

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Pigman offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Effective upon becoming a law, paragraph (k) is
8 added to subsection (3) of section 381.4018, Florida Statutes,
9 to read:

10 381.4018 Physician workforce assessment and development.—

11 (3) GENERAL FUNCTIONS.—The department shall maximize the
12 use of existing programs under the jurisdiction of the
13 department and other state agencies and coordinate governmental
14 and nongovernmental stakeholders and resources in order to
15 develop a state strategic plan and assess the implementation of

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16 such strategic plan. In developing the state strategic plan, the
17 department shall:

18 (k) Follow the federal requirements and may adopt rules
19 necessary for the implementation of the federal Conrad 30 Waiver
20 Program established under section 214(1) of the Immigration and
21 Nationality Act.

22 Section 2. Paragraph (e) of subsection (4) of section
23 395.3025, Florida Statutes, is amended to read:

24 395.3025 Patient and personnel records; copies;
25 examination.—

26 (4) Patient records are confidential and must not be
27 disclosed without the consent of the patient or his or her legal
28 representative, but appropriate disclosure may be made without
29 such consent to:

30 (e) The department ~~agency~~ upon subpoena issued pursuant to
31 s. 456.071, but the records obtained thereby must be used solely
32 for the purpose of the department ~~agency~~ and the appropriate
33 professional board in its investigation, prosecution, and appeal
34 of disciplinary proceedings. If the department ~~agency~~ requests
35 copies of the records, the facility shall charge no more than
36 its actual copying costs, including reasonable staff time. The
37 records must be sealed and must not be available to the public
38 pursuant to s. 119.07(1) or any other statute providing access
39 to records, nor may they be available to the public as part of
40 the record of investigation for and prosecution in disciplinary

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41 proceedings made available to the public by the agency or the
42 appropriate regulatory board. However, the department ~~agency~~
43 must make available, upon written request by a practitioner
44 against whom probable cause has been found, any such records
45 that form the basis of the determination of probable cause.

46 Section 3. Paragraph (a) of subsection (1) and subsection
47 (2) of section 456.013, Florida Statutes, are amended and
48 subsections (14) and (15) are added to that section to read:

49 456.013 Department; general licensing provisions.—

50 (1) (a) Any person desiring to be licensed in a profession
51 within the jurisdiction of the department shall apply to the
52 department in writing to take the licensure examination. The
53 application shall be made on a form prepared and furnished by
54 the department. The application form must be available on the
55 Internet ~~World Wide Web~~ and the department may accept
56 electronically submitted applications beginning July 1, 2001.
57 The application shall require the date of birth and the social
58 security number of the applicant, except as provided in
59 paragraph (b). The form shall be supplemented as needed to
60 reflect any material change in any circumstance or condition
61 stated in the application which takes place between the initial
62 filing of the application and the final grant or denial of the
63 license and which might affect the decision of the department.
64 If an application is submitted electronically, the department
65 may require supplemental materials, including an original

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66 signature of the applicant and verification of credentials, to
67 be submitted in a nonelectronic format. An incomplete
68 application shall expire 1 year after initial filing. In order
69 to further the economic development goals of the state, and
70 notwithstanding any law to the contrary, the department may
71 enter into an agreement with the county tax collector for the
72 purpose of appointing the county tax collector as the
73 department's agent to accept applications for licenses and
74 applications for renewals of licenses. The agreement must
75 specify the time within which the tax collector must forward any
76 applications and accompanying application fees to the
77 department.

78 (2) Before the issuance of a ~~any~~ license, the department
79 shall charge an initial license fee as determined by the
80 applicable board or, if there is no board, by rule of the
81 department. Upon receipt of the appropriate license fee, the
82 department shall issue a license to a ~~any~~ person certified by
83 the appropriate board, or its designee, as having met the
84 licensure requirements imposed by law or rule. ~~The license shall~~
85 ~~consist of a wallet-size identification card and a wall card~~
86 ~~measuring 6 1/2 inches by 5 inches.~~ The licensee shall surrender
87 the license to the department ~~the wallet-size identification~~
88 ~~card and the wall card~~ if the ~~licensee's~~ license was ~~is~~ issued
89 in error or is revoked.

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90 (14) The department may not renew the license of a person
91 or establishment that has not fully paid the fines and costs as
92 described within the timeframe listed in a final order imposing
93 discipline unless the licensing board, or the department if
94 there is no board, has granted the licensee additional time to
95 pay the fines and costs imposed by the final order.

96 (15) A board, or the department if there is no board, may
97 not grant a license to a person or establishment that has not
98 paid the fines and costs as described within the timeframe
99 listed in a final order imposing discipline; that has allowed
100 the person's or establishment's license, regulated under chapter
101 456, to become delinquent or void; or that has relinquished such
102 a license in any way, until such time as the total amount of the
103 fines and costs imposed by the final order, the delinquency fee,
104 and any other fees resulting from failure to timely renew a
105 license are paid in full. This subsection does not prevent a
106 board, or the department if there is no board, from reinstating
107 or granting a license with conditions that allow for the full
108 payment of the fines and costs listed in the final order
109 imposing discipline.

110 Section 4. Subsections (7), (8), (9), (10), and (11) of
111 section 456.025, Florida Statutes, are renumbered as subsections
112 (8), (9), (10), (11), and (12), respectively, and subsection (7)
113 is added to that section, to read:

114 456.025 Fees; receipts; disposition.-

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115 (7) When the department determines, based on long-range
116 estimates of revenue, that a profession's trust fund moneys
117 exceed the the cost of regulating the profession, the board of
118 the profession, or the department if there is no board, may
119 adopt rules to implement a waiver of initial application fees,
120 initial licensure fees, unlicensed activity fees, or renewal
121 fees for the profession for a period not to exceed 2 years.

122 Section 5. Subsection (3) of section 456.065, Florida
123 Statutes, is amended to read:

124 456.065 Unlicensed practice of a health care profession;
125 intent; cease and desist notice; penalties; enforcement;
126 citations; fees; allocation and disposition of moneys
127 collected.—

128 (3) Because all enforcement costs should be covered by
129 professions regulated by the department, the department shall
130 impose, upon initial licensure and each licensure renewal, a
131 special fee of \$5 per licensee to fund efforts to combat
132 unlicensed activity. Such fee shall be in addition to all other
133 fees collected from each licensee. The department shall make
134 direct charges to the Medical Quality Assurance Trust Fund by
135 profession. The department shall seek board advice regarding
136 enforcement methods and strategies. The department shall
137 directly credit the Medical Quality Assurance Trust Fund, by
138 profession, with the revenues received from the department's
139 efforts to enforce licensure provisions. The department shall

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140 include all financial and statistical data resulting from
141 unlicensed activity enforcement as a separate category in the
142 quarterly management report provided for in s. 456.025. For an
143 unlicensed activity account, a balance which remains at the end
144 of a renewal cycle may, with concurrence of the applicable board
145 and the department, be transferred to the operating fund account
146 of that profession. If the special fee is insufficient to cover
147 the costs of unlicensed activity enforcement for a profession,
148 with the concurrence of the applicable board and the department,
149 a transfer may be made from the operating fund of that
150 profession to the unlicensed activity category within the
151 profession's cash balance to cover the deficit. The department
152 shall also use these funds to inform and educate consumers
153 generally on the importance of using licensed health care
154 practitioners.

