

By the Committees on Rules; and Children, Families, and Elder Affairs

595-04446-17

20177020c1

1 A bill to be entitled
2 An act relating to the ratification of a Department of
3 Elder Affairs rule and a Department of Health rule;
4 ratifying a specific rule relating to the practice for
5 professional guardians; ratifying a specific rule
6 adopted by the Board of Medicine relating to the
7 standard of care for office surgery for the sole and
8 exclusive purpose of satisfying any condition on
9 effectiveness pursuant to s. 120.541(3), F.S., which
10 requires ratification of any rule exceeding the
11 specified thresholds for likely adverse impact or
12 increase in regulatory costs; providing applicability;
13 providing an effective date.

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

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17 Section 1. (1) The following rule is ratified for the sole
18 and exclusive purpose of satisfying any condition on
19 effectiveness imposed under s. 120.541(3), Florida Statutes:
20 Rule 58M-2.009, Florida Administrative Code, as filed for
21 adoption with the Department of State pursuant to the
22 certification package dated February 9, 2017.

23 (2) The following rule is ratified for the sole and
24 exclusive purpose of satisfying any condition on effectiveness
25 imposed under s. 120.541(3), Florida Statutes: Rule 64B8-9.009,
26 Florida Administrative Code, titled "Standard of Care for Office
27 Surgery" as filed for adoption with the Department of State
28 pursuant to the certification package dated June 15, 2016.

29 (3) This act serves no other purpose and may not be

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30 codified in the Florida Statutes. After this act becomes law,
31 its enactment and effective dates shall be noted in the Florida
32 Administrative Code, the Florida Administrative Register, or
33 both, as appropriate. This act does not alter rulemaking
34 authority delegated by prior law, does not constitute
35 legislative preemption of or exception to any provision of law
36 governing adoption or enforcement of the rule cited, and is
37 intended to preserve the status of any cited rule as a rule
38 under chapter 120, Florida Statutes. This act does not cure any
39 rulemaking defect or preempt any challenge based on a lack of
40 authority or a violation of the legal requirements governing the
41 adoption of any rule cited.

42 Section 2. This act shall take effect upon becoming law.