Section 37. Paragraph (a) of subsection (15) of section  
1430 499.028, Florida Statutes, is amended to read:



1431 499.028 Drug samples or complimentary drugs; starter  
 1432 packs; permits to distribute.—

1433 (15) A person may not possess a prescription drug sample  
 1434 unless:

1435 (a) The drug sample was prescribed to her or him as  
 1436 evidenced by the label required in s. 465.0276(4) ~~465.0276(5)~~.

1437 Section 38. Subsection (3) of section 893.04, Florida  
 1438 Statutes, is amended to read:

1439 893.04 Pharmacist and practitioner.—

1440 (3) Notwithstanding subsection (1), a pharmacist may  
 1441 dispense a one-time emergency refill of up to a 72-hour supply  
 1442 of the prescribed medication for any medicinal drug other than a  
 1443 medicinal drug listed in Schedule II, or up to one vial of  
 1444 insulin to treat diabetes mellitus, in compliance with ~~the~~  
 1445 ~~provisions of~~ s. 465.0275.

1446 Section 39. Paragraph (g) of subsection (3) of section  
 1447 921.0022, Florida Statutes, is amended to read:

1448 921.0022 Criminal Punishment Code; offense severity  
 1449 ranking chart.—

1450 (3) OFFENSE SEVERITY RANKING CHART

1451 (g) LEVEL 7

1452

Florida	Felony	
Statute	Degree	Description
316.027(2)(c)	1st	Accident involving

1453





1454	316.193 (3) (c) 2.	3rd	death, failure to stop; leaving scene. DUI resulting in serious bodily injury.
1455	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.
1456	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1457	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent



1458			disfiguration, permanent disability, or death.
	409.920	3rd	Medicaid provider
	(2) (b) 1.a.		fraud; \$10,000 or less.
1459			
	409.920	2nd	Medicaid provider
	(2) (b) 1.b.		fraud; more than \$10,000, but less than \$50,000.
1460			
	456.065 (2)	3rd	Practicing a health care profession without a license.
1461			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1462			
	458.327 (1)	3rd	Practicing medicine without a license.
1463			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1464			



1465	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1466	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1467	462.17	3rd	Practicing naturopathy without a license.
1468	463.015 (1)	3rd	Practicing optometry without a license.
1469	464.016 (1)	3rd	Practicing nursing without a license.
1470	465.015 (2)	3rd	Practicing pharmacy without a license.
1471	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1472	467.201	3rd	Practicing midwifery without a license.



1473	468.366	3rd	Delivering respiratory care services without a license.
1474	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1475	<u>483.901 (7)</u> <del>483.901 (9)</del>	3rd	Practicing medical physics without a license.
1476	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1477	484.053	3rd	Dispensing hearing aids without a license.
1478	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
	560.123 (8) (b) 1.	3rd	Failure to report



1479	560.125 (5) (a)	3rd	<p>currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.</p> <p>Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p>
1480	655.50 (10) (b) 1.	3rd	<p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>
1481	775.21 (10) (a)	3rd	<p>Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.</p>
1482	775.21 (10) (b)	3rd	<p>Sexual predator working where children regularly</p>



1483	775.21 (10) (g)	3rd	congregate. Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1484	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1485	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1486	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1487			



1488	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1489	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1490	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1491	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1492	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1493	784.048 (7)	3rd	Aggravated stalking; violation of court order.
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.



1494	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1495	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1496	784.081 (1)	1st	Aggravated battery on specified official or employee.
1497	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1498	784.083 (1)	1st	Aggravated battery on code inspector.
1499	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1500	787.06 (3) (e) 2.	1st	Human trafficking using





1501			coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1501	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1502	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1503	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1504	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1505	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.



1506	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1507	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1508	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.
1509	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1510	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.



1511	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1512	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.
1513	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1514	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1515	810.02 (3) (a)	2nd	Burglary of occupied



1516			dwelling; unarmed; no assault or battery.
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1517			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1518			
	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1519			
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1520			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000,



1521	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1522	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1523	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1524	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1525	812.131 (2) (a)	2nd	Robbery by sudden snatching.



1526	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1527	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1528	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1529	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1530	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1531	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the



1532	817.535 (2) (a)	3rd	<p>solvency of an insuring entity which are a significant cause of the insolvency of that entity.</p> <p>Filing false lien or other unauthorized document.</p>
1533	825.102 (3) (b)	2nd	<p>Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.</p>
1534	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 \$50,000.</p>
1535	827.03 (2) (b)	2nd	<p>Neglect of a child causing great bodily harm, disability, or disfigurement.</p>
1536	827.04 (3)	3rd	<p>Impregnation of a child under</p>



1537			16 years of age by person 21 years of age or older.
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1538			
	838.015	2nd	Bribery.
1539			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1540			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1541			
	838.22	2nd	Bid tampering.
1542			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1543			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
1544			
	843.0855 (4)	3rd	Intimidation of a public officer or employee.





1545	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1546	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1547	872.06	2nd	Abuse of a dead human body.
1548	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1549	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1550	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other



1551	893.13 (1) (e) 1.	1st	<p>drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p>
1552	893.13 (4) (a)	1st	<p>Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4., within 1,000 feet of property used for religious services or a specified business site.</p> <p>Deliver to minor cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).</p>



1553	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1554	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1555	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1556	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1557	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1558	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1559			



1560	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1561	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1562	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1563	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1564	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5



1565			kilograms.
893.135	1st	Trafficking in 1,4-	
(1) (j) 1.a.		Butanediol, 1 kilogram or	
		more, less than 5	
		kilograms.	
1566			
893.135	1st	Trafficking in Phenethylamines,	
(1) (k) 2.a.		10 grams or more, less than 200	
		grams.	
1567			
893.1351 (2)	2nd	Possession of place for	
		trafficking in or	
		manufacturing of controlled	
		substance.	
1568			
896.101 (5) (a)	3rd	Money laundering,	
		financial transactions	
		exceeding \$300 but less	
		than \$20,000.	
1569			
896.104 (4) (a) 1.	3rd	Structuring transactions	
		to evade reporting or	
		registration	
		requirements, financial	
		transactions exceeding	



1570	943.0435(4)(c)	2nd	\$300 but less than \$20,000.
1571	943.0435(8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1572	943.0435(9)(a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1573	943.0435(13)	3rd	Sexual offender; failure to comply with reporting requirements.
1574	943.0435(14)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
			Sexual offender; failure to report and reregister;



1575	944.607(9)	3rd	<p>failure to respond to address verification; providing false registration information.</p> <p>Sexual offender; failure to comply with reporting requirements.</p>
1576	944.607(10)(a)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
1577	944.607(12)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
1578	944.607(13)	3rd	<p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p>
1579			



1580	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1581	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1582	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1583	Section 40. This act shall take effect July 1, 2016.		