155 Section 6. Paragraph (a) of subsection (1) of section
156 458.3265, Florida Statutes, is amended to read:

157 458.3265 Pain-management clinics.—

158 (1) REGISTRATION.—

159 (a)1. As used in this section, the term:

160 a. "Board eligible" means successful completion of an
161 anesthesia, physical medicine and rehabilitation, rheumatology,
162 or neurology residency program approved by the Accreditation
163 Council for Graduate Medical Education or the American

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164 Osteopathic Association for a period of 6 years from successful
165 completion of such residency program.

166 b. "Chronic nonmalignant pain" means pain unrelated to
167 cancer which persists beyond the usual course of disease or the
168 injury that is the cause of the pain or more than 90 days after
169 surgery.

170 c. "Pain-management clinic" or "clinic" means any publicly
171 or privately owned facility:

172 (I) That advertises in any medium for any type of pain-
173 management services; or

174 (II) Where in any month a majority of patients are
175 prescribed opioids, benzodiazepines, barbiturates, or
176 carisoprodol for the treatment of chronic nonmalignant pain.

177 2. Each pain-management clinic must register with the
178 department. ~~unless:~~

179 3. A clinic that meets one or more of the following
180 conditions and notifies the department of the met conditions is
181 exempt from registration fees and is exempt from paragraphs (c)
182 - (m), subsections (2) and (3), and rules adopted under
183 subsection (4):

184 a. The ~~That~~ clinic is licensed as a facility pursuant to
185 chapter 395;

186 b. The majority of the physicians who provide services in
187 the clinic primarily provide surgical services;

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188 c. The clinic is owned by a publicly held corporation
189 whose shares are traded on a national exchange or on the over-
190 the-counter market and whose total assets at the end of the
191 corporation's most recent fiscal quarter exceeded \$50 million;

192 d. The clinic is affiliated with an accredited medical
193 school at which training is provided for medical students,
194 residents, or fellows;

195 e. The clinic does not prescribe controlled substances for
196 the treatment of pain;

197 f. The clinic is owned by a corporate entity exempt from
198 federal taxation under 26 U.S.C. s. 501(c)(3);

199 g. The clinic is wholly owned and operated by one or more
200 board-eligible or board-certified anesthesiologists,
201 physiatrists, rheumatologists, or neurologists; or

202 h. The clinic is wholly owned and operated by a physician
203 multispecialty practice where one or more board-eligible or
204 board-certified medical specialists, who have also completed
205 fellowships in pain medicine approved by the Accreditation
206 Council for Graduate Medical Education or who are also board-
207 certified in pain medicine by the American Board of Pain
208 Medicine or a board approved by the American Board of Medical
209 Specialties, the American Association of Physician Specialists,
210 or the American Osteopathic Association, perform interventional
211 pain procedures of the type routinely billed using surgical
212 codes.

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213 Section 7. Subsection (2) of section 458.348, Florida
214 Statutes, is repealed.

215 Section 8. Paragraph (a) of subsection (1) of section
216 459.0137, Florida Statutes, is amended to read:

217 459.0137 Pain-management clinics.—

218 (1) REGISTRATION.—

219 (a)1. As used in this section, the term:

220 a. "Board eligible" means successful completion of an
221 anesthesia, physical medicine and rehabilitation, rheumatology,
222 or neurology residency program approved by the Accreditation
223 Council for Graduate Medical Education or the American
224 Osteopathic Association for a period of 6 years from successful
225 completion of such residency program.

226 b. "Chronic nonmalignant pain" means pain unrelated to
227 cancer which persists beyond the usual course of disease or the
228 injury that is the cause of the pain or more than 90 days after
229 surgery.

230 c. "Pain-management clinic" or "clinic" means any publicly
231 or privately owned facility:

232 (I) That advertises in any medium for any type of pain-
233 management services; or

234 (II) Where in any month a majority of patients are
235 prescribed opioids, benzodiazepines, barbiturates, or
236 carisoprodol for the treatment of chronic nonmalignant pain.

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237 2. Each pain-management clinic must register with the
238 department. ~~unless:~~

239 3. A clinic that meets one or more of the following
240 conditions and notifies the department of the met conditions is
241 exempt from registration fees and is exempt from paragraphs (c)
242 - (m), subsections (2) and (3), and rules adopted under
243 subsection (4):

244 a. The ~~That~~ clinic is licensed as a facility pursuant to
245 chapter 395;

246 b. The majority of the physicians who provide services in
247 the clinic primarily provide surgical services;

248 c. The clinic is owned by a publicly held corporation
249 whose shares are traded on a national exchange or on the over-
250 the-counter market and whose total assets at the end of the
251 corporation's most recent fiscal quarter exceeded \$50 million;

252 d. The clinic is affiliated with an accredited medical
253 school at which training is provided for medical students,
254 residents, or fellows;

255 e. The clinic does not prescribe controlled substances for
256 the treatment of pain;

257 f. The clinic is owned by a corporate entity exempt from
258 federal taxation under 26 U.S.C. s. 501(c)(3);

259 g. The clinic is wholly owned and operated by one or more
260 board-eligible or board-certified anesthesiologists,
261 physiatrists, rheumatologists, or neurologists; or

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262 h. The clinic is wholly owned and operated by a physician
263 multispecialty practice where one or more board-eligible or
264 board-certified medical specialists, who have also completed
265 fellowships in pain medicine approved by the Accreditation
266 Council for Graduate Medical Education or the American
267 Osteopathic Association or who are also board-certified in pain
268 medicine by the American Board of Pain Medicine or a board
269 approved by the American Board of Medical Specialties, the
270 American Association of Physician Specialists, or the American
271 Osteopathic Association, perform interventional pain procedures
272 of the type routinely billed using surgical codes.

273 Section 9. Subsections (1) and (3) of section 464.012,
274 Florida Statutes, is amended to read:

275 464.012 Certification of advanced registered nurse
276 practitioners; fees; controlled substance prescribing.—

277 (1) Any nurse desiring to be certified as an advanced
278 registered nurse practitioner shall apply to the department and
279 submit proof that he or she holds a current license to practice
280 professional nursing and that he or she meets one or more of the
281 following requirements as determined by the board:

282 ~~(a) Satisfactory completion of a formal postbasic~~
283 ~~educational program of at least one academic year, the primary~~
284 ~~purpose of which is to prepare nurses for advanced or~~
285 ~~specialized practice.~~

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286 ~~(a)-(b)~~ Certification by an appropriate specialty board.
287 Such certification shall be required for initial state
288 certification and any recertification as a registered nurse
289 anesthetist, psychiatric nurse, or nurse midwife. The board may
290 by rule provide for provisional state certification of graduate
291 nurse anesthetists, psychiatric nurses, and nurse midwives for a
292 period of time determined to be appropriate for preparing for
293 and passing the national certification examination.

