



639748

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: SEN1/C
05/03/2017 11:59 AM	.	05/05/2017 01:19 PM
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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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



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

17           (3) This act serves no other purpose and may not be  
18 codified in the Florida Statutes. After this act becomes law,  
19 its enactment and effective dates shall be noted in the Florida  
20 Administrative Code, the Florida Administrative Register, or  
21 both, as appropriate. This act does not alter rulemaking  
22 authority delegated by prior law, does not constitute  
23 legislative preemption of or exception to any provision of law  
24 governing adoption or enforcement of the rule cited, and is  
25 intended to preserve the status of any cited rule as a rule  
26 under chapter 120, Florida Statutes. This act does not cure any  
27 rulemaking defect or preempt any challenge based on a lack of  
28 authority or a violation of the legal requirements governing the  
29 adoption of any rule cited.

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

31  
32 ===== T I T L E   A M E N D M E N T =====

33 And the title is amended as follows:

34           Delete everything before the enacting clause  
35 and insert:

36                           A bill to be entitled  
37           An act relating to the ratification of a Department of  
38           Elder Affairs rule and a Department of Health rule;  
39           ratifying a specific rule relating to the practice for



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40 professional guardians; ratifying a specific rule  
41 adopted by the Board of Medicine relating to the  
42 standard of care for office surgery for the sole and  
43 exclusive purpose of satisfying any condition on  
44 effectiveness pursuant to s. 120.541(3), F.S., which  
45 requires ratification of any rule exceeding the  
46 specified thresholds for likely adverse impact or  
47 increase in regulatory costs; providing applicability;  
48 providing an effective date.