294 ~~(b)-(e)~~ Graduation from a program leading to a master's
295 degree in a nursing clinical specialty area with preparation in
296 specialized practitioner skills. For applicants graduating on or
297 after October 1, 1998, graduation from a master's degree program
298 shall be required for initial certification as a nurse
299 practitioner under paragraph (4) (c). For applicants graduating
300 on or after October 1, 2001, graduation from a master's degree
301 program shall be required for initial certification as a
302 registered nurse anesthetist under paragraph (4) (a).

303 (3) An advanced registered nurse practitioner shall
304 perform those functions authorized in this section within the
305 framework of an established protocol which must be maintained
306 onsite at the location or locations at which an advanced
307 registered nurse practices. In the case of multiple supervising
308 physicians in the same group, an advanced registered nurse
309 practitioner must enter into a supervisory protocol with at
310 least one physician within the physician group practice. ~~that is~~

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311 ~~filed with the board upon biennial license renewal and within 30~~
312 ~~days after entering into a supervisory relationship with a~~
313 ~~physician or changes to the protocol. The board shall review the~~
314 ~~protocol to ensure compliance with applicable regulatory~~
315 ~~standards for protocols. The board shall refer to the department~~
316 ~~licensees submitting protocols that are not compliant with the~~
317 ~~regulatory standards for protocols.~~ A practitioner currently
318 licensed under chapter 458, chapter 459, or chapter 466 shall
319 maintain supervision for directing the specific course of
320 medical treatment. Within the established framework, an advanced
321 registered nurse practitioner may:

322 (a) Prescribe, dispense, administer, or order any drug;
323 however, an advanced registered nurse practitioner may prescribe
324 or dispense a controlled substance as defined in s. 893.03 only
325 if the advanced registered nurse practitioner has graduated from
326 a program leading to a master's or doctoral degree in a clinical
327 nursing specialty area with training in specialized practitioner
328 skills.

329 (b) Initiate appropriate therapies for certain conditions.

330 (c) Perform additional functions as may be determined by
331 rule in accordance with s. 464.003(2).

332 (d) Order diagnostic tests and physical and occupational
333 therapy.

334 (e) Order any medication for administration to a patient
335 in a facility licensed under chapter 395 or part II of chapter

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336 400, notwithstanding any provisions in chapter 465 or chapter
337 893.

338 Section 10. Effective December 31, 2018, or upon enactment
339 of the Nurse Licensure Compact into law by 26 states, whichever
340 occurs first, subsections (1) and (3) of section 464.012,
341 Florida Statutes, as amended by section 8 of chapter 2016-139,
342 section 12 of chapter 2016-224, and section 7 of chapter 2016-
343 231, Laws of Florida, is amended to read:

344 464.012 Certification of advanced registered nurse
345 practitioners; fees; controlled substance prescribing.—

346 (1) Any nurse desiring to be certified as an advanced
347 registered nurse practitioner shall apply to the department and
348 submit proof that he or she holds a current license to practice
349 professional nursing or holds an active multistate license to
350 practice professional nursing pursuant to s. 464.0095 and that
351 he or she meets one or more of the following requirements as
352 determined by the board:

353 ~~(a) Satisfactory completion of a formal postbasic~~
354 ~~educational program of at least one academic year, the primary~~
355 ~~purpose of which is to prepare nurses for advanced or~~
356 ~~specialized practice.~~

357 (a) ~~(b)~~ Certification by an appropriate specialty board.
358 Such certification shall be required for initial state
359 certification and any recertification as a registered nurse
360 anesthetist, psychiatric nurse, or nurse midwife. The board may

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361 by rule provide for provisional state certification of graduate
362 nurse anesthetists, psychiatric nurses, and nurse midwives for a
363 period of time determined to be appropriate for preparing for
364 and passing the national certification examination.

365 (b)(e) Graduation from a program leading to a master's
366 degree in a nursing clinical specialty area with preparation in
367 specialized practitioner skills. For applicants graduating on or
368 after October 1, 1998, graduation from a master's degree program
369 shall be required for initial certification as a nurse
370 practitioner under paragraph (4)(c). For applicants graduating
371 on or after October 1, 2001, graduation from a master's degree
372 program shall be required for initial certification as a
373 registered nurse anesthetist under paragraph (4)(a).

374 (3) An advanced registered nurse practitioner shall
375 perform those functions authorized in this section within the
376 framework of an established protocol which must be maintained
377 onsite at the location or locations at which an advanced
378 registered nurse practices. In the case of multiple supervising
379 physicians in the same group, an advanced registered nurse
380 practitioner must enter into a supervisory protocol with at
381 least one physician within the physician group practice. ~~that is~~
382 ~~filed with the board upon biennial license renewal and within 30~~
383 ~~days after entering into a supervisory relationship with a~~
384 ~~physician or changes to the protocol. The board shall review the~~
385 ~~protocol to ensure compliance with applicable regulatory~~

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386 ~~standards for protocols. The board shall refer to the department~~
387 ~~licensees submitting protocols that are not compliant with the~~
388 ~~regulatory standards for protocols.~~ A practitioner currently
389 licensed under chapter 458, chapter 459, or chapter 466 shall
390 maintain supervision for directing the specific course of
391 medical treatment. Within the established framework, an advanced
392 registered nurse practitioner may:

393 (a) Prescribe, dispense, administer, or order any drug;
394 however, an advanced registered nurse practitioner may prescribe
395 or dispense a controlled substance as defined in s. 893.03 only
396 if the advanced registered nurse practitioner has graduated from
397 a program leading to a master's or doctoral degree in a clinical
398 nursing specialty area with training in specialized practitioner
399 skills.

400 (b) Initiate appropriate therapies for certain conditions.

401 (c) Perform additional functions as may be determined by
402 rule in accordance with s. 464.003(2).

403 (d) Order diagnostic tests and physical and occupational
404 therapy.

405 (e) Order any medication for administration to a patient
406 in a facility licensed under chapter 395 or part II of chapter
407 400, notwithstanding any provisions in chapter 465 or chapter
408 893.

409 Section 11. Subsection (3) of section 464.013, Florida
410 Statutes, is amended to read:

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411 464.013 Renewal of license or certificate.—

412 (3) The board shall by rule prescribe up to 30 hours of
413 continuing education biennially as a condition for renewal of a
414 license or certificate.

415 (a) A nurse who is certified by a health care specialty
416 program accredited by the National Commission for Certifying
417 Agencies or the Accreditation Board for Specialty Nursing
418 Certification is exempt from continuing education requirements.
419 The criteria for programs must be approved by the board.

420 (b) Notwithstanding the exemption in paragraph (a), as
421 part of the maximum 30 hours of continuing education ~~hours~~
422 required under this subsection, advanced registered nurse
423 practitioners certified under s. 464.012 must complete at least
424 3 hours of continuing education on the safe and effective
425 prescription of controlled substances. Such continuing education
426 courses must be approved by the board and ~~must be offered by a~~
427 ~~statewide professional association of physicians in this state~~
428 ~~accredited to provide educational activities designated for the~~
429 ~~American Medical Association Physician's Recognition Award~~
430 ~~Category 1 credit, the American Nurses Credentialing Center, the~~
431 ~~American Association of Nurse Anesthetists, or the American~~
432 ~~Association of Nurse Practitioners and may be offered in a~~
433 distance learning format.

434 Section 12. Paragraph (b) of subsection (2), subsection
435 (5), subsection (8), paragraph (a) of subsection (9), and

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436 subsection (10) of section 464.019, Florida Statutes, are
437 amended, paragraph (d) is added to subsection (7) of that
438 section, and paragraph (e) is added to subsection (11) of that
439 section, to read:

440 464.019 Approval of nursing education programs.—

441 (2) PROGRAM APPROVAL.—

442 (b) Following the department's receipt of a complete
443 program application, the board may conduct an on-site evaluation
444 if necessary to document the applicant's compliance with
445 subsection (1). Within 90 days after the department's receipt of
446 a complete program application, the board shall:

447 1. Approve the application if it documents compliance with
448 subsection (1); or

449 2. Provide the educational institution with a notice of
450 intent to deny the application if it does not document
451 compliance with subsection (1). The notice must specify written
452 reasons for the board's denial of the application. The board may
453 not deny a program application because of an educational
454 institution's failure to correct an error or omission that the
455 department failed to provide notice of to the institution within
456 the 30-day notice period under paragraph (a). The educational
457 institution may request a hearing on the notice of intent to
458 deny the program application pursuant to chapter 120.

459 (5) ACCOUNTABILITY.—

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460 (a)1. An approved program must achieve a graduate passage
461 rate for first-time test takers which ~~who take the licensure~~
462 ~~examination within 6 months after graduation from the program~~
463 ~~that~~ is not more than 10 percentage points lower than the
464 average passage rate during the same calendar year for graduates
465 of comparable degree programs who are United States educated,
466 first-time test takers on the National Council of State Boards
467 of Nursing Licensing Examination, as calculated by the contract
468 testing service of the National Council of State Boards of
469 Nursing. ~~An approved program shall require a graduate from the~~
470 ~~program who does not take the licensure examination within 6~~
471 ~~months after graduation to enroll in and successfully complete a~~
472 ~~licensure examination preparatory course pursuant to s. 464.008.~~
473 For purposes of this subparagraph, an approved program is
474 comparable to all degree programs of the same program type from
475 among the following program types:

476 a. Professional nursing education programs that terminate
477 in a bachelor's degree.

478 b. Professional nursing education programs that terminate
479 in an associate degree.

480 c. Professional nursing education programs that terminate
481 in a diploma.

482 d. Practical nursing education programs.

483 2. Beginning with graduate passage rates for calendar year
484 2010, if an approved program's graduate passage rates do not

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485 equal or exceed the required passage rates for 2 consecutive
486 calendar years, the board shall place the program on
487 probationary status pursuant to chapter 120 and the program
488 director shall appear before the board to present a plan for
489 remediation, which shall include specific benchmarks to identify
490 progress toward a graduate passage rate goal. The program must
491 remain on probationary status until it achieves a graduate
492 passage rate that equals or exceeds the required passage rate
493 for any 1 calendar year. The board shall deny a program
494 application for a new prelicensure nursing education program
495 submitted by an educational institution if the institution has
496 an existing program that is already on probationary status.

497 3. Upon the program's achievement of a graduate passage
498 rate that equals or exceeds the required passage rate, the
499 board, at its next regularly scheduled meeting following release
500 of the program's graduate passage rate by the National Council
501 of State Boards of Nursing, shall remove the program's
502 probationary status. If the program, during the 2 calendar years
503 following its placement on probationary status, does not achieve
504 the required passage rate for any 1 calendar year, the board
505 ~~shall terminate the program pursuant to chapter 120. However,~~
506 ~~the board~~ may extend the program's probationary status for 1
507 additional year, provided if the program has demonstrated
508 ~~demonstrates~~ adequate progress toward the graduate passage rate
509 goal by meeting a majority of the benchmarks established in the

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510 remediation plan. If the program is not granted the 1-year
511 extension or fails to achieve the required passage rate by the
512 end of such extension, the board shall terminate the program
513 pursuant to chapter 120.

514 (b) If an approved program fails to submit the annual
515 report required in subsection (3), the board shall notify the
516 program director and president or chief executive officer of the
517 educational institution in writing within 15 days after the due
518 date of the annual report. The program director shall appear
519 before the board at the board's next regularly scheduled meeting
520 to explain the reason for the delay. The board shall terminate
521 the program pursuant to chapter 120 if the program director
522 fails to appear before the board, as required under this
523 paragraph, or if the program ~~it~~ does not submit the annual
524 report within 6 months after the due date.

525 (c) A nursing education ~~An approved~~ program, whether
526 accredited or nonaccredited, which has been placed on
527 probationary status shall disclose its probationary status in
528 writing to the program's students and applicants. The
529 notification must include an explanation of the implications of
530 the program's probationary status on student and applicant
531 employment and educational opportunities, including the
532 prospects a student wishing to matriculate at a university will
533 face.

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534 (d) If students from a program that is terminated pursuant
535 to this subsection transfer to an approved or an accredited
536 program under the direction of the Commission for Independent
537 Education, the board shall recalculate the passage rates of the
538 programs receiving the transferring students, excluding the test
539 scores of those students transferring more than 12 credits.

540 (7) PROGRAM CLOSURE.—

541 (d) A program that is terminated or closed under this
542 section may not seek program approval under its original name or
543 a new program name for a minimum of 3 years after the date of
544 termination or closing.

545 (8) RULEMAKING.—The board does not have rulemaking
546 authority to administer this section, except that the board
547 shall adopt rules that prescribe the format for submitting
548 program applications under subsection (1) and annual reports
549 under subsection (3), and to administer the documentation of the
550 accreditation of nursing education programs under subsection
551 (11). The board may adopt rules related to the nursing
552 curriculum and nursing program implementation plans, which may
553 include definitions of the various types and uses of simulation
554 technology and limitations on the technology's use. The board
555 may also adopt rules related to program termination or closure
556 under this section and the procedure for a program that is
557 terminated or closed under this section to seek subsequent
558 program approval. The board may not impose any condition or

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559 requirement on an educational institution submitting a program
560 application, an approved program, or an accredited program,
561 except as expressly provided in this section.

562 (9) APPLICABILITY TO ACCREDITED PROGRAMS.—

563 (a) Subsections (1)-(3), paragraph (4)(b), and paragraph
564 (5)(b) ~~subsection (5)~~ do not apply to an accredited program.

565 (10) IMPLEMENTATION STUDY.—The Florida Center for Nursing
566 ~~and the education policy area of the Office of Program Policy~~
567 ~~Analysis and Government Accountability~~ shall study the
568 administration of this section and submit reports to the
569 Governor, the President of the Senate, and the Speaker of the
570 House of Representatives annually by January 30, through January
571 30, 2020. The annual reports shall address the previous academic
572 year; provide data on the measures specified in paragraphs (a)
573 and (b), as such data becomes available; and include an
574 evaluation of such data for purposes of determining whether this
575 section is increasing the availability of nursing education
576 programs and the production of quality nurses. The department
577 and each approved program or accredited program shall comply
578 with requests for data from the Florida Center for Nursing ~~and~~
579 ~~the education policy area of the Office of Program Policy~~
580 ~~Analysis and Government Accountability.~~

581 (a) The Florida Center for Nursing ~~education policy area~~
582 ~~of the Office of Program Policy Analysis and Government~~
583 ~~Accountability~~ shall evaluate program-specific data for each

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584 approved program and accredited program conducted in the state,
585 including, but not limited to:

586 1. The number of programs and student slots available.

587 2. The number of student applications submitted, the
588 number of qualified applicants, and the number of students
589 accepted.

590 3. The number of program graduates.

591 4. Program retention rates of students tracked from
592 program entry to graduation.

593 5. Graduate passage rates on the National Council of State
594 Boards of Nursing Licensing Examination.

595 6. The number of graduates who become employed as
596 practical or professional nurses in the state.

597 (b) The Florida Center for Nursing shall evaluate the
598 board's implementation of the:

599 1. Program application approval process, including, but
600 not limited to, the number of program applications submitted
601 under subsection (1); the number of program applications
602 approved and denied by the board under subsection (2); the
603 number of denials of program applications reviewed under chapter
604 120; and a description of the outcomes of those reviews.

605 2. Accountability processes, including, but not limited
606 to, the number of programs on probationary status, the number of
607 approved programs for which the program director is required to
608 appear before the board under subsection (5), the number of

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609 approved programs terminated by the board, the number of
610 terminations reviewed under chapter 120, and a description of
611 the outcomes of those reviews.

612 (c) The Florida Center for Nursing shall complete an
613 annual assessment of compliance by programs with the
614 accreditation requirements of subsection (11), include in the
615 assessment a determination of the accreditation process status
616 for each program, and submit the assessment as part of the
617 report required by this subsection ~~For any state fiscal year in~~
618 ~~which The Florida Center for Nursing does not receive~~
619 ~~legislative appropriations, the education policy area of the~~
620 ~~Office of Program Policy Analysis and Government Accountability~~
621 ~~shall perform the duties assigned by this subsection to the~~
622 ~~Florida Center for Nursing.~~

623 (11) ACCREDITATION REQUIRED.—

624 (e) A nursing education program that fails to meet the
625 accreditation requirements shall be terminated and is ineligible
626 for reapproval under its original name or a new program name for
627 a minimum of 3 years after the date of termination.

628 Section 13. Section 465.0195, Florida Statutes, is created
629 to read:

630 465.0195 In-state sterile compounding permit.—Before any
631 pharmacy or outsourcing facility located in this state
632 dispenses, creates, delivers, ships, or mails, in any manner, a

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633 compound sterile product, the pharmacy or outsourcing facility
634 must hold a sterile compounding permit.

635 (1) An application for a sterile compounding permit shall
636 be submitted on a form furnished by the board. The board may
637 require such information as it deems reasonably necessary to
638 carry out the purposes of this section.

639 (2) If the board certifies that the application complies
640 with the applicable laws and rules of the board governing
641 pharmacies, the department shall issue the permit.

642 (3) A permit may not be issued unless a licensed
643 pharmacist is designated to supervise the compounding and
644 dispensing of all drugs dispensed by the permittee.

645 (4) The permittee shall notify the department within 10
646 days after any change in the designation of the supervising
647 licensed pharmacist. A permittee that employs or otherwise uses
648 registered pharmacy technicians must have a written policy and
649 procedures manual specifying the duties, tasks, and functions
650 that a registered pharmacy technician is allowed to perform.

651 (5) The board may adopt by rule standards of practice for
652 sterile compounding. In adopting the standards of practice, the
653 board shall consider the pharmaceutical standards in chapter 797
654 of the United States Pharmacopoeia and may consider any
655 authoritative professional standards. In adopting standards of
656 practice for an outsourcing facility, the board shall consider
657 the Current Good Manufacturing Practice regulations enforced by

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658 the United States Food and Drug Administration and may consider
659 any authoritative professional standards.

660 (6) All provisions relating to pharmacy permits in ss.
661 465.022 and 465.023 apply to permits issued pursuant to this
662 section.

663 Section 14. Subsection (2) of section 465.027, Florida
664 Statutes, is amended to read:

665 465.027 Exceptions.—

666 (2) This chapter shall not apply to a manufacturer, or its
667 agent, holding an active permit as a manufacturer under chapter
668 499, or a third party logistics provider holding an active
669 permit under chapter 499, and engaged solely in the manufacture
670 or distribution of dialysate, drugs, or devices necessary to
671 perform home renal dialysis on patients with chronic kidney
672 failure, if the dialysate, drugs, or devices are:

673 (a) Approved or cleared by the United States Food and Drug
674 Administration; and

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

677 1. A patient with chronic kidney failure, or the patient's
678 designee, for the patient's self-administration of the dialysis
679 therapy; or

680 2. A health care practitioner or an institution for
681 administration or delivery of the dialysis therapy to a patient
682 with chronic kidney failure.

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683 Section 15. Subsections (1), (3), and (4) of section
684 468.803, Florida Statutes, are amended, and paragraph (f) is
685 added to subsection (5) of that section, to read:

686 468.803 License, registration, and examination
687 requirements.—

688 (1) The department shall issue a license to practice
689 orthotics, prosthetics, or pedorthics, or a registration for a
690 resident to practice orthotics or prosthetics, to qualified
691 applicants. Licenses shall be granted independently in
692 orthotics, prosthetics, or pedorthics, but a person may be
693 licensed in more than one such discipline, and a single
694 prosthetist-orthotist license may be granted to persons meeting
695 the requirements for both a prosthetist and an orthotist
696 license. Registrations shall be granted ~~independently~~ in
697 orthotics or prosthetics, ~~or and~~ a person may, if approved by
698 the board, hold a single registration ~~be registered~~ in both
699 fields ~~at the same time~~.

700 (3) A person seeking to attain the required orthotics or
701 prosthetics experience in this state must be approved by the
702 board and registered as a resident by the department. For a 12-
703 month residency, a registration may be held in each practice
704 field, and the board may not approve a second registration until
705 at least one year after the issuance of the first registration.
706 For an 18-month residency, ~~Although~~ a registration may be held
707 in both practice fields concurrently, ~~the board shall not~~

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708 ~~approve a second registration until at least 1 year after the~~
709 ~~issuance of the first registration.~~ Notwithstanding subsection
710 (2), an applicant who has been approved by the board and
711 registered by the department in one practice field may apply for
712 registration in the second practice field without an additional
713 state or national criminal history check during the period in
714 which the first registration is valid. Each registration is
715 valid for 2 years from the date of issuance unless otherwise
716 revoked by the department upon recommendation of the board. The
717 board shall set a registration fee not to exceed \$500 to be paid
718 by the applicant. A registration may be renewed once by the
719 department upon recommendation of the board for a period no
720 longer than 1 year, as such renewal is defined by the board by
721 rule. The registration renewal fee shall not exceed one-half the
722 current registration fee. To be considered by the board for
723 approval of registration as a resident, the applicant must have:
724 (a) A Bachelor of Science or higher-level postgraduate
725 degree in Orthotics and Prosthetics from a regionally accredited
726 college or university recognized by the Commission on
727 Accreditation of Allied Health Education Programs or, at a
728 minimum, a bachelor's degree from a regionally accredited
729 college or university and a certificate in orthotics from a
730 program recognized by the Commission on Accreditation of Allied
731 Health Education Programs, or its equivalent, as determined by
732 the board; or

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733 (b) A Bachelor of Science or higher-level postgraduate
734 degree in Orthotics and Prosthetics from a regionally accredited
735 college or university recognized by the Commission on
736 Accreditation of Allied Health Education Programs or, at a
737 minimum, a bachelor's degree from a regionally accredited
738 college or university and a certificate in prosthetics from a
739 program recognized by the Commission on Accreditation of Allied
740 Health Education Programs, or its equivalent, as determined by
741 the board.

742 (4) The department may develop and administer a state
743 examination for an orthotist license, ~~or~~ a prosthetist license,
744 or a prosthetist-orthotist license, or the board may approve the
745 existing examination of a national standards organization. The
746 examination must be predicated on a minimum of a baccalaureate-
747 level education and formalized specialized training in the
748 appropriate field. Each examination must demonstrate a minimum
749 level of competence in basic scientific knowledge, written
750 problem solving, and practical clinical patient management. If
751 developed and administered by the department, the board shall
752 require an examination fee not to exceed the actual cost of ~~to~~
753 ~~the board in~~ developing, administering, and approving the
754 examination, which fee must be paid by the applicant. To be
755 considered by the board for examination, the applicant must
756 have:

757 (a) For an examination in orthotics:

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758 1. A Bachelor of Science or higher-level postgraduate
759 degree in Orthotics and Prosthetics from a regionally accredited
760 college or university recognized by the Commission on
761 Accreditation of Allied Health Education Programs or, at a
762 minimum, a bachelor's degree from a regionally accredited
763 college or university and a certificate in orthotics from a
764 program recognized by the Commission on Accreditation of Allied
765 Health Education Programs, or its equivalent, as determined by
766 the board; and

767 2. An approved orthotics internship of 1 year of qualified
768 experience, as determined by the board, or an orthotic residency
769 program recognized by the board.

770 (b) For an examination in prosthetics:

771 1. A Bachelor of Science or higher-level postgraduate
772 degree in Orthotics and Prosthetics from a regionally accredited
773 college or university recognized by the Commission on
774 Accreditation of Allied Health Education Programs or, at a
775 minimum, a bachelor's degree from a regionally accredited
776 college or university and a certificate in prosthetics from a
777 program recognized by the Commission on Accreditation of Allied
778 Health Education Programs, or its equivalent, as determined by
779 the board; and

780 2. An approved prosthetics internship of 1 year of
781 qualified experience, as determined by the board, or a
782 prosthetic residency program recognized by the board.

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783 (c) For an examination leading toward a prosthetic-
784 orthotist license:

785 1. A Bachelor of Science or higher-level postgraduate
786 degree in Orthotics and Prosthetics from a regionally accredited
787 college or university recognized by the Commission on
788 Accreditation of Allied Health Education Programs or, at a
789 minimum, a bachelor's degree from a regionally accredited
790 college or university and a certificate in orthotics and
791 prosthetics from a program recognized by the Commission on
792 Accreditation of Allied Health Education Programs, or its
793 equivalent, as determined by the board; and

794 2. An approved orthotics-prosthetics internship of at
795 least 1 year of qualified experience, as determined by the
796 board, or an orthotics-prosthetics residency program recognized
797 by the board.

798 (5) In addition to the requirements in subsection (2) and
799 (4), to be licensed as:

800 (f) A prosthetist-orthotist, the applicant must pay a fee
801 not to exceed \$1,000 and must have:

802 1. Completed the mandatory courses; and
803 2. Passed the state prosthetics examination and orthotics
804 examination or the board-approved prosthetics examination and
805 the board-approved orthotics examination. If a board-approved
806 combined examination becomes available, the combined examination
807 will also meet the requirements under this subparagraph.

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808 Section 16. Subsection (7) of section 480.041, Florida
809 Statutes, is amended to read:

810 480.041 Massage therapists; qualifications; licensure;
811 endorsement.—

812 (7) The board shall deny an application for a new license
813 and the department shall deny the ~~or~~ renewal of a license if an
814 applicant has been convicted or found guilty of, or enters a
815 plea of guilty or nolo contendere to, regardless of
816 adjudication, a violation of s. 796.07(2)(a) which is
817 reclassified under s. 796.07(7) or a felony offense under any of
818 the following provisions of state law or a similar provision in
819 another jurisdiction:

820 (a) Section 787.01, relating to kidnapping.

821 (b) Section 787.02, relating to false imprisonment.

822 (c) Section 787.025, relating to luring or enticing a
823 child.

824 (d) Section 787.06, relating to human trafficking.

825 (e) Section 787.07, relating to human smuggling.

826 (f) Section 794.011, relating to sexual battery.

827 (g) Section 794.08, relating to female genital mutilation.

828 (h) Former s. 796.03, relating to procuring a person under
829 the age of 18 for prostitution.

830 (i) Former s. 796.035, relating to the selling or buying
831 of minors into prostitution.

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832 (j) Section 796.04, relating to forcing, compelling, or
833 coercing another to become a prostitute.

834 (k) Section 796.05, relating to deriving support from the
835 proceeds of prostitution.

836 (l) Section 796.07(4)(a)3., relating to a felony of the
837 third degree for a third or subsequent violation of s. 796.07,
838 relating to prohibiting prostitution and related acts.

839 (m) Section 800.04, relating to lewd or lascivious
840 offenses committed upon or in the presence of persons less than
841 16 years of age.

842 (n) Section 825.1025(2)(b), relating to lewd or lascivious
843 offenses committed upon or in the presence of an elderly or
844 disabled person.

845 (o) Section 827.071, relating to sexual performance by a
846 child.

847 (p) Section 847.0133, relating to the protection of
848 minors.

849 (q) Section 847.0135, relating to computer pornography.

850 (r) Section 847.0138, relating to the transmission of
851 material harmful to minors to a minor by electronic device or
852 equipment.

853 (s) Section 847.0145, relating to the selling or buying of
854 minors.

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855 Section 17. Paragraph (b) and (c) of subsection (3) of
856 section 486.102, Florida Statutes, are amended, and paragraph
857 (d) is added to that subsection, to read:

858 486.102 Physical therapist assistant; licensing
859 requirements.—To be eligible for licensing by the board as a
860 physical therapist assistant, an applicant must:

861 (3)

862 (b) Have been graduated from a school giving a course for
863 physical therapist assistants in a foreign country and have
864 educational credentials deemed equivalent to those required for
865 the educational preparation of physical therapist assistants in
866 this country, as recognized by the appropriate agency as
867 identified by the board, and passed to the satisfaction of the
868 board an examination to determine her or his fitness for
869 practice as a physical therapist assistant as hereinafter
870 provided; ~~or~~

871 (c) Be entitled to licensure without examination as
872 provided in s. 486.107; or

873 (d) Have been enrolled between July 1, 2014, and July 1,
874 2016, in a physical therapy assistant school in this state which
875 was accredited at the time of enrollment; and

876 1. Has graduated or will graduate from such school no
877 later than July 1, 2018; and

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878 | 2. Has passed to the satisfaction of the board an examination
879 | to determine his or her fitness for practice as a physical
880 | therapy assistant as provided in s. 486.104.

881 | Section 18. Paragraph (c) of subsection (3) and subsection
882 | (4) of section 491.005, Florida Statutes, is amended to read:

883 | 491.005 Licensure by examination.—

884 | (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
885 | documentation and payment of a fee not to exceed \$200, as set by
886 | board rule, plus the actual cost to the department for the
887 | purchase of the examination from the Association of Marital and
888 | Family Therapy Regulatory Board, or similar national
889 | organization, the department shall issue a license as a marriage
890 | and family therapist to an applicant who the board certifies:

891 | (c) Has had at least 2 years of clinical experience during
892 | which 50 percent of the applicant's clients were receiving
893 | marriage and family therapy services, which must be at the post-
894 | master's level under the supervision of a licensed marriage and
895 | family therapist with at least 5 years of experience, or the
896 | equivalent, who is a qualified supervisor as determined by the
897 | board. An individual who intends to practice in Florida to
898 | satisfy the clinical experience requirements must register
899 | pursuant to s. 491.0045 before commencing practice. If a
900 | graduate has a master's degree with a major emphasis in marriage
901 | and family therapy or a closely related field that did not
902 | include all the coursework required under sub-subparagraphs

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903 (b)1.a.-c., credit for the post-master's level clinical
904 experience shall not commence until the applicant has completed
905 a minimum of 10 of the courses required under sub-subparagraphs
906 (b)1.a.-c., as determined by the board, and at least 6 semester
907 hours or 9 quarter hours of the course credits must have been
908 completed in the area of marriage and family systems, theories,
909 or techniques. Within the 2 ~~3~~ years of required experience, the
910 applicant shall provide direct individual, group, or family
911 therapy and counseling, to include the following categories of
912 cases: unmarried dyads, married couples, separating and
913 divorcing couples, and family groups including children. A
914 doctoral internship may be applied toward the clinical
915 experience requirement. A licensed mental health professional
916 must be on the premises when clinical services are provided by a
917 registered intern in a private practice setting.

918 (4) MENTAL HEALTH COUNSELING.—Upon verification of
919 documentation and payment of a fee not to exceed \$200, as set by
920 board rule, plus the actual per applicant cost to the department
921 for purchase of the National Clinical Mental Health Counseling
922 Examination, an examination managed by the National Board for
923 Certified Counselors or its successor ~~from the Professional~~
924 ~~Examination Service for the National Academy of Certified~~
925 ~~Clinical Mental Health Counselors or a similar national~~
926 ~~organization~~, the department shall issue a license as a mental
927 health counselor to an applicant who the board certifies:

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928 (a) Has submitted an application and paid the appropriate
929 fee.

930 (b)1. Has a minimum of an earned master's degree from a
931 mental health counseling program accredited by the Council for
932 the Accreditation of Counseling and Related Educational Programs
933 that consists of at least 60 semester hours or 80 quarter hours
934 of clinical and didactic instruction, including a course in
935 human sexuality and a course in substance abuse. If the master's
936 degree is earned from a program related to the practice of
937 mental health counseling that is not accredited by the Council
938 for the Accreditation of Counseling and Related Educational
939 Programs, then the coursework and practicum, internship, or
940 fieldwork must consist of at least 60 semester hours or 80
941 quarter hours and meet the following requirements:

942 a. Thirty-three semester hours or 44 quarter hours of
943 graduate coursework, which must include a minimum of 3 semester
944 hours or 4 quarter hours of graduate-level coursework in each of
945 the following 11 content areas: counseling theories and
946 practice; human growth and development; diagnosis and treatment
947 of psychopathology; human sexuality; group theories and
948 practice; individual evaluation and assessment; career and
949 lifestyle assessment; research and program evaluation; social
950 and cultural foundations; counseling in community settings; and
951 substance abuse. Courses in research, thesis or dissertation

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952 work, practicums, internships, or fieldwork may not be applied
953 toward this requirement.

954 b. A minimum of 3 semester hours or 4 quarter hours of
955 graduate-level coursework in legal, ethical, and professional
956 standards issues in the practice of mental health counseling,
957 which includes goals, objectives, and practices of professional
958 counseling organizations, codes of ethics, legal considerations,
959 standards of preparation, certifications and licensing, and the
960 role identity and professional obligations of mental health
961 counselors. Courses in research, thesis or dissertation work,
962 practicums, internships, or fieldwork may not be applied toward
963 this requirement.

964 c. The equivalent, as determined by the board, of at least
965 1,000 hours of university-sponsored supervised clinical
966 practicum, internship, or field experience as required in the
967 accrediting standards of the Council for Accreditation of
968 Counseling and Related Educational Programs for mental health
969 counseling programs. This experience may not be used to satisfy
970 the post-master's clinical experience requirement.

971 2. If the course title which appears on the applicant's
972 transcript does not clearly identify the content of the
973 coursework, the applicant shall be required to provide
974 additional documentation, including, but not limited to, a
975 syllabus or catalog description published for the course.
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977 Education and training in mental health counseling must have
978 been received in an institution of higher education which at the
979 time the applicant graduated was: fully accredited by a regional
980 accrediting body recognized by the Commission on Recognition of
981 Postsecondary Accreditation; publicly recognized as a member in
982 good standing with the Association of Universities and Colleges
983 of Canada; or an institution of higher education located outside
984 the United States and Canada, which at the time the applicant
985 was enrolled and at the time the applicant graduated maintained
986 a standard of training substantially equivalent to the standards
987 of training of those institutions in the United States which are
988 accredited by a regional accrediting body recognized by the
989 Commission on Recognition of Postsecondary Accreditation. Such
990 foreign education and training must have been received in an
991 institution or program of higher education officially recognized
992 by the government of the country in which it is located as an
993 institution or program to train students to practice as mental
994 health counselors. The burden of establishing that the
995 requirements of this provision have been met shall be upon the
996 applicant, and the board shall require documentation, such as,
997 but not limited to, an evaluation by a foreign equivalency
998 determination service, as evidence that the applicant's graduate
999 degree program and education were equivalent to an accredited
1000 program in this country.

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1001 (c) Has had at least 2 years of clinical experience in
1002 mental health counseling, which must be at the post-master's
1003 level under the supervision of a licensed mental health
1004 counselor or the equivalent who is a qualified supervisor as
1005 determined by the board. An individual who intends to practice
1006 in Florida to satisfy the clinical experience requirements must
1007 register pursuant to s. 491.0045 before commencing practice. If
1008 a graduate has a master's degree with a major related to the
1009 practice of mental health counseling that did not include all
1010 the coursework required under sub-subparagraphs (b)1.a.-b.,
1011 credit for the post-master's level clinical experience shall not
1012 commence until the applicant has completed a minimum of seven of
1013 the courses required under sub-subparagraphs (b)1.a.-b., as
1014 determined by the board, one of which must be a course in
1015 psychopathology or abnormal psychology. A doctoral internship
1016 may be applied toward the clinical experience requirement. A
1017 licensed mental health professional must be on the premises when
1018 clinical services are provided by a registered intern in a
1019 private practice setting.

1020 (d) Has passed a theory and practice examination provided
1021 by the department for this purpose.

1022 (e) Has demonstrated, in a manner designated by rule of
1023 the board, knowledge of the laws and rules governing the
1024 practice of clinical social work, marriage and family therapy,
1025 and mental health counseling.

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1026 Section 19. Subsection (2) of section 491.009, Florida
1027 Statutes, is amended to read:

1028 491.009 Discipline.—

1029 (2) The board department, or, in the case of certified
1030 master social workers psychologists, the department board, may
1031 enter an order denying licensure or imposing any of the
1032 penalties in s. 456.072(2) against any applicant for licensure
1033 or licensee who is found guilty of violating any provision of
1034 subsection (1) of this section or who is found guilty of
1035 violating any provision of s. 456.072(1).

1036 Section 20. Except as otherwise expressly provided in this
1037 act, this act shall take effect July 1, 2017.

1038 -----

1039 **T I T L E A M E N D M E N T**

1040 Remove everything before the enacting clause and insert:
1041 An act relating to the regulation of health care practitioners;
1042 amending s. 384.4018, F.S.; requiring the department to follow
1043 federal requirements in the implementation of a specified
1044 program; amending s. 395.3025, F.S.; authorizing the disclosure
1045 of certain patient records to the department, rather than the
1046 Agency for Health Care Administration; requiring the department,
1047 rather than the agency, to make certain patient records
1048 available under certain circumstances; amending s. 456.013,
1049 F.S.; requiring applications for a licensure examination include
1050 the applicant's date of birth; removing provisions related to

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 543 (2017)

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1051 the size and format of licenses; prohibiting the issuance of or
1052 renewal of certain licenses by regulatory boards or the
1053 department to applicants or licensees who have not paid all the
1054 fines and costs in the timeframe imposed by certain final
1055 orders; amending s. 456.025, F.S.; authorizing the department to
1056 waive certain fees when trust fund moneys exceed a certain
1057 amount; amending s. 456.065, F.S.; authorizing a transfer from
1058 the operating fund of a profession to cover a deficit in the
1059 unlicensed activity category; amending s. 458.3265, F.S.;
1060 removing an exemption from registration for certain pain
1061 management clinics; exempting certain pain management clinics
1062 from complying with operation requirements of the department;
1063 exempting certain pain management clinics from registration
1064 fees; amending s. 458.348, F.S.; repealing a provision that
1065 required establishment of standards by a joint committee for
1066 protocols for advanced registered nurse practitioners; amending
1067 s. 459.0137, F.S.; removing an exemption from registration for
1068 certain pain management clinics; exempting certain pain
1069 management clinics from complying with operation requirements of
1070 the department; exempting certain pain management clinics from
1071 registration fees; amending s. 464.012, F.S.; removing an
1072 obsolete qualification to satisfy certification requirements for
1073 an advanced registered nurse practitioner; requiring the
1074 supervisory protocol to be maintained at the practice location
1075 of the advanced registered nurse practitioner; authorizing an

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 543 (2017)

Amendment No.

1076 advanced registered nurse practitioner works with a physician
1077 group to enter into one supervisory protocol; removing the
1078 requirement that the supervisory protocol be filed with the
1079 Board of Nursing; removing the requirement that the board refer
1080 licensees who submit noncompliant supervisory protocols to the
1081 Department of Health; amending s. 464.013, F.S.; requiring
1082 certain continuing education courses to be approved by the Board
1083 of Nursing; removing a requirement that certain continuing
1084 education courses be offered by specified entities; amending s.
1085 464.019, F.S.; authorizing the board to conduct certain on-site
1086 evaluations; removing a limiting criterion from the requirement
1087 to measure graduate passage rates; removing a requirement that
1088 certain nursing program graduates complete a specific
1089 preparatory course; clarifying circumstances when programs in
1090 probationary status must be terminated; providing that
1091 accredited and nonaccredited nursing education programs must
1092 disclose probationary status; requiring notification of
1093 probationary status to include certain information; prohibiting
1094 a terminated or closed program from seeking program approval for
1095 a certain time; authorizing the board to adopt certain rules;
1096 requiring accredited programs to meet program accountability
1097 requirements and requirements to provide notification of
1098 probationary status; removing requirements that the Office of
1099 Program Policy Analysis and Government Accountability perform
1100 certain tasks; requiring the Florida Center for Nursing to make

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 543 (2017)

Amendment No.

1101 an annual assessment of compliance by nursing programs with
1102 certain accreditation requirements; requiring the center to
1103 include its assessment in a report to the Governor and the
1104 Legislature; removing the requirement that the Office of Program
1105 Policy Analysis and Government Accountability perform specified
1106 duties under certain circumstances; requiring the termination of
1107 a program under certain circumstances; creating s. 465.0195,
1108 F.S.; requiring a pharmacy or outsourcing facility to obtain a
1109 permit before engaging in specified activities related to
1110 sterile compounding; providing requirements for the permit
1111 application; providing requirements for the employment of
1112 certain individuals; authorizing the Board of Pharmacy to adopt
1113 by rule standards of practice for sterile compounding; requiring
1114 the board to consider certain standards and regulations in
1115 adopting such rules; providing applicability; amending 465.027,
1116 F.S.; providing an exemption an exception to certain third party
1117 logistics providers who distribute dialysis drugs or supplies;
1118 amending s. 468.803, F.S.; revising the registration
1119 requirements for orthotics and prosthetics; providing for a
1120 combined license in prosthetics and orthotics; providing license
1121 requirements; amending 480.041, F.S.; requiring the department,
1122 rather than the Board of Massage Therapy, to deny the renewal of
1123 a license under certain circumstances; amending s. 486.102,
1124 F.S.; providing requirements for certain physical therapy
1125 assistant licensure applicants; amending s. 491.005; F.S.;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 543 (2017)

Amendment No.

1126 | revising the amount of clinical experience required for a
1127 | license to provide marriage and family therapy; revising the
1128 | licensure examination; amending s. 491.009, F.S.; authorizing
1129 | the Board of Clinical Social Work, Marriage and Family Therapy,
1130 | and Mental Health Counseling, rather than the department, to
1131 | enter an order denying licensure or impose penalties against an
1132 | applicant for licensure under certain circumstances; authorizing
1133 | the department, rather than the board, to enter an order denying
1134 | licensure or impose penalties against an applicant for licensure
1135 | as a certified master social worker under certain circumstances;
1136 | deleting a provision granting such authority to the board in the
1137 | case of a psychologist; providing an effective